Hester, Paul V., xxx-xx-xxxx.
Hodges, John D., xxx-xx-xxxx.
Honig, Emanuel M., xxx-xx-xxxx.
Hotard, Douglas P., xxx-xx-xxxx.
Hudgins, Lewis W., Jr., xxx-xx-xxxx.
Jacober, Robert P., Jr., xxx-xx-xxxx.
Jacobsen, James K., xxx-xx-xxxx.
Jamieson, Jamie H., xxx-xx-xxxx.
Kennedy, Michael D., xxx-xx-xxxx.
Kline, Gary F., xxx-xx-xxxx.
Kneidel, Joseph L., xxx-xx-xxxx.
Koering, James E., xxx-xx-xxxx.
Laine, James R., xxx-xx-xxxx.
Larson, Glen G., xxx-xx-xxxx.
Leishman, Lamar S., xxx-xx-xxxx.
Martin, William A., xxx-xx-xxxx.
Mason, George I., III, xxx-xx-xxxx.
Masson, Arthur L., xxx-xx-xxxx.
McCracken, Kenneth W., xxx-xx-xxxx.
McDonald, Steven P., xxx-xx-xxxx.
McGinnis, David G., Jr., xxx-xx-xxxx.
McGuire, Stephen A., xxx-xx-xxxx.
Mitchell, Ronald P., xxx-xx-xxxx.
Montman, James H., xxx-xx-xxxx.
Morgan, Barry E., xxx-xx-xxxx.
Morgan, Richard W., xxx-xx-xxxx.
Moss, Thomas C., Jr., xxx-xx-xxxx.
Murphy, John J., Jr., xxx-xx-xxxx.
Nagy, Richard, xxx-xx-xxxx.
Parnell, Gregory S., xxx-xx-xxxx.
Patterson, Steven R., xxx-xx-xxxx.
Peguese, Herman, xxx-xx-xxxx.
Pellerin, William E., xxx-xx-xxxx.
Perozzi, Bruce P., xxx-xx-xxxx.
Pickering, Thomas R., Jr., xxx-xx-xxxx.
Pittman, Lester G., xxx-xx-xxxx.
Powell, Jon S., xxx-xx-xxxx.
Rapley, John W., xxx-xx-xxxx.
Rasor, Robert P., xxx-xx-xxxx.
Raycraft, Gerald E., xxx-xx-xxxx.
Richard, William H., xxx-xx-xxxx.
Shadle, Douglas J., xxx-xx-xxxx.
Shaffer, Glen D., xxx-xx-xxxx.
Schaub, Daniel H., xxx-xx-xxxx.
Schmidt, Richard L., xxx-xx-xxxx.
Schultz, Robert J., xxx-xx-xxxx.
Schweizer, Rudolph J., xxx-xx-xxxx.
Sears, Bernard E., xxx-xx-xxxx.
Sheen, Michail C., xxx-xx-xxxx.
Shockey, Michael E., xxx-xx-xxxx.
Singleton, Robert L., Jr., xxx-xx-xxxx.
Smith, Timothy A., xxx-xx-xxxx.
Sobol, Anthony J., III, xxx-xx-xxxx.
Staley, Charles W., xxxx.
Staples, George M., xxx-xx-xxxx.
Stokka, Terrance L., xxx-xx-xxxx.
Taylor, Larry R., xxx-xx-xxxx.
Thykeson, Clinton A., xxx-xx-xxxx.
Tinder, Alan J., xxx-xx-xxxx.
Tipton, Robert L. Jr., xxx-xx-xxxx.
Valusek, John R., xxx-xx-xxxx.
Vanaken, Harry W., III, xxx-xx-xxxx.
Vanliere, Dennis A., xxx-xx-xxxx.
Walsh, James J., xxx-xx-xxxx.
Watkins, James C., xxx-xx-xxxx.
Watson, Wallace M., xxx-xx-xxxx.
Welch, David L., xxx-xx-xxxx.
Whittaker, Russell L., xxx-xx-xxxx.
Woody, Dwight R., xxx-xx-xxxx.

The following distinguished graduates of the Air Force Officer Training School for appointment in the Regular Air Force in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force.

Bolz, Richard E., xxx-xx-xxxx.
Courtney, Gerald L., xxx-xx-xxxx.
Crump, James D., xxx-xx-xxxx.
Daries, Henry J., xxx-xx-xxxx.
Daub, Gene C., xxx-xx-xxxx.
Davis, Mark H., xxx-xx-xxxx.
Dwight, Nelson W., Jr., xxx-xx-xxxx.
Freehan, Robert J., xxx-xx-xxxx.
Galer, Lawrence A., xxx-xx-xxxx.
Gilchrist, Ronald C., xxx-xx-xxxx.
Harris, Clyde E., II, xxx-xx-xxxx.
Harris, John W., Jr., xxx-xx-xxxx.
Hunt, Aubrey F., xxx-xx-xxxx.
Inman, Jerry L., xxx-xx-xxxx.
Jones, Roy S., xxx-xx-xxxx.
King, Peter E., xxx-xx-xxxx.
Kithcart, Daniel J., xxx-xx-xxxx.
Kolarik, Francis L., Jr., xxx-xx-xxxx.
Leslie, Larry F., xxx-xx-xxxx.
Lyons, James F., Jr., xxx-xx-xxxx.
Negstad, Paul L., xxx-xx-xxxx.
Nelson, Michael K., xxx-xx-xxxx.
Rave, Morris R., xxx-xx-xxxx.
Sanders, John K., xxx-xx-xxxx.
Schenk, Horst A., xxx-xx-xxxx.
Schuler, George P., xxx-xx-xxxx.
Sedabres, Gilbert V., xxx-xx-xxxx.
Shimp, John W., xxx-xx-xxxx.
Smithson, Charles W., xxx-xx-xxxx.
Stevens, Ronnie M., xxx-xx-xxxx.
Thomas, Larry W., xxx-xx-xxxx.
Thompson, Michael W., xxx-xx-xxxx.
Wagenhofer, Joseph R., xxx-xx-xxxx.
Wallace, Calvin G., xxx-xx-xxxx.
Watson, Douglas M., xxx-xx-xxxx.
Yurkosky, Theodore P., xxx-xx-xxxx.

The following persons for appointment in the Regular Air Force. In the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be determined by the Secretary of the Air Force.

To be captain (dental)

Buzenas, John A., xxx-xx-xxxx.

To be first lieutenant (dental)

Scott, Herman D., xxx-xx-xxxx.

Lt. Col. Robert W. Lamb, xxx-xx-xxxx FR, for appointment as permanent professor, U.S. Air Forces Academy, under the provisions of section 9333B, title 10, United States Code.

HOUSE OF REPRESENTATIVES—*Tuesday, March 24, 1970*

The House met at 12 o'clock noon.

Rev. E. C. McDaniel, Main Street Baptist Church, Jacksonville, Fla., offered the following prayer:

Almighty God, creator of all mankind, we pray to Thee and Thee alone. It would be easy to try to impress men with our manner of speech and it would be easier for those here to listen to our words rather than speaking to Thee and asking for divine guidance. Therefore, help each one of us to be conscious of our helplessness and to adjure Thee for wisdom to make decisions which will affect not only ourselves but mankind the world over.

Gracious God, Thou hast permitted Your servant only a week ago to return from behind the Iron Curtain. And if anyone would know how to be thankful for America, it is I. Therefore, in these days of decisions, give to the Members of this Congress of the United States the wisdom of God to keep the message which You gave by the angels 2,000 years ago: "Peace on Earth, good will toward men."

For it is in Your dear name we pray. 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 concurrent resolution of the House of the following title:

H. Con. Res. 554. Concurrent resolution authorizing certain corrections to be made in the enrollment of H.R. 11959.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 2593. An act to exclude executive officers and managerial personnel of Western Hemisphere businesses from the numerical limitation of Western Hemisphere immigration.

THE REVEREND E. C. McDANIEL

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

Mr. BENNETT. Mr. Speaker, it has been my honor to welcome to the floor of the House this day, Rev. E. C. McDaniel, who has just delivered an inspiring prayer for this body and for our country. The Speaker just mentioned to me that it was a beautiful prayer, a truly American prayer.

Reverend McDaniel is a longtime friend of mine and is pastor of the Main Street Baptist Church. He is an able pastor and minister to his flock, one of the largest in Florida. Reverend McDaniel has not contented himself with just being an outstanding preacher with a beautiful and large church edifice and a contented congregation. He and they are not content to let the rest of the world go by. He and his congregation have welcomed to their group, and have sought out, people who have particularly needed the love of Jesus Christ in their lives. This is the most inspiring thing that a man of God and a congregation can do; for the need is great everywhere.

Reverend McDaniel was born in Salem, Va., and was educated there and at Toccoa Falls Bible College in Georgia, and finally graduated from Luther Rice Seminary, where ultimately he was a professor being also in the active ministry as a permanent profession in life. He and Mrs. McDaniel have three children, Everett, Wanda, and Timothy. He is active in civic affairs, as is his wife, and I am proud to have them as constituents

He is a moderator for the 66,000 Baptists in the Jacksonville area. He is also a member of the executive committee of the Southern Baptist Convention.

ARMS TO ISRAEL NOW

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

Mr. CELLER. Mr. Speaker, I have studied carefully the statement of President Nixon on the shipment of arms to Israel. I cannot refrain from expressing my keen disappointment in the President's conclusion that arms not be sent to Israel at present. I point out that 256 Members of the House of Representatives

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and 69 Members of the U.S. Senate signed a declaration for peace in the Middle East urging that Israel's request for arms be honored to prevent the Sovietization of the Middle East.

The President has said that he will not permit an imbalance of arms in the Middle East and that Israel will receive the aid she requests when she needs it. Inevitably, in the interest of the United States he must come to the conclusion that the United States will fill the requested arms to Israel. The risk in delay, however, is great and it is a tremendous responsibility the President takes upon himself by subscribing to this delay. Jets are useless to a nation destroyed.

I warn the decision to delay a decision may be wrongly interpreted by the Soviet Union, and the vacuum created by the President is now being filled by shipment into Egypt of Sam 3 missiles manned by Russian soldiers.

I take note of the positive features of the President's statement in the areas of economic aid and extension of credit, but I hope mightily that it will not be said of the President with reference to the sale of arms to Israel that he acted too late with too little.

The President may believe he can soften the attitude of the Soviets vis-a-vis Israel. He is utterly mistaken. Disraeli said:

Russia is the menace to civilization. You can gain nothing by compromise or concession with her.

THE POSTAL CRISIS

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

Mr. FUQUA. Mr. Speaker, the President has acted wisely in his determination to see that the U.S. Post Office Department is not closed down in its responsibility to deliver the American mail.

Seldom have we been faced with a crisis as critical as that presented by the "wildcat walkouts" of the past few days. American commerce and our way of living can virtually come to a halt if this strike menace is not averted.

Banks do not know which checks have been presented for payment, and the stock market would have to close its vital economic function. Countless misery would be visited upon those least able to help themselves—those dependent upon retirement, welfare, and social security for their very existence.

There is no question but that there are grievances on the part of postal employees that cry out for solution. There is no question that much of the problem which has been raised could and should have been solved long ago.

Be that as it may, we can no more continue our system of business and commerce, our very way of life, without our mail service.

We cannot allow any group to flaunt court injunctions or to violate those laws which clearly make such walkouts illegal. When a man enters into the postal service, he takes upon himself a public responsibility such as is rendered by policemen, firemen, and other essential services. I can think of no circumstance that would warrant the chaos and problems which would be confronted by the American people if such strikes were to be successful.

The President did the only thing that he could do under the circumstances in calling in Federal troops to supplement the processing of the mail.

Congress and the President have an obligation to the American people to see that the mails continue to move and be delivered. The mammoth problems that face the postal service cannot be solved in chaos and confusion, but only in a reasoned atmosphere.

Let me further pay tribute to those members of the postal service who have remained on the job during this trying period. They have recognized that with their position comes a great public responsibility and they have acted in the highest tradition of the postal service in continuing to perform their service to the American people.

Let us hope that the more reasonable leaders of the postal service will prevail over the militants who are driving their friends from their midst. The disruptive cares little for his responsibility toward others and would rather destroy than to build. Fortunately, this is a small minority, but unfortunately they often carry far more influence than the more reasonable and dedicated individual.

PERMISSION FOR COMMITTEE ON HOUSE ADMINISTRATION TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on House Administration may be permitted to sit during general debate today.

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

There was no objection.

PERMISSION FOR COMMITTEE ON BANKING AND CURRENCY TO FILE REPORT ON H.R. 15073 UNTIL MIDNIGHT SATURDAY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may have until midnight Saturday, March 28, 1970, to file its report on H.R. 15073, to amend the Federal Deposit Insurance Act to require insured banks to maintain certain records, to require that certain transactions in U.S. currency be reported to the Department of the Treasury, and for other purposes—known as the Swiss bank numbered account bill.

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

There was no objection.

ISRAEL'S SURVIVAL

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

Mr. FARBSTEIN. Mr. Speaker, when I made my last statement dealing with the possibility of Israel being denied the privilege of purchasing supersonic planes necessary for her defense, I believed then that the so-called balance of which the Secretary of State spoke in his statement did not exist.

I believe that, despite the statement of the Secretary of State that Israel's air capacity is sufficient to meet its needs for the time being, a balance still does not exist.

Does the Secretary of State consider subsonic obsolete planes as part of the balance of which he spoke? He knows as well as I do that, despite the excellence of her pilots, Israel cannot, with her majority of obsolete planes, match the supersonic planes of the Arab countries.

Is the world to witness another holocaust in this century?

In the knowledge that Israel can no longer depend on the United States for support, the Arabs may be encouraged to send their overwhelming forces against Israel once more, but this time better prepared.

Were they, on the other hand, advised that this administration would not permit the Israelis to be outnumbered militarily, the Arabs might agree to first a cease-fire and then, perhaps, a meeting with the Israelis for the purpose of making peace.

Unfortunately, the Secretary's statement is an inducement to try once again to drive Israel into the sea, forgetting the fact that destruction of Israel means hegemony over the Middle East by the Soviets.

Two and a half million souls must now depend on the whim of this administration for survival.

May the world pray for Israel's survival, for the blood of its people may be on its hands.

MONTANA TO CONSIDER LOWER VOTING AGE

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

Mr. OLSEN. Mr. Speaker, Montana is one of the States that have recognized the maturity of its young people, that is, people who are younger than 21. So our legislature has authorized a referedum constitutional amendment to lower the voting age to 19.

I would admonish my colleagues, and I wish to call the attention of our dear colleague, the gentleman from New York (Mr. CELLER), to the fact that out in Montana we do not look at the riots and we do not look at the troublesome youngsters. We look to our own. We look to our own good youngsters in our own homes who have matured very well, and we are placing confidence in them that they can participate in the voting privilege in America, and that in so doing they will contribute to the progress of the Nation.

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

Mr. OLSEN. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I think it is significant that the gentleman has touched on this subject this morning, but I would call the attention of the House to the fact that he has set forth the mechanism of a

constitutional amendment to accomplish that, and that is the procedure this Congress should follow.

Mr. OLSEN. In Montana we are doing it that way, but in any event I think the Congress of the United States has the authority to govern Federal elections and, as we have in the past, I think we should continue to do so now. I thank the gentleman from Louisiana for his comments.

REQUEST FOR PERMISSION TO EXTEND APRIL 15 DEADLINE FOR FILING PERSONAL INCOME TAX AND OTHER TAX RETURNS

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

Mr. MINSHALL. Mr. Speaker, I have just sent telegrams to the Secretary of the Treasury and the Commissioner of the Internal Revenue Service as follows:

> Urge you consider feasibility of extending April 15 and earlier deadlines for filing personal income tax or other tax returns. Postal tie-ups have created havoc for citizens who rely on mail service for information essential to completing and mailing these returns.
>
> WILLIAM E. MINSHALL,
> *Member of Congress.*

Taxpayers certainly should not be penalized because of this unforeseen, unpredictable, and unprecedented postal crisis. The very fact that the President has declared a state of national emergency is ample evidence of mitigating circumstances for any late filing this year and I feel certain that the Secretary and the Commissioner will take this suggestion under advisement. Millions of Americans are undergoing sufficient hardship through curtailment of mail service without the additional anxiety of late-tax penalties for a situation entirely out of their control.

VARIOUS STOCKPILES

The SPEAKER. The Chair recognizes the gentleman from Massachusetts (Mr. PHILBIN).

Mr. PHILBIN. Mr. Speaker, before taking up the stockpile bills, in view of the very pertinent questions of the gentleman from Iowa about the various national stockpiles of strategic materials, I believe that an explanation of these stockpiles and a summary of inventories might be of informational value to my colleagues.

Briefly, strategic and critical materials have been accumulated under the authority of several statutes in several inventories, among which are the national stockpile, the Defense Production Act inventory, the supplemental stockpile and the Commodity Credit Corporation—CCC—inventory.

STOCKPILE LEGISLATION AND DISPOSAL PROVISIONS

The national stockpile, the Defense Production Act inventory and the supplemental stockpile—and the related Commodity Credit Corporation account—are authorized in different statutes, came into being at different times, were intended to serve different purposes, and are governed by different statutory provisions.

THE STRATEGIC AND CRITICAL MATERIALS STOCKPILE

The National Stockpile had its origin in Public Law 117, passed by the 76th Congress in 1939, which authorized purchases of rubber, tin, quartz crystals, and chromite. New, comprehensive legislation relating to stockpiling was enacted in 1946—Public Law 520, 79th Congress—and is known as the Strategic and Critical Materials Stock Piling Act. It provides for "the acquisition and retention of stocks of" certain strategic and critical materials in which the United States is deficient "and thereby decrease and prevent wherever possible a dangerous and costly dependence of the United States upon foreign nations for supplies of these materials in times of national emergency." The national stockpile was established in order to stockpile strategic and critical materials for defense purposes.

Acquisitions for this stockpile have been made largely by cash purchases of materials from foreign and domestic sources, by purchases from the DPA inventory, by barter with reimbursement to the Department of Agriculture, and by transfer of World War II surpluses of non-specification-grade materials when specification grades were critically short.

Disposals of excess materials may be made from the national stockpile only in accordance with strict statutory provisions "under which Congress retains the key to the stockpile," as stated in the House Military Affairs Committee report on the 1946 legislation. Disposals of materials held pursuant to Public Law 520 may be made in nonemergency periods only—

If they are determined to be no longer needed for purposes of the act;

After 6 months' notice in the Federal Register and transmission of notice of the proposed disposition to the Congress and to the Armed Forces Committee of each House;

With the express approval of the Congress—except where the determination that they are no longer needed is by reason of obsolescence of the material for use in time of war;

With due regard to the protection of producers, processors, and consumers against avoidable disruption of their usual markets; and

With due regard to the protection of the United States against avoidable loss in the sale or transfer of the materials.

There are no specific restrictions regarding the prices at which sales should be made—excepting the general "avoidable loss" provision mentioned above.

THE DEFENSE PRODUCTION ACT INVENTORY

The DPA inventory resulted from the acquisition of strategic materials "for Government use or resale" under title III of the Defense Production Act of 1950, as amended. The purpose of this title was to effect an expansion of productive capacity and supply of strategic and critical materials for defense purposes. The acquisition of materials was incident to this expansion program. Some of the materials in this inventory are counted toward the achievement of national stockpile objectives.

The only statutory limitations applicable to the disposal of materials from the DPA inventory are that such sales be at not less than the current domestic market price and that sales may not be made for periods extending beyond June 30, 1975—as amended by Public Law 88-343, June 30, 1964. The previous date was June 30, 1965. The materials may be disposed of without congressional approval. DMO 8600.1 provides:

> Generally, the sale of excess materials acquired under the Defense Production Act will be made only after appropriate public announcement of the quantity or quantities to be offered in a specified period of time.

Although there is no statutory provision to this effect the General Services Administration—GSA—has generally followed the practice of using press releases, issued about 30 days prior to the effective date of the plan, and the device for giving this due public notice.

THE SUPPLEMENTAL STOCKPILE

The supplemental stockpile was authorized as a depository to receive materials acquired as a result of disposals of surplus agricultural commodities. The Agricultural Trade Development and Assistance Act of 1954—Public Law 480—provided that agricultural surpluses could be sold for foreign currencies and that such currencies could be used for several purposes including the purchase of strategic and critical materials. The act provided that the amounts of such materials so acquired need not have any relationship to defense requirements. It also provided that they were to be placed and held in a supplemental stockpile. The Agricultural Act of 1956—Public Law 540—provided that materials acquired through barter were to be transferred to the supplemental stockpile.

Public Law 480 contains specific provisions relating to the release or sale of materials from the supplemental stockpile. The act provides that:

> Materials so acquired shall be released from the Supplemental Stockpile only under the provisions of Section 3 of the Strategic and Critical Materials Stockpile Act.

The legislative history and the clear implications of the Agricultural Trade Development and Assistance Act indicate that it was intended that strategic and critical materials transferred to the supplemental stockpile could not only be in addition to materials required for defense purposes under the Strategic and Critical Materials Stock Piling Act and the Defense Production Act, but that such materials in the supplemental stockpile, like those in the national stockpile, would be subject to strict congressional controls respecting their release.

As in the case of the national stockpile, sales from the supplemental stockpile are not restricted by provisions relating to price—excepting the general provision regarding "avoidable loss."

SUMMARY OF RAW MATERIALS INVENTORIES ON HAND AND ON ORDER—AS OF DEC. 31, 1969

	Short tons (in millions)	Acquisition cost	Market value
A. I. Total inventories:			
National stockpile	22.5	$4,321,671,300	$5,196,071,700
Supplemental stockpile	17.9	1,443,878,200	1,507,874,200
Defense Production Act	5.7	848,990,600	519,059,800
Commodity Credit Corporation	0	23,600	22,400
Total on hand	46.1	6,614,563,700	7,223,028,100
On order	.1	83,764,900	114,380,500
II. Inventories within objective: Total on hand	23.6	3,773,446,700	4,467,164,300
III. Inventories excess to objectives: Total on hand	22.5	2,841,117,000	2,755,863,800
B. Federal Property Act: Inventories		17,181,900	19,314,500

Note: Total stockpile objective $5,120,246,200 (market value as of Dec. 31, 1969). Market values are computed from prices at which similar materials are being traded currently; or, in the absence of current trading, an estimate of the price which would prevail in commercial markets. The markets values are generally unadjusted for normal premiums and discounts relating to contained qualities. The market values do not necessarily reflect the amount that would be realized at time of sale. The report is based on inventories in storage and includes quantities that have been sold but not shipped.

AUTHORIZING DISPOSAL OF SURINAM-TYPE METALLURGICAL GRADE BAUXITE FROM NATIONAL STOCKPILE AND SUPPLEMENTAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 15998) to authorize the disposal of Surinam-type metallurgical grade bauxite from the national stockpile and the supplemental stockpile, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 15998

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately two million six hundred thousand long dry tons of Surinam-type metallurgical grade bauxite now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 456, as amended by 73 Stat. 607). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

SEC. 2. (a) Disposals of the material covered by this Act may be made only after publicly advertising for bids, except as provided in subsection (b) of this section or as otherwise authorized by law. All bids may be rejected when it is in the public interest to do so.

(b) The material covered by this Act may be disposed of without advertising for bids if—

(1) the material is to be transferred to an agency of the United States;

(2) the Administrator determines that methods of disposal other than by advertising are necessary to protect the United States against avoidable loss or to protect producers, processors, and consumers against avoidable disruption of their usual markets; or

(3) sales are to be made pursuant to requests received from other agencies of the United States in furtherance of authorized program objectives of such agencies.

Mr. PHILBIN. Mr. Speaker, H.R. 15998 would authorize the disposal of approximately 2,600,000 long dry tons of Surinam-type metallurgical grade bauxite from the national stockpile and the supplemental stockpile.

Bauxite is a mixture of minerals composed principally of hydrous oxides of aluminum. There are two basic ore types: a trihydrate—gibbsite—and the alpha monohydrate—boehmite. North and South American deposits are largely trihydrate. Caribbean Island deposits are a mixture of trihydrate and monohydrate. For purposes of distinction, the trihydrate is arbitrarily labeled "Surinam type" and the mixed-Caribbean "Jamaica type."

Metallurgical grade—about 80 percent of total bauxite production is in this grade—is used for the production of aluminum metal.

Refractory grade is used to produce high alumina refractories in the forms of brick and cementing compounds.

Abrasive grade is used in the manufacture of aluminum oxide abrasives.

Chemical grade is used in various forms for the purification of municipal water supplies and as a catalyst in petroleum refining.

United States, Surinam, British Guiana, Jamaica, Haiti, and Dominican Republic are sources. Other important world sources not normally supplying U.S. market—France, Hungary, Greece, Pacific Islands, Indonesia, and Yugoslavia.

As of January 31, 1970, the total inventory of Surinam-type bauxite held by GSA was 7,889,967 long dry tons. The present stockpile objective is 5,300,000 long dry tons. The total excess of approximately 2,600,000 long dry tons of Surinam-type material is covered by this bill. The average acquisition cost of Surinam-type bauxite was $15.68 a ton. The market price is currently estimated to be approximately $15 for Surinam-type material.

The subcommittee received detailed testimony from representatives of government on the proposed action. There was no objection from industry on the proposed disposal.

All the testimony received by the subcommittee urged the immediate enactment by the Congress of legislation which would authorize the proposed disposal of bauxite from the stockpiles.

The subcommittee was advised that the proposed disposal plan, concurred in by both Government and industry, represents an effort to achieve this disposal action with a minimum disruption of the market, and yet provide the Federal Government with a maximum return from the sale of the material.

The subcommittee and the full committee recommended immediate action on this bill and I, therefore, respectfully urge the House to take prompt favorable action on H.R. 15998.

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.

AUTHORIZING DISPOSAL OF NATURAL CEYLON AMORPHOUS LUMP GRAPHITE FROM NATIONAL STOCKPILE AND SUPPLEMENTAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 16289) to authorize the disposal of natural Ceylon amorphous lump graphite from the national stockpile and the supplemental stockpile, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 16289

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately three hundred and eighty-six short tons of natural Ceylon amorphous lump graphite now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 456, as amended by 73 Stat. 607). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and protection of producers, processors, and consumers against avoidable disruption of their usual markets.

SEC. 2. (a) Disposals of the material covered by this Act may be made only after publicly advertising for bids, except as provided in subsection (b) of this section or as otherwise authorized by law. All bids may be rejected when it is in the public interest to do so.

(b) The material covered by this Act may be disposed of without advertising for bids if—

(1) the material is to be transferred to an agency of the United States;

(2) the Administrator determines that methods of disposal other than by advertising are necessary to protect the United States against avoidable loss or to protect producers, processors, and consumers against avoidable disruption of their usual markets; or

(3) sales are to be made pursuant to requests received from other agencies of the

United States in furtherance of authorized program objectives of such agencies.

Mr. PHILBIN. Mr. Speaker, H.R. 16289 would authorize the disposal of approximately 386 short tons of natural Ceylon amorphous lump graphite from the national stockpile and the supplemental stockpile.

Graphite is a natural variety of elemental carbon having a grayish black color, a metallic tinge, and a decidedly greasy feel. It is a good conductor of heat and electricity, is resistant to acid and alkalies, and is easily molded.

The physical properties and chemical analyses of graphite from different sources vary widely and as a result not all graphites can be used interchangeably.

This graphite is used principally in the manufacture of carbon brushes for electric motors and generators, and in high-grade drafting pencils. It is also used in lubricants, oilless bearings, packing, and brake linings. Minor quantities are used for other purposes.

Source: Ceylon.

As of January 31, 1970, the total inventory of this natural graphite held by GSA was approximately 5,886 short tons. The present stockpile objective is 5,500 short tons. The remaining 386 short tons are excess and are covered by H.R. 16289. The average acquisition cost of natural Ceylon amorphous lump graphite was 10.8 cents per pound. The present published market price is about 9 cents per pound.

The subcommittee received detailed testimony from representatives of Government on the proposed action. There was no objection from industry on the proposed disposal.

All the testimony received by the subcommittee urged the immediate enactment by the Congress of legislation which would authorize the proposed disposal of graphite from the stockpile.

The subcommittee was advised that the proposed disposal plan, concurred in by both Government and industry, represents an effort to achieve this disposal action with a minimum disruption of the market, and yet provide the Federal Government with a maximum return from the sale of the material.

The subcommittee and the full committee recommended immediate action on this bill and I, therefore, respectfully urge the House to take prompt, favorable action on H.R. 16289.

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.

AUTHORIZING DISPOSAL OF REFRACTORY GRADE CHROMITE FROM NATIONAL STOCKPILE AND SUPPLEMENTAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 16290) to authorize the disposal of refractory grade chromite from the national stockpile and the supplemental stockpile, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, how are we coming out on the sale of these stockpile materials? Can the gentleman give us any idea whether we are going to come out whole, make a profit or lose money on these proposed sales?

Mr. PHILBIN. We are doing fairly well on this particular material.

Mr. GROSS. This is on chromite?

Mr. PHILBIN. This is on the chromite, on which the gentleman expressed a previous interest. The current market value of the chromite is $12.6 million.

Mr. GROSS. What is that?

Mr. PHILBIN. In transactions on this particular disposal of chromite, refractory grade, the current market value is $12.6 million.

Mr. GROSS. We will make that? Is this not a lesser price than we paid for it?

Mr. PHILBIN. We will put into the Treasury that amount.

Mr. GROSS. Yes, but we are going to lose money on this. This is less than the purchase price.

Mr. PHILBIN. Yes; that is correct. That is the current market price, $12.6 million. We are losing something on that particular disposal.

Mr. GROSS. Where have we been getting our chromite? Did we not get at least some of this stockpile material from Rhodesia?

Mr. PHILBIN. We are dependent on foreign sources for the refractory chromite, and about 60 percent, the largest part, is received from the Philippines, with minor quantities from Africa and other sources.

Mr. GROSS. Yes, and we had been getting most of our high-grade chromite ore from Rhodesia. Is that not correct?

Mr. PHILBIN. I think that is true as to some of it, but we get most of it from the Philippines. About 60 percent of our imports of refractory grade chromite are from the Philippines and 40 percent from South Africa.

Mr. GROSS. And now we are buying chrome ore from Russia at about twice the price we paid the Rhodesians for their ore, and it is of lesser quality than the ore we obtained from the Rhodesians, although we are paying the Russians twice as much per ton. We no longer buy chromite from Rhodesia because we are boycotting that country. Is that not a fact?

Mr. PHILBIN. I think that might be true, but as I pointed out, we are getting most of our imports from the Philippines. I do not have any records here indicating any recent transactions with Rhodesia or with other countries.

Mr. GROSS. Is it not true we were buying from American companies in Rhodesia; that today there is chromite above ground in Rhodesia, owned by the American companies, but we cannot get that chromite out of Rhodesia by reason of the fact that we have severed diplomatic relations with that country and are economically boycotting it. Yet American industry and consumers are paying the Russians twice as much per ton as they paid the Rhodesians for their product.

Mr. PHILBIN. I believe it is true that the sanctions against the importation of Rhodesian ore have resulted in abnormal price increases for this metallurgical grade chromite.

The overall average price for chromium is expected to return to near or about the 1964–68 average when this political problem is settled. I would not be in a position to make any prediction as to that time.

Only a small relative increase in price is visualized for a substantial number of years. As projected by the experts, up to the year 2000 only a small increase in price is forecast.

This is all very speculative, and I am not in a position to give the gentleman any assurance. I certainly do not want to predict what is going to happen, because I am not in a position to do it.

The principal imports of this material come from other than Rhodesia.

Mr. GROSS. I have no desire to maintain an excess supply of chromite in this Goverment's stockpile. If this will replace the chromite we otherwise would buy from the Russians, I am for releasing it, but it is absolutely disgraceful that this country would boycott a friendly nation and refuse to buy from it that which we need and must have to keep the wheels turning in a large segment of our industry. Rhodesia has done nothing unfriendly toward the United States, and I repeat that the action this Government has taken is a disgrace.

Mr. Speaker, I withdraw my reservation.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 16290

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately eight hundred and twenty-six thousand nine hundred short dry tons of refractory grade chromite ore now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 456, as amended by 73 Stat. 607). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

SEC. 2. (a) Disposals of the material covered by this Act may be made only after publicly advertising for bids, except as provided in subsection (b) of this section or as otherwise authorized by law. All bids may be rejected when it is in the public interest to do so.

(b) The material covered by this Act may be disposed of without advertising for bids if—

(1) the material is to be transferred to an agency of the United States;

(2) the Administrator determines that

methods of disposal other than by advertising are necessary to protect the United States against avoidable loss or to protect producers, processors, and consumers against avoidable disruption of their usual markets; or

(3) sales are to be made pursuant to requests received from other agencies of the United States in furtherance of authorized program objectives of such agencies.

Mr. PHILBIN. Mr. Speaker, H.R. 16290 would authorize the disposal of approximately 826,900 short dry tons of refractory grade chromite ore from the national stockpile and the supplemental stockpile.

Refractory grade chromite is that type of chrome ore which is suitable for making bricks and cement used in such high temperature applications as metallurgical furnaces. Aside from any special analysis which may be required for an individual use, refractory grade chrome ore should contain an aggregate of 60 percent chromic oxide and alumina with a minimum of 31 percent chromic oxide, be low in iron—about 10 percent—and low in silica—under 6 percent.

Lump ore is used for making brick, and fines are used to make mortar for furnace use. While some brick is made with chromite alone, the more common use is in a mixture with magnesia, such mixed brick having strength and stability at high temperatures along with resistance to shrinkage and spalling—chipping—and to corrosion by slags and fluxes. Other products using refractory chromite include ramming mixes for furnaces and castable refractories requiring molds. About 90 percent of chromite refractories are used in the steel industry's electric and open hearth furnaces. There are also some applications in copper and other nonferrous smeltings and to a minor extent in industrial and marine firebox linings and bottoms, kilns, and furnaces.

The United States is dependent upon imports for refractory grade chromite. The largest part of imports—about 90 percent—is received from the Philippines, with minor quantities from Africa and other sources.

As of January 31, 1970, the total inventory of refractory grade chromite ore held by GSA was approximately 1,226,900 short dry tons. The present stockpile objective is 368,000 short dry tons, revised downward by OEP on March 4, from 400,000 short dry tons. Although 858,900 short dry tons are now excess, the disposal authorization request is for only 826,900 short dry tons—the quantity excess prior to the recent change in objective. The average acquisition cost of stockpile refractory grade chromite was $24.60 per short dry ton. The present market value is approximately $30 per short ton.

The subcommittee received detailed testimony from representatives of Government on the proposed action. There was no objection from industry on the proposed disposal.

All the testimony received by the subcommittee urged the immediate enactment of the Congress of legislation which would authorize the proposed disposal of refractory grade chromite ore from the stockpiles.

The subcommittee was advised that the proposed disposal plan, concurred in by both Government and industry, represents an effort to achieve this disposal action with a minimum disruption of the market, and yet provide the Federal Government with a maximum return from the sale of the material.

The subcommittee and the full committee recommended immediate action on this bill and I, therefore, respectfully urge the House to take prompt, favorable action on H.R. 16290.

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.

AUTHORIZING DISPOSAL OF CHRYSOTILE ASBESTOS FROM NATIONAL STOCKPILE AND SUPPLEMENTAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 16291) to authorize the disposal of chrysotile asbestos from the national stockpile and the supplemental stockpile, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I would remind the House that this again calls attention to the U.S. Government's refusal to do business with Rhodesia. Some of this chrysotile asbestos has been imported from that friendly country. Once again, the sordid economic boycott of Rhodesia comes to light in the consideration of this bill.

Mr. Speaker, I withdraw my reservation.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 16291

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately two thousand eight hundred and forty-four tons of nonstockpile grade chrysotile asbestos now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 456, as amended by 73 Stat. 607). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

SEC. 2. (a) Disposals of the material covered by this Act may be made only after publicly advertising for bids, except as provided in subsection (b) of this section or as otherwise authorized by law. All bids may be rejected when it is in the public interest to do so.

(b) The material covered by this Act may be disposed of without advertising for bids if—

(1) the material is to be transferred to an agency of the United States;

(2) the Administrator determines that methods of disposal other than by advertising are necessary to protect the United States against avoidable loss or to protect producers, processors, and consumers against avoidable disruption of their usual markets; or

(3) sales are to be made pursuant to requests received from other agencies of the United States in furtherance of authorized program objectives of such agencies.

Mr. PHILBIN. Mr. Speaker, H.R. 16291 would authorize the disposal of approximately 2,844 tons of nonstockpile grade chrysotile asbestos from the national stockpile and the supplemental stockpile.

Strategic grades of chrysotile asbestos have flexible fibers long enough to be spun into yarn and are virtually free of magnetite or other iron content.

Uses: As a dielectric insulation for cable, industrial electrical equipment and magnet wire. It can be readily used, but is not required, in other asbestos textiles fashioned to withstand heat such as bagging cloth, brakeband linings, and safety clothing.

Sources: A Canadian mine in British Columbia has been the principal source for U.S. users since 1954. Arizona produces a minor amount. Southern Rhodesia is exporting only small amounts to the United States. Imports are in crude form. Processing and spinning are done domestically.

As of January 31, 1970, the total inventory of chrysotile asbestos was approximately 14,100 short tons. The present stockpile objective is 13,700 short tons. The excess is composed of approximately 3,150 short tons in the national and supplemental stockpiles and about 306 short tons of nonstockpile grade in the Defense Production Act inventory currently authorized for sale, neither of which quantities are of a quality suitable for stockpile purposes. The excess of approximately 2,844 short tons is covered by H.R. 16291.

The average acquisition cost of the 2,844 tons of nonstockpile grade chrysotile asbestos was $648.15 per short ton. The current value of this material is about $200 per short ton.

The subcommittee received detailed testimony from representatives of Government on the proposed action. There was no objection from industry on the proposed disposal.

All the testimony received by the subcommittee urged the immediate enactment by the Congress of legislation which would authorize the proposed disposal of nonstockpile grade chrysotile asbestos from the stockpiles.

The subcommittee was advised that the proposed disposal plan, concurred in by both Government and industry, represents an effort to achieve this disposal action with a minimum disruption of the market, and yet provide the Federal Government with a maximum return from the sale of the material.

The subcommittee and the full committee recommended immediate action on this bill and I, therefore, respectfully urge the House to take prompt, favorable action on H.R. 16291.

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.

AUTHORIZING DISPOSAL OF NATURAL BATTERY GRADE MANGANESE ORE FROM NATIONAL STOCKPILE AND SUPPLEMENTAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 16295) to authorize the disposal of natural battery grade manganese ore from the national stockpile and the supplemental stockpile, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 16295

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately one hundred and seventy-three thousand eight hundred short dry tons of natural battery grade manganese ore now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 456, as amended by 73 Stat. 607). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against available loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

SEC. 2. (a) Disposals of the material covered by this Act may be made only after publicly advertising for bids, except as provided in subsection (b) of this section or as otherwise authorized by law. All bids may be rejected when it is in the public interest to do so.

(b) The material covered by this Act may be disposed of without advertising for bids if—

(1) the material is to be transferred to an agency of the United States;

(2) the Administrator determines that methods of disposal other than by advertising are necessary to protect the United States against avoidable loss or to protect producers, processors, and consumers against avoidable disruption of their usual markets; or

(3) sales are to be made pursuant to requests received from other agencies of the United States in furtherance of authorized program objectives of such agencies.

Mr. PHILBIN. Mr. Speaker, H.R. 16295 would authorize the disposal of approximately 173,800 short dry tons of natural battery grade manganese ore from the national stockpile and the supplemental stockpile.

Manganese, battery grade, is manganese dioxide, a poorly crystalline material relative free of lead, copper, and other minerals that are electronegative to zinc. The ores or concentrates must be especially suitable for use in the manufacture of dry cell batteries. Natural ore, containing 68 percent to 85 percent MnO_2, is used in its natural condition after grinding to small mesh sizes.

Manganese, battery grade, is used in the manufacture of dry cells for batteries. In general, natural and synthetic manganese dioxide are mixed and used in military-grade dry cell batteries. The natural manganese dioxide is used alone in the manufacture of commercial and industrial type batteries.

Sources: Ghana is the principal source of high grade natural ore—minimum 75 percent MnO_2 for use in batteries, including its use in the manufacture of synthetic manganese dioxide. Some battery grade manganese dioxide—68 percent MnO_2—is produced near Philipsburg, Mont., but the production has never been large. This ore is identified as domestic or type B ore.

As of January 31, 1970, the total inventory of natural battery grade manganese ore held by GSA was 308,839 short dry tons. The present stockpile objective is 135,000 short dry tons. The total excess of approximately 173,800 short dry tons of natural battery grade manganese material is covered by this bill. The average acquisition cost of this material was $119.89 a ton. The market price is currently estimated to be approximately $95 a ton. Annual U.S. imports and consumption of natural battery grade material are believed to be on the order of 30,000 short tons, with Gabon and Ghana being the principal source of imports. The two countries account for roughly two-thirds of free world output of natural battery grade manganese ore. There is no domestic production of this material.

The subcommittee received detailed testimony from representatives of Government on the proposed action. There was no objection from industry on the proposed disposal.

All the testimony received by the subcommittee urged the immediate enactment by the Congress of legislation which would authorize the proposed disposal of natural battery grade manganese ore from the stockpiles.

The subcommittee was advised that the proposed disposal plan, concurred in by both Government and industry, represents an effort to achieve this disposal action with a minimum disruption of the market, and yet provide the Federal Government with a maximum return from the sale of the material.

The subcommittee and the full committee recommended immediate action onthis bill and I, therofer, respectfully urge the House to take prompt, favorable action on H.R. 16295.

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.

AUTHORIZING DISPOSAL OF CORUNDUM FROM NATIONAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 16292) to authorize the disposal of corundum from the national stockpile, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 16292

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately one thousand nine hundred and fifty-two short tons of nonstockpile grade corundum now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

SEC. 2. (a) Disposals of the material covered by this Act may be made only after publicly advertising for bids, except as provided in subsection (b) of this section or as otherwise authorized by law. All bids may be rejected when it is in the public interest to do so.

(b) The material covered by this Act may be disposed of without advertising for bids if—

(1) the material is to be transferred to an agency of the United States;

(2) the Administrator determines that methods of disposal other than by advertising are necessary to protect the United States against avoidable loss or to protect producers, processors, and consumers against avoidable disruption of their usual market; or

(3) sales are to be made pursuant to requests received from other agencies of the United States in furtherance of authorized program objectives of such agencies.

Mr. PHILBIN. Mr. Speaker, H.R. 16292 would authorize the disposal of approximately 1,952 short tons of nonstockpile grade corundum from the national stockpile.

Corundum is an extremely hard, crystalline mineral used as an abrasive. It is natural aluminum oxide containing some impurities. It is characteristic of corundum for the grains to break with sharp angular fractures thereby imparting new cutting edges. This is the distinctive difference between natural and synthetic corundum. The synthetic is purer, more uniform, and silghtly harder. Ruby and sapphire are gem varieties of corundum.

Coarse corundum is used in grinding or "snagging" wheels and fine grain corundum for grinding optical glass.

Sources: Union of South Africa and Southern Rhodesia.

Corundum is no longer included in the stockpile list of strategic and critical materials. This bill would authorize disposal of approximately 1,952 short tons of corundum. An additional 12 tons had been held in the national stockpile; however, with removal of corundum from the stockpile list, GSA proposes to include

this small quantity in its overall disposal program under this authorization. The Director of the Office of Emergency Preparedness has determined that this material is excess to stockpile requirements and has authorized this disposal.

The United States imports all of its corundum.

As of January 31, 1970, the uncommitted stockpile inventory held by the GSA was approximately 1,964 short tons of corundum. With no objective for this material, all of this material is considered excess.

The average cost of the stockpile inventory of corundum acquired by GSA was $195.77 per short ton. The current market value for all the material in the stockpile ranges from $20 to $125 per short ton. Some of the material was obtained by transfer from other Government agencies.

All the testimony received by the subcommittee urged the immediate enactment by the Congress of legislation which would authorize the proposed disposal of nonstockpile grade corundum from the national stockpile.

The subcommittee received detailed testimony from representatives of Government on the proposed action. There was no objection from industry on the proposed disposal.

The subcommittee was advised that the proposed disposal plan, concurred in by both Government and industry, represents an effort to achieve this disposal action with a minimum disruption of the market, and yet provide the Federal Government with a maximum return from the sale of the material.

The subcommittee and the full committee recommended immediate action on this bill and I, therefore, respectfully urge the House to take prompt, favorable action on H.R. 16292.

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.

AUTHORIZING DISPOSAL OF MOLYBDENUM FROM NATIONAL STOCKPILE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 16297) to authorize the disposal of molybdenum from the national stockpile, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

Mr. VANIK. Mr. Speaker, reserving the right to object, and I will not object, I would like to inquire of the distinguished gentleman from Massachusetts what the total budgetary effect is in fiscal year 1971 of the several bills that we are considering this morning.

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

Mr. VANIK. I yield to the gentleman.

Mr. PHILBIN. The bills we are considering this morning, Mr. Speaker, together with the nine bills the House passed on March 10, have a current market value of $477.4 million, and this would be the amount of income to the Government if sold now. The market value of the seven bills being considered today is $69.4 million.

Mr. VANIK. By "this year" you mean fiscal 1970 or 1971?

Mr. PHILBIN. Whenever the materials are disposed of, because we do not know at present when that will be. I presume it will be the latter part of this year, or even later before those materials would be sold, or even much later.

Mr. VANIK. This fiscal year, 1970?

Mr. PHILBIN. It will probably be in the neighborhood of $478 million at current market prices.

Mr. VANIK. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

Mr. GUBSER. Mr. Speaker, further reserving the right to object, I think it ought to be made crystal clear at this time, in response to the colloquy between the gentleman from Ohio and the gentleman from Massachusetts, that it is absolutely impossible to pinpoint any of these funds and relate them to a specific fiscal year. All this is the authorization to sell. We do not have the slightest idea whether they will sell in fiscal year 1971, 1972, or even in fiscal year 1980. So what we are trying to do, if you ascribe these specific figures to a specific fiscal year, is read a crystal ball and forecast the market. You just cannot do that. So, if we are looking for a chance to say that the Nixon administration is counting on selling the stockpile for revenue purposes, one just simply cannot do it.

Mr. VANIK. Will the gentleman yield?

Mr. GUBSER. I am happy to yield.

Mr. VANIK. In response to that, I would like to know what information the committee received at the time these bills were being considered and what was told to the committee concerning the stockpile sales. What are the intentions of the administration as related to the committee?

Mr. GUBSER. In order that this be made clear, I will say to the gentleman from Ohio that the only figure that could be given to us in the committee and which we can give to you—and the gentleman from Massachusetts has done it already—is the estimated market value of the material which is authorized to be disposed of. We do not know whether it will be sold or whether it will be sold at that price, but that is the estimate. And we do not know where or when it will be sold.

Mr. PHILBIN. Will the gentleman yield?

Mr. GUBSER. I yield to the gentleman.

Mr. PHILBIN. What the gentleman says is substantially true. We can estimate what the total return to the Government might be in the disposal of these various bills. However, when they will be totally disposed of and the specific timetable, we would not be able to give you.

Let me say this further: Based on previous experience with stockpile bills, when they are passed by the House and the other body, there has been an inclination and practice, on the part of the administrative department, the General Services Administration, which is charged with the disposal process, to proceed as fast as they can consistently with not disrupting the market, and with having orderly sales of the material. There will be a likelihood that some of these materials would be disposed of before the end of the next fiscal year. It seems to me that this is a reasonable possibility, but is it by no means assured.

As the distinguished gentleman from California (Mr. GUBSER) pointed out so well, if there should be any change in the market situation, or there is some prospect of a disruption of the market arising as a result of the change of market conditions, supply and demand, and the like, of course, in those circumstances, the disposals would be handled differently and sales would be deferred, and under that situation it might take a somewhat longer period of time to make total disposals.

Mr. VANIK. If the gentleman will yield further, was it indicated that there would be a substantially early disposal or was a prolonged disposition involved?

Mr. PHILBIN. As I just pointed out to my friend, the able and distinguished gentleman, it is difficult to try to work out a timetable estimate of the disposal, because the disposal procedure depends upon the market conditions, and where these conditions change, there may be a deferment in the time of disposal, and a longer period would be required. But generally, there is a regular, systematic effort made by the agency once the authority is granted by the Congress to make the disposal of the materials in question, but they would normally be disposed of within a reasonable time, depending upon market conditions. As to some urgent need in the industrial, domestic market, they would be sold at a faster rate.

Mr. VANIK. Mr. Speaker, I thank the gentleman.

Mr. GUBSER. I would say further to the gentleman from Ohio that we have numerous instances of authorizations for disposal that have been passed by the Congress and which have not resulted in the immediate disposal. I believe the industrial diamonds are probably a classic example. There has been authorization for disposal of these for a number of years. Quicksilver is another. Under its obligation not to interfere with the domestic market the GSA has not been able to offer these items at a price which brings a buyer into the marketplace. As a result disposal has not been made.

That is one of the reasons it is impossible to predict this. I am sure, however, that in interpreting the line of questioning raised by the gentleman from Ohio that the gentleman is not in opposition to selling something which is truly in surplus. Is that correct?

Mr. VANIK. I have no objection. I thank the gentleman.

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

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

There was no objection.

The Clerk read the bill as follows:

H.R. 16297

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately three million five hundred thousand pounds of molybdenum now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). Such disposition may be made without regard to the requirements of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

SEC. 2. (a) Disposals of the material covered by this Act may be made only after publicly advertising for bids, except as provided in subsection (b) of this section or as otherwise authorized by law. All bids may be rejected when it is in the public interest to do so.

(b) The material covered by this Act may be disposed of without advertising for bids if—

(1) the material is to be transferred to an agency of the United States;

(2) the Administrator determines that methods of disposal other than by advertising are necessary to protect the United States against avoidable loss or to protect producers, processors, and consumers against avoidable disruption of their usual markets; or

(3) sales are to be made pursuant to requests received from other agencies of the United States in furtherance of authorized program objectives of such agencies.

Mr. PHILBIN. Mr. Speaker, H.R. 16297 would authorize the disposal of approximately 3.5 million pounds of molybdenum from the national stockpile.

The metal molybdenum forms the basis for several materials used chiefly as an alloying agent for steel. The ore is concentrated by flotation to grades from 54 to 92 percent molybdenite, 90 percent being the standard for price quotation. The concentrates are roasted to produce molybdenum oxide, which may be converted to calcium molybdate or other chemicals, or used to make ferromolybdenum. A very small part of production appears as molybdenum metal powder, wire or rod.

Up to 70 percent of supply is used to improve the quality of steel, usually in multialloys with nickel and chrome. About 20 percent is used in gray iron and other castings. The usual molybdenum addition to steel is a very small percentage, commonly 0.1 to 0.5 percent in nickel and chrome steels. Up to 0.8 percent molybdenum is achieved by adding molybdenum oxide or other chemical derivative. Higher alloys are made by use use of ferromolybdenum. Small additions give steel qualities of uniform hardness and strength at high temperatures, reduce tendencies to become brittle, and promote uniformity of strength in gray iron castings. Some high speed steels use as much as 6 percent molybdenum, thereby acquiring qualities of red hardness. The toughness imparted by molybdenum makes steel suitable for armor plate and permits the manufacture of castings of military quality. Molybdenum also enters into high temperature alloys for such applications as gas turbine and jet engine parts and its use for this purpose is increasing. About 10 percent of the molybdenum supply is used by the electrical, chemical, and ceramic industries. There are applications as catalysts, welding rods, paint and pigments, lubricants, and fertilizer.

The United States mines about nine-tenths of the known world supply. While Chile appears to be the only other important foreign producer, some molybdenum is produced in Canada, Japan, Norway, and Mexico. There have been indications of some development in the U.S.S.R. Imports into the United States are practically nil.

As of January 31, 1970, the total inventory of molybdenum held by GSA was approximately 43,324,000 pounds. The present stockpile objective is 36,500,000 pounds. The remaining 6,824,000 pounds is excess of which approximately 3,500,000 is covered by H.R. 16297. The average acquisition cost of stockpile molybdenum was $1.16 per pound. The present published market price is approximately $1.72 per pound of molybdenum in concentrates.

The subcommittee received detailed testimony from representatives of government on the proposed action. There was no objection from industry on the proposed disposal.

The subcommittee was advised that the proposed disposal plan, concurred in by both Government and industry, represents an effort to achieve this disposal action with a minimum disruption of the market, and yet provide the Federal Government with a maximum return from the sale of the material.

The subcommittee and the full committee recommended immediate action on this bill and I, therefore, respectfully urge the House to take prompt, favorable action on H.R. 16297.

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 TO EXTEND

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bills which have just been passed by the House.

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

There was no objection.

CALL OF THE HOUSE

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

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

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

A call of the House was ordered.

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

[Roll No. 60]

Albert	Gallagher	Ottinger
Anderson, Tenn.	Gettys	Pepper
Arends	Goldwater	Pike
Ashley	Gray	Pollock
Baring	Harvey	Powell
Berry	Hays	Pryor, Ark.
Blanton	Hosmer	Purcell
Blatnik	Jacobs	Rees
Bolling	Jarman	Reid, Ill.
Brown, Calif.	Jones, Ala.	Reid, N.Y.
Camp	Jones, Tenn.	Rivers
Carey	Kirwan	Roe
Casey	Kuykendall	Rosenthal
Cederberg	Kyl	St Germain
Clay	Kyros	St. Onge
Colmer	Lennon	Satterfield
Cramer	Long, La.	Scheuer
Crane	McCarthy	Shipley
Cunningham	McClure	Stanton
Daddario	MacGregor	Stephens
Davis, Ga.	Mathias	Symington
Dawson	Michel	Taft
Derwinski	Mikva	Teague, Calif.
Diggs	Mize	Teague, Tex.
Dowdy	Moorhead	Tunney
Feighan	Morton	Wiggins
Fish	Murphy, N.Y.	
	O'Neill, Mass.	

The SPEAKER. On this rollcall 349 Members have answered to their names, a quorum.

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

CONFERENCE REPORT ON H.R. 514, ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1969

Mr. PERKINS submitted the following conference report and statement on the bill (H.R. 514) to extend programs of assistance for elementary and secondary education, and for other purposes:

CONFERENCE REPORT (H. REPT. 91–937)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 514) to extend programs of assistance for elementary and secondary education, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That this Act may be cited as the "Elementary and Secondary Education Amendments of 1969".

POLICY WITH RESPECT TO THE APPLICATION OF CERTAIN PROVISIONS OF FEDERAL LAW

SEC. 2. (a) It is the policy of the United States that guidelines and criteria established pursuant to title VI of the Civil Rights Act of 1964 and section 182 of the Elementary and Secondary Education Amendments of 1966 dealing with conditions of segregation by race, whether de jure or de facto, in the schools of the local educational agencies of any State shall be applied uniformly in all regions of the United States whatever the origin or cause of such segregation.

(b) Such uniformity refers to one policy applied uniformly to de jure segregation wherever found and such other policy as may be provided pursuant to law applied uniformly to de facto segregation wherever found.

(c) Nothing in this section shall be construed to diminish the obligation of responsible officials to enforce or comply with such

guidelines and criteria in order to eliminate discrimination in federally-assisted programs and activities as required by title VI of the Civil Rights Act of 1964.

(d) It is the sense of the Congress that the Department of Justice and the Department of Health, Education, and Welfare should request such additional funds as may be necessary to apply the policy set forth in this section throughout the United States.

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

PART A—AMENDMENTS TO TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 (EDUCATION OF DISADVANTAGED CHILDREN)

EXTENSION OF TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 101. (a) Section 102 of title I of the Elementary and Secondary Education Act of 1965 is amended by striking out "June 30, 1970" and inserting in lieu thereof "June 30, 1973".

(b) The third sentence of section 103(a)(1)(A) of such title I is amended by striking out "the fiscal year ending June 30, 1969," and inserting in lieu thereof "each of the succeeding fiscal years ending prior to July 1, 1972,".

(c) Section 121(d) of such title I is amended by striking out "each" where it appears after "$50,000,000" and by striking out "the succeeding fiscal year" and inserting in lieu thereof "for each of the succeeding fiscal years ending prior to July 1, 1973".

STUDY OF ALLOCATION OF FUNDS

SEC. 102. (a) The Commissioner of Education shall make a study of the allocation of sums appropriated for the purposes of title I of the Elementary and Secondary Education Act of 1965 and of the effectiveness of the various provisions of such title in making funds available to State and local educational agencies in order to meet the purposes of such title I. Such study shall make special reference to the distribution of funds to local educational agencies within counties, the means by which such funds may be concentrated in school attendance areas with the highest concentrations of children from low-income families, the appropriateness of the Federal percentage and the low-income factor provided for in subsection (c) of section 103 of such title I when considered in the light of the extra cost of providing compensatory education for educationally deprived children (including the means of providing services authorized by such title to such children residing in rural areas), and the use of special incentive grants to increase State and local effort for education.

(b) Not later than March 31, 1972, the Commissioner shall submit to the Congress a report on the study required by subsection (a), together with such recommendations as he may deem appropriate with respect to modification of programs under title I of the Elementary and Secondary Education Act of 1965. Notwithstanding the first sentence of section 103(d) of such title I, the Commissioner shall not use data for the purposes of section 103 of such title I from the 1970 census of the United States prior to July 1, 1972.

DESIGNATION OF RESPONSIBILITY FOR PROVISION OF SPECIAL EDUCATIONAL SERVICES FOR INSTITUTIONALIZED NEGLECTED OR DELINQUENT CHILDREN

SEC. 103. (a) Paragraph (2) of section 103(a) of title I of the Elementary and Secondary Education Act of 1965 is amended by adding at the end thereof the following sentence: "Notwithstanding the foregoing provisions of this paragraph, upon determination by the State educational agency that a local educational agency in the State is unable or unwilling to provide for the special educational needs of children, described in clause (C) of the first sentence of this paragraph, who are living in institutions for neglected or delinquent children, the State educational agency shall, if it assumes responsibility for the special educational needs of such children, be eligible to receive the portion of the allocation to such local educational agency which is attributable to such neglected or delinquent children, but if the State educational agency does not assume such responsibility, any other State or local public agency, as determined by regulations established by the Commissioner, which does assume such responsibility shall be eligible to receive such portion of the allocation."

(d) Section 103(d) of such Act is amended by adding at the end thereof the following new sentence: "For purposes of this section, the Secretary shall consider all children who are in correctional institutions to be living in institutions for delinquent children."

INCLUSION OF PUERTO RICO AND OTHER OUTLYING AREAS WITH RESPECT TO NEGLECTED OR DELINQUENT CHILDREN

SEC. 104. (a) Paragraph (4) of section 103(a) of title I of the Elementary and Secondary Education Act of 1965 is amended by striking out "paragraph (5)" and inserting in lieu thereof "paragraphs (5) and (7)".

(b) The amendment made by this section shall be effective after June 30, 1970.

AMENDMENTS WITH RESPECT TO HANDICAPPED AND NEGLECTED OR DELINQUENT CHILDREN

SEC. 105. (a) Paragraph (5) of section 103(a) of title I of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"(5) In the case of a State agency which is directly responsible for providing free public education for handicapped children (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education), the maximum grant which that agency shall be eligible to receive under this part for any fiscal year shall be an amount equal to the Federal percentage of the average per pupil expenditure in the State or, if greater, in the United States, multiplied by the number of such children in average daily attendance, as determined by the Commissioner, at schools for handicapped children operated or supported by the State agency, including schools providing special education for handicapped children under contract or other arrangement with such State agency, in the most recent fiscal year for which satisfactory data are available. Such State agency shall use payments under this part only for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) which are designed to meet the special educational needs of such children."

(b) Paragraph (7) of section 103(a) of such title I is amended by inserting after "supported by that State agency" the following: ", including schools providing education for such children under contract or other arrangement with such agency,".

(c) The amendments made by this section shall be effective after June 30, 1970.

REQUIRING GRANTS FOR MIGRATORY CHILDREN TO BE BASED ON THE NUMBER TO BE SERVED

SEC. 106. (a) The first sentence of paragraph (6) of section 103(a) of title I of the Elementary and Secondary Education Act of 1965 is, effective with the first allocation of funds pursuant to such title by the Commissioner after the date of enactment of this Act, amended to read as follows: "A State educational agency which has submitted and had approved an application under section 105(c) for any fiscal year shall be entitled to receive a grant for that year under this part, based on the number of migratory children of migratory agriculture workers to be served, for establishing or improving programs for such children."

(b) The second sentence thereof is amended by striking "shall be" the first time it appears and inserting in lieu thereof "may be made"; and by inserting immediately before the period in such second sentence the following: ", except that if, in the case of any State, such amount exceeds the amount required under the preceding sentence and under section 105(c)(2), the Commissioner shall allocate such excess, to the extent necessary, to other States whose maximum total of grants under this sentence would otherwise be insufficient for all such children to be served in such other States".

USE OF MOST RECENT DATA UNDER TITLE I

SEC. 107. (a) The third sentence of section 103(d) of title I of the Elementary and Secondary Education Act of 1965 is amended by inserting immediately before the period at the end thereof the following: "or, to the extent that such data are not available to him before April 1 of the calendar year in which the Secretary's determination is made, then on the basis of the most recent reliable data available to him at the time of such determination".

(b) Section 103(e) of such title is amended by inserting the following after "during the second fiscal year preceding the fiscal year for which the computation is made": (or, if satisfactory data for that year are not available at the time of computation, then during the earliest preceding fiscal year for which satisfactory data are available)".

SALARY BONUSES FOR TEACHERS IN SCHOOLS WITH HIGH CONCENTRATIONS OF EDUCATIONALLY DEPRIVED CHILDREN

SEC. 108. Paragraph (1) of Section 105(a) of the Elementary and Secondary Education Act of 1965 is amended by inserting "payments to teachers of amounts in excess of regular salary schedules as a bonus for service in schools eligible for assistance under this section," after "including the acquisition of equipment,".

PROHIBITION AGAINST SUPPLANTING STATE AND LOCAL FUNDS WITH FEDERAL FUNDS

SEC. 109. (a) Paragraph (3) of section 105(a) of title I of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"(3) that (A) the local educational agency has provided satisfactory assurance that the control of funds provided under this title, and title to property derived therefrom, shall be in a public agency for the uses and purposes provided in this title, and that a public agency will administer such funds and property, (B) Federal funds made available under this title will be so used (i) as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the education of pupils participating in programs and projects assisted under this title, and (ii) in no case, as to supplant such funds from non-Federal sources, and (C) State and local funds will be used in the district of such agency to provide services in project areas which, *taken as a whole*, are at least comparable to services being provided in areas in such district which are not receiving funds under this title: *Provided*, That any finding of noncompliance with this clause shall not affect the payment of funds to any local educational agency until the fiscal year beginning July 1, 1972. *And provided further*, That each local educational agency receiving funds under this title shall report on or be-

fore July 1, 1971, and *on or before July 1 of each year* thereafter with respect to its compliance with this clause;".

(b) The amendment made by subsection (a) shall be effective with respect to all applications submitted to State educational agencies after thirty days after the date of enactment of this Act. Nothing in this section shall be construed to authorize the supplanting of State and local funds with Federal funds prior to the effective date of the amendment made by this section.

APPLICATIONS TO BE MADE AVAILABLE TO PUBLIC

SEC. 110. Section 105(a) of title I of the Elementary and Secondary Education Act of 1965 is amended by redesignating paragraphs (8) through (11) as paragraphs (9) through (12), respectively, and by inserting after paragraph (7) the following new paragraph:

"(8) that the local educational agency is making the application and all pertinent documents related thereto available to parents and other members of the general public and that all evaluations and reports required under paragraph (7) shall be public information;".

AMENDMENTS WITH RESPECT TO APPLICATIONS AND ASSURANCES

SEC. 111. (a) The parenthetical phrase in clause (A) of section 106(a)(3) of title I of the Elementary and Secondary Education Act of 1965 is amended by inserting "and of research and replication studies" immediately before the closing parenthesis.

(b) Section 105(a)(7) of such title is amended by inserting "(which in the case of reports relating to performance is in accordance with specific performance criteria related to program objectives)" after "such information".

NATIONAL ADVISORY COUNCIL

SEC. 112. Section 134 of title I of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"NATIONAL ADVISORY COUNCIL

"SEC. 134. (a) There shall be a National Advisory Council on the Education of Disadvantaged Children (hereinafter in this section referred to as the 'National Council') consisting of fifteen members appointed by the President, without regard to the provisions of title 5, United States Code, governing appointment in the competitive service, for terms of three years, except that (1) in the case of initial members, five shall be appointed for terms of one year each and five shall be appointed for terms of two years each, and (2) appointments to fill vacancies shall be only for such terms as remain unexpired. The National Council shall meet at the call of the Chairman.

"(b) The National Council shall review and evaluate the administration and operation of this title, including its effectiveness in improving the educational attainment of educationally deprived children, including the effectiveness of programs to meet their occupational and career needs, and make recommendations for the improvement of this title and its administration and operation. These recommendations shall take into consideration experience gained under this and other Federal educational programs for disadvantaged children and, to the extent appropriate, experience gained under other public and private educational programs for disadvantaged children.

"(c) The National Council shall make such reports of its activities, findings, and recommendations (including recommendations for changes in the provisions of this title) as it may deem appropriate and shall make an annual report to the President and the Congress not later than March 31 of each calendar year. Such annual report shall include a report specifically on which of the various compensatory education programs funded in whole or in part under the provisions of this title, and of other public and private educational programs for educationally deprived children, hold the highest promise for raising the educational attainment of these educationally deprived children. The President is requested to transmit to the Congress such comments and recommendations as he may have with respect to such report."

INCREASE IN LOW-INCOME FACTOR AND SPECIAL GRANTS FOR URBAN AND RURAL SCHOOLS SERVING ATTENDANCE AREAS WITH THE HIGHEST CONCENTRATIONS OF CHILDREN FROM LOW-INCOME FAMILIES

SEC. 113. (a) The second sentence of subsection (c) of section 103 of title I of the Elementary and Secondary Education Act of 1965 is amended by striking out all after "1968," and inserting in lieu thereof the following: "and for the four succeeding fiscal years they shall be 50 per centum and $3,000, respectively, and for the fiscal year ending June 30, 1973 they shall be 50 per centum and $4,000, respectively.".

(b)(1) Title I of such Act is further amended by striking out "PART A—BASIC GRANTS" where it appears before section 101 and inserting "PART A—BASIC GRANTS" before section 103.

(2) Section 101 of such title I is amended by striking out "this part" and inserting in lieu thereof "the following parts of this title".

(3) Sections 102, 105, 106, 107, and 108 of such title I are each amended by striking out "this part" and inserting in lieu thereof "this title".

(4) Sections 105, 106, 107, 108, 131, 132, 133, 134, 135, and 136 of such title I and all references thereto are redesignated as sections 141, 142, 143, 144, 145, 146, 147, 148, 149, and 150, respectively.

(5) Such title I is further amended by striking out the heading of part C and by inserting before the caption heading of section 141 the following:

"PART D—GENERAL PROVISIONS".

(6) Such title I is further amended by striking out all of part B thereof and inserting after section 103 the following:

"PART B—SPECIAL INCENTIVE GRANTS

"MAXIMUM ENTITLEMENT

"SEC. 121. (a) In the case of any fiscal year ending after June 30, 1969, each State shall be entitled to a special incentive grant if such State has an effort index for the second preceding fiscal year that exceeds the national effort index for such year.

"(b) The maximum amount of a special incentive grant for which a State is eligible for any fiscal year shall be determined by multiplying the amount of $1 for each 0.01 per centum by which the effort index of that State for the second preceding fiscal year exceeds the national effort index for such year times the aggregate number of children counted for the purposes of entitled local educational agencies within such State to basic grants in accordance with clauses (2), (5), (6), and (7) of section 103(a), except that no State shall be eligible to receive a special incentive grant under this part in an amount in excess of 15 per centum of the total amount available for grants under this part.

"APPLICATION; USE OF FUNDS

"SEC. 122. Any State desiring the special incentive grant to which it is entitled under this part for any fiscal year shall make application therefor, in accordance with the requirements set forth in section 142, to the Commissioner. Such application shall be submitted at such time and contain such information as the Commissioner shall require by regulation and shall contain a statement of such policies and procedures as will insure that funds granted to the State under this part will be (1) made available to local educational agencies within that State which have the greatest need for assistance under this title, and (2) used, in accordance with the applicable provisions of this title, for programs and projects designed to meet the special educational needs of educationally deprived children.

"DEFINITIONS

"SEC. 123. For the purpose of this part the term 'effort index' when applied to States, means the per centum expressing the ratio of expenditures from all non-Federal sources in a State for public elementary and secondary education to the total personal income in such State, and the term 'national effort index' means the per centum expressing the ratio of such expenditures in all States to the total personal income in all States; and the term 'State' means the fifty States and the District of Columbia.

"PART C—SPECIAL GRANTS FOR URBAN AND RURAL SCHOOLS SERVING AREAS WITH THE HIGHEST CONCENTRATIONS OF CHILDREN FROM LOW-INCOME FAMILIES

"ELIGIBILITY AND MAXIMUM AMOUNT OF GRANT

"SEC. 131. (a)(1) Each local educational agency which is eligible for a grant under paragraph (2) of section 103(a) shall be entitled to an additional grant under this paragraph for any fiscal year if—

"(A) the total number of children described in clause (A), (B), or (C) of section 103(a)(2) in the school district of such agency for such year amounts to at least 20 per centum of the total number of children, aged five to seventeen inclusive, in the school district of such agency for such year; or

"(B) the total number of children described in clause (A), (B), or (C) of section 103(a)(2) in the school district is at least 5,000 and amounts to at least 5 per centum of the total number of children, aged five to seventeen, inclusive, in such school district.

"(2) Each local educational agency which is eligible for a grant under paragraph (2) of section 103(a) and which (A) is not eligible for a grant under paragraph (1) of this subsection, but (B) would be eligible for a grant under such paragraph (1) if there were in the school district of such agency a relatively small increase in the number of children, aged five to seventeen, inclusive, described in clause (A), (B), or (C) of section 103(a)(2) shall be entitled to a grant under this paragraph (2) if the State educational agency of the State in which such agency is located determines (in accordance with criteria established by regulation of the Commissioner) that such agency has an urgent need for financial assistance to meet the special educational needs of the educationally deprived children in the school district of such agency.

"(b)(1) The maximum amount of any grant to any local educational agency under paragraph (1) of subsection (a) shall be—

"(A) for the fiscal year ending June 30, 1970, 30 per centum of the amount that such agency is eligible to receive for such fiscal year under paragraph (2) of section 103(a); and

"(B) for any succeeding fiscal year, 40 per centum of the amount that such agency is eligible to receive for each such succeeding fiscal year.

The aggregate of the amounts for which all local educational agencies are eligible under this paragraph for any fiscal year shall not exceed the amount determined in the following manner:

"(i) compute the total amount for which all state and local educational agencies are eligible under this title for that fiscal year;

"(ii) subtract from such total, a sum equal to the figure set forth in paragraph (3) of section 144; and

"(iii) if that portion of such total which is attributable to amounts for which local educational agencies are eligible under this

paragraph constitutes more than 15 per centum of the remainder of such total, reduce such portion until it constitutes 15 per centum of such remainder, through ratable reductions of the maximum grants for which local educational agencies are eligible under this paragraph.

"(2) The maximum amount of any grant to any local educational agency under paragraph (2) of subsection (a) shall not exceed the maximum amount to which it would have been entitled if it had been eligible under paragraph (1) of such subsection. The maximum amount which shall be available to the Commissioner for grants under such paragraph (2) of subsection (a) shall be, for the fiscal year ending June 30, 1970, equal to 3 per centum of the total amount available for grants for such fiscal year under paragraph (1) of subsection (a) and, for any succeeding fiscal year, such amount shall be equal to 5 per centum of the total amount available for grants for that year under such paragraph (1).

"(c) For the purposes of this section the term 'State' means the fifty States and the District of Columbia.

"(d)(1) In making determinations under this section the Commissioner is authorized, in accordance with regulations prescribed by him, to use the most recent satisfactory data made available to him by the appropriate State educational agency. If satisfactory data for determining the number of children described in clause (A), (B) or (C) of section 103(a)(2) in a school district for the purpose of subsection (a) are not otherwise available to the Commissioner, such determination may be made on the basis of data furnished to him by a State educational agency with respect to the amount of the maximum grant under part A of this title allocated by such State agency to the local educational agency for such district in the State for the purpose of the second sentence of section 103(a)(2), for the fiscal year preceding the fiscal year for which such determination is made.

"(2) Determinations under this section may be made on the basis of data furnished in accordance with section 103(d).

"USES OF FUNDS

"SEC. 132. (a) Funds available for grants under this part shall be used solely for programs and projects designed to meet the special educational needs of educationally deprived children in preschool programs and in elementary schools serving areas with the highest concentrations of children from low-income families, except that such funds may be used for programs and projects for such children in secondary schools serving areas with the highest concentrations of children from low-income families if the local educational agency and its State educational agency determine (in according with criteria established by regulation of the Commissioner) that—

"(A) there is an urgent need for such programs and projects for such children in secondary schools in the area to be served by the local educational agency; and

"(B) there is satisfactory assurance that such programs and projects will be at least as effective in achieving the purposes of this title as the use of such funds for programs and projects for such children in elementary schools in such area.

"(b) In addition to meeting the requirements and conditions set forth in part D, applications for grants under this part shall meet such other requirements and conditions, consistent with the purposes of this title, as the Commissioner shall establish by regulation.".

(7) Section 141(a) of such title is amended by striking out "and" at the end of paragraph (10), and by striking out the period at the end of paragraph (11) and inserting in lieu thereof "; and", and by adding at the end thereof the following new paragraph:

"(12) in the case of funds received under part C of this title, the local educational agency sets forth such procedures and policies and provides such assurances as the Commissioner may require by regulation for the uses of funds available under such part C to carry out the purposes of this title, and, for any fiscal year ending after June 30, 1970, sets forth a comprehensive plan for meeting the special educational needs of children to be served under such part C including provisions for effective use of all funds available under this title and provisions setting forth specific objectives of such plan and the criteria and procedures, including objective measurements of educational achievement, that will be used to evaluate at least annually the extent to which the objectives of the plan have been met.".

(8) Section 143 of such title I is amended—

(A) by inserting before the period at the end of paragraph (2) of subsection (a) thereof "or section 131", and

(B) by striking out "sections 103 and 144" where it appears in clause (1) of subsection (b) and inserting in lieu thereof "sections 103, 131, and 144".

(9) Section 146 of such title I is amended by striking out ", 106(b), or 121(b)" and inserting in lieu thereof "or 142(b)".

(10) Section 147 of such title I is amended by striking out ", 106(b) or 121(b)" and inserting in lieu thereof "or 142(b)".

(c) Section 144 of such title is amended (A) by striking out "paragraphs (1) and (2)" in paragraph (3) and inserting in lieu thereof "paragraphs (1), (2), and (3)", (B) by redesignating such paragraph (3) as paragraph (4), and (C) by inserting before such paragraph (4) the following new paragraph:

"(3) that part of such sums for any fiscal year which is in excess of $1,396,975,000 shall be allocated on the basis of computations in accordance with remaining entitlements under section 103(a)(2), and entitlements under sections 121 and 131, as ratably reduced, but in no case shall allocations on the basis of computations in accordance with section 131 exceed 15 per centum of such excess; and".

(d) Effective for fiscal years ending after June 30, 1972, such section 144 is further amended—

(1) by inserting after the first sentence the following new sentence: "For the purposes of parts B and C of this title, in determining entitlements under such parts, the number of children described in section 103(a) shall be ascertained by using a low-income factor of (i) $2,000 when allocations are made under clause (A) of paragraph (2) in the first sentence of this section, (ii) $3,000 when allocations are made under clause (B) of such paragraph, and (iii) $4,000 when allocations are made under clause (C) of such paragraph."; and

(2) by striking out clause (B) of paragraph (2) and inserting in lieu thereof the following:

"(B) until appropriations are sufficient to satisfy all maximum grants as computed by using a low-income factor of $3,000, any amount remaining after allocations are computed pursuant to clause (A) shall be allocated by using a low-income factor of $3,000 with respect to children described in section 103(a)(2) who are not counted for purposes of clause (A); and

"(C) until appropriations are sufficient to satisfy all maximum grants as computed by using a low-income factor of $4,000, any amount remaining after allocations are computed pursuant to clauses (A) and (B) shall be allocated by using a low-income factor of $4,000 with respect to children described in section 103(a)(2) who are not counted for purposes of clause (A) or (B); and

"(D) the aggregate amount available for grants to local educational agencies within each State shall not be less than the aggregate amount allocated to local educational agencies within such State for the fiscal year ending June 30, 1967, until the total sums available from appropriations for that fiscal year exceed $1,500,000,000 for Part A of title I; and".

(e) Except as otherwise provided, the amendments made by this section shall be effective with respect to fiscal years ending after June 30, 1969.

TECHNICAL AMENDMENT

SEC. 114. Section 107(b)(2) of title I of the Elementary and Secondary Education Act of 1965 is amended by striking out "Wake Island,".

PART B—AMENDMENTS TO TITLE II OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 (LIBRARY RESOURCES, TEXTBOOKS, AND OTHER PRINTED AND PUBLISHED MATERIALS)

EXTENSION OF TITLE II OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 121. (a) Section 201(b) of the Elementary and Secondary Education Act of 1965 is amended by striking out "and" where it appears after "1969," and by striking out "the fiscal year ending June 30, 1970" and inserting in lieu thereof "each of the fiscal years ending June 30, 1970, and June 30, 1971, $210,000,000 for the fiscal year ending June 30, 1972, and $220,000,000 for the fiscal year ending June 30, 1973".

(b) The third sentence of section 202(a)(1) of such Act is amended by striking out "the fiscal year ending June 30, 1969," and inserting in lieu thereof "each of the succeeding fiscal years ending prior to July 1, 1972,".

(c) Section 204(b) of such Act is amended by striking out "July 1, 1970" and inserting in lieu thereof "July 1, 1973".

PART C—AMENDMENTS TO TITLE III OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 (SUPPLEMENTARY EDUCATIONAL SERVICES AND CENTERS)

CONSOLIDATION OF CERTAIN EDUCATION PROGRAMS

SEC. 131. (a)(1) Title III of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"TITLE III—SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES; GUIDANCE, COUNSELING, AND TESTING

"APPROPRIATIONS AUTHORIZED

"SEC. 301. (a) The Commissioner shall carry out a program for making grants for supplementary educational centers and services, to stimulate and assist in the provision of vitally needed educational services not available in sufficient quantity or quality, and to stimulate and assist in the development and establishment of exemplary elementary and secondary school educational programs to serve as models for regular school programs, and to assist the States in establishing and maintaining programs of testing and guidance and counseling.

"(b) For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $550,000,000 for the fiscal year ending June 30, 1971, $575,000,000 for the fiscal year ending June 30, 1972, and $605,000,000 for the fiscal year ending June 30, 1973. In addition, there are hereby authorized to be appropriated for the fiscal year ending June 30, 1971, and each of the succeeding fiscal years, such sums as may be necessary for the administration of State plans, the activities of advisory councils, and the evaluation and dissemination activities required under this title.

"ALLOTMENT AMONG STATES

"SEC. 302. (a)(1) There is hereby authorized to be appropriated for each fiscal year for

the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for grants under this title. The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition for each fiscal year ending prior to July 1, 1972, he shall allot from such amount to (A) the Secretary of the Interior the amount necessary to provide programs and projects for the purpose of this title for individuals on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior, and (B) the Secretary of Defense the amount necessary for such assistance for children and teachers in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"(2) From the sums appropriated for making grants under this title for any fiscal year pursuant to section 301(b), the Commissioner shall allot $200,000 to each State and shall allot the remainder of such sums among the States as follows:

"(A) He shall allot to each State an amount which bears the same ratio to 50 per centum of such remainder as the number of children aged five to seventeen, inclusive, in the State bears to the number of such children in all the States, and

"(B) He shall allot to each State an amount which bears the same ratio to 50 per centum of such remainder as the population of the State bears to the population of all the States.

For the purposes of this subsection, the term "State" does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"(b) The number of children aged five to seventeen, inclusive, and the total population of a State and of all the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

"(c) The amount allotted to any State under subsection (a) for any fiscal year, which the Commissioner determines will not be required for the period for which that amount is available, shall be available for grants pursuant to section 306 in such State, and if not so needed may be reallotted or used for grants pursuant to section 306 in other States. Funds available for reallotment may be reallotted from time to time, on such dates during that period as the Commissioner may fix, among other States in proportion to the amounts originally allotted among those States under subsection (a) for that year, but with the proportionate amount for any of the other States being reduced to the extent it exceeds the sum the Commissioner estimates that State needs and will be able to use for that period; and the total of these reductions may be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection from funds appropriated pursuant to section 301 for any fiscal year shall be deemed to be a part of the amount allotted to it under subsection (a) for that year.

"(d) The amounts made available under the first sentence of subsection (c) for any fiscal year shall remain available for grants during the next succeeding fiscal year.

"USES OF FEDERAL FUNDS

"SEC. 303. (a) It is the purpose of this title to combine within a single authorization, subject to the modifications imposed by the provisions and requirements of this title, the programs formerly authorized by this title and title V–A of the National Defense Education Act of 1958, and except as expressly modified by this title, Federal funds may be used for the same purposes and the funding of the same types of programs previously authorized by those titles.

"(b) Funds appropriated pursuant to section 301 shall be available only for grants in accordance with applications approved pursuant to this title for—

"(1) planning for and taking other steps leading to the development of programs or projects designed to provide supplementary educational activities and services described in paragraphs (2) and (3) including pilot projects designed to test the effectiveness of plans so developed;

"(2) the establishment or expansion of exemplary and innovative educational programs (including dual-enrollment programs and the lease or construction of necessary facilities) for the purpose of stimulating the adoption of new educational programs (including those described in section 503(4) and special programs for handicapped children) in the schools of the State; and

"(3) the establishment, maintenance, operation, and expansion of programs or projects, including the lease or construction of necessary facilities and the acquisition of necessary equipment, designed to enrich the programs of local elementary and secondary schools and to offer a diverse range of educational experience to persons of varying talents and needs by providing, especially through new and improved approaches, supplementary educational services and activities, such as—

"(A) remedial instruction, and school health, physical education, recreation, psychological, social work, and other services designed to enable and encourage persons to enter, remain in, or reenter educational programs, including the provision of special educational programs and study areas during periods when schools are not regularly in session;

"(B) comprehensive academic services and, where appropriate, vocational guidance and counseling, for continuing adult education;

"(C) specialized instruction and equipment for students interested in studying advanced scientific subjects, foreign languages and other academic subjects, which are not taught in the local schools or which can be provided more effectively on a centralized basis, or for persons who are handicapped or of preschool age;

"(D) making available modern educational equipment and specially qualified personnel, including artists and musicians, on a temporary basis for the benefit of children in public and other nonprofit schools, organizations, and institutions;

"(E) developing, producing, and transmitting radio and television programs for classroom and other educational use;

"(F) in the case of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs (including preschool education), because some or all of its schools are seriously overcrowded, obsolete, or unsafe, initiating and carrying out programs or projects designed to meet those needs, particularly those which will result in more effective use of existing facilities;

"(G) providing special educational and related services for persons who are in or from rural areas or who are or have been otherwise isolated from normal educational opportunities, including, where appropriate, the provision of mobile educational services and equipment, special home study courses, radio, television, and related forms of instruction, bilingual education methods and visiting teachers' programs;

"(H) encouraging community involvement in educational programs;

"(I) providing programs for gifted and talented children;

"(J) other specially designed educational programs or projects which meet the purposes of this title; and

"(4) programs for testing students in the public and private elementary and secondary schools and in junior colleges and technical institutes in the State, and programs designed to improve guidance and counseling services at the appropriate levels in such schools.

"(c) In addition to the uses specified in subsection (b), funds appropriated for carrying out this title may be used for—

"(1) proper and efficient administration of State plans;

"(2) obtaining technical, professional, and clerical assistance and the services of experts and consultants to assist the advisory councils authorized by this title in carrying out their responsibilities; and

"(3) evaluation of plans, programs, and projects, and dissemination of the results thereof.

"APPLICATION FOR GRANTS; CONDITIONS FOR APPROVAL

"SEC. 304. (a) A grant under this title pursuant to an approved State plan or by the Commissioner for a supplementary educational center or service program or project may be made only to a local educational agency or agencies, and then only if there is satisfactory assurance that, in the planning of that program or project there has been, and in the establishment and carrying out thereof there will be, participation of persons broadly representative of the cultural and educational resources of the area to be served. The term 'cultural and educational resources' includes State educational agencies, institutions of higher education, nonprofit private schools, public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, educational radio and television, and other cultural and educational resources. Such grants may be made only upon application to the appropriate State educational agency or to the Commissioner, as the case may be, at such times or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Such application shall—

"(1) provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

"(2) set forth a program for carrying out the purposes set forth in section 303(b) and provide for such methods of administration as are necessary for the proper and efficient operation of the programs;

"(3) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in section 303(b), and in no case supplant such funds;

"(4) provide, in the case of an application for assistance under this title which includes a project for the construction of necessary facilities, satisfactory assurance that—

"(A) reasonable provision has been made, consistent with the other uses to be made of the facilities, for areas in such facilities which are adaptable for artistic and cultural activities.

"(B) upon completion of the construction, title to the facilities will be in a State or local educational agency, and

"(C) in developing plans for such facilities (i) due consideration will be given to excellence of architecture and design and to the inclusion of works of art (not representing more than 1 per centum of the cost of the project), and (ii) there will be

compliance with such standards as the Secretary may prescribe or approve in order to insure that, to the extent appropriate in view of the uses to be made of the facilities, such facilities are accessible to and usable by handicapped persons;

"(5) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

"(6) provide for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the area served, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(b) An application by a local educational agency for a grant under this title may be approved only if it is consistent with the applicable provisions of this title and—

"(1) meets the requirements set forth in subsection (a);

"(2) provides that the program or project for which application is made—

"(A) will utilize the best available talents and resources and will substantially increase the educational opportunities in the area to be served by the applicant, and

"(B) to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type provided by the program or project, makes provision for the participation of such children; and

"(3) has been reviewed by a panel of experts.

"(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulations, be subject to approval in the same manner as original applications."

"STATE PLANS

"SEC. 305. (a) (1) Any State desiring to receive payments for any fiscal year to carry out a State plan under this title shall (A) establish within its State educational agency a State advisory council (hereinafter referred to as the State advisory council) which meets the requirements of this subsection, (B) set dates before which local educational agencies must have submitted applications for grants to the State educational agency, and (C) submit to the Commissioner, through its State educational agency, a State plan at such time and in such detail as the Commissioner may deem necessary. The Commissioner may, by regulation, set uniform dates for the submission of State plans and applications.

"(2) The State advisory council, established pursuant to paragraph (1), shall—

"(A) be appointed by the State educational agency, and be broadly representative of the cultural and educational resources of the State (as defined in section 304(a)) and of the public, including persons representative of—

"(i) elementary and secondary schools,

"(ii) institutions of higher education, and

"(iii) areas of professional competence in dealing with children needing special education because of physical or mental handicaps;

"(B) advise the State educational agency on the preparation of, and policy matters arising in the administration of, the State plan, including the development of criteria for approval of applications under such State plan;

"(C) review, and make recommendations to the State educational agency on the action to be taken with respect to, each application for a grant under the State plan;

"(D) evaluate programs and projects assisted under this title; and

"(E) prepare and submit through the State educational agency a report of its activities, recommendations, and evaluations, together with such additional comments as the State educational agency deems appropriate, to the Commissioner and to the National Advisory Council, established pursuant to this title, at such times, in such form, and in such detail, as the Secretary may prescribe.

"(3) Not less than ninety days prior to the beginning of any fiscal year in which a State desires to receive a grant under this title, such State shall certify the establishment of, and membership of, its State advisory council to the Commissioner.

"(4) Each State advisory council shall meet within thirty days after certification has been accepted by the Commissioner and select from its membership a chairman. The time, place, and manner of meeting shall be as provided by such council, except that such council shall have not less than one public meeting each year at which the public is given opportunity to express views concerning the administration and operation of this title.

"(5) State advisory councils shall be authorized to obtain the services of such professional, technical, and clerical personnel as may be necessary to enable them to carry out their functions under this title and to contract for such services as may be necessary to enable them to carry out their evaluation functions.

"(b) The Commissioner shall approve a State plan, or modification thereof, if he determines that the plan submitted for that fiscal year—

"(1) (A) except in the case of funds available for the purpose described in paragraph (4) of section 303(b), sets forth a program (including educational needs, and their basis, and the manner in which the funds paid to the State under this title shall be used in meeting such educational needs) under which funds paid to the State under section 307(a) will be expended solely for the improvement of education in the State through grants to local educational agencies for programs or projects in accordance with sections 303 and 304: Provided, That, in the case of a State educational agency that also is a local educational agency, its approval of a program or project to be carried out by it in the latter capacity shall, for the purposes of this title, be deemed an award of a grant by it upon application of a local educational agency if the State plan contains, in addition to the provisions otherwise required by this section, provisions and assurances (applicable to such programs or project) that are fully equivalent to those otherwise required of a local educational agency;

"(B) in the case of funds available for the purpose described in paragraph (4) of section 303(b), sets forth—

"(i) a program for testing students in the public elementary and secondary schools of such State or in the public junior colleges and technical institutes of such State, and, if authorized by law, in other elementary and secondary schools and in other junior colleges and technical institutes in such State, to identify students with outstanding aptitudes and ability, and the means of testing which will be utilized in carrying out such program; and

"(ii) a program of guidance and counseling at the appropriate levels in the public elementary and secondary schools or public junior colleges and technical institutes of such State, (A) to advise students of courses of study best suited to their ability, aptitudes and skills, (B) to advise students in their decisions as to the type of educational program they should pursue, the vocation they train for and enter, and the job opportunities in the various fields, and (C) to encourage students with outstanding aptitudes and ability to complete their secondary school education, take the necessary courses for admission to institutions of higher education, and enter such institutions and such programs may include, at the discretion of such State agency, short-term sessions for persons engaged in guidance and counseling in elementary and secondary schools, junior colleges, and technical institutes in such State;

"(2) sets forth the administrative organization and procedures, including the qualifications for personnel having responsibilities in the administration of the plan in such detail as the Commissioner may prescribe by regulation;

"(3) sets forth criteria for achieving an equitable distribution of assistance under this title, which criteria shall be based on consideration of (A) the size and population of the State, (B) the geographic distribution and density of the population within the State, and (C) the relative need of persons in different geographic areas and in different population groups within the State for the kinds of services and activities described in section 303, and the financial ability of the local educational agencies serving such persons to provide such services and activities;

"(4) provides for giving special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four- and five-year-olds and including where appropriate bilingual education, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, or unsafe;

"(5) provides that, in approving applications for grants for programs or projects, applications proposing to carry out programs or projects planned under this title will receive special consideration;

"(6) provides for adoption of effective procedures (A) for the evaluation, at least annually, of the effectiveness of the programs and projects, by the State advisory council, supported under the State plan in meeting the purposes of this title, (B) for appropriate dissemination of the results of such evaluations and other information pertaining to such programs or projects, and (C) for adopting, where appropriate, promising educational practices developed through such programs or projects;

"(7) provides that not less than 50 per centum of the amount which such State receives to carry out the plan in such fiscal year shall be used for purposes of paragraphs (1) and (2) of section 303(b);

"(8) provides that not less than 15 per centum of the amount which such State receives to carry out the plan in such fiscal year shall be used for special programs or projects for the education of handicapped children;

"(9) sets forth policies and procedures which give satisfactory assurance that Federal funds made available under this title for any fiscal year (A) will not be commingled with State funds, and (B) will be so used as to supplement and, to the extent practical, increase the fiscal effort (determined in accordance with criteria prescribed by the Commissioner, by regulation) that would, in the absence of such Federal funds, be made by the applicant for educational purposes;

"(10) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under this title;

"(11) provides for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to

carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the areas served by the programs or projects supported under the State plan and in the State as a whole, including reports of evaluations made in accordance with objective measurements under the State plan pursuant to paragraph (6), and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports;

"(12) provides that final action with respect to any application (or amendment thereof) regarding the proposed final disposition thereof shall not be taken without first affording the local educational agency or agencies submitting such application reasonable notice and opportunity for a hearing; and

"(13) contains satisfactory assurance that, in determining the eligibility of any local educational agency for State aid or the amount of such aid, grants to that agency under this title shall not be taken into consideration.

"(c) The Commissioner may, if he finds that a State plan for any fiscal year ending prior to July 1, 1973, is in substantial compliance with the requirements set forth in subsection (b), approve that part of the plan which is in compliance with such requirements and make available (pursuant to section 307) to that State that part of the State's allotment which he determines to be necessary to carry out that part of the plan so approved. The remainder of the amount which such State is eligible to receive under this section may be made available to such State only if the unapproved portion of that State plan has been so modified as to bring the plan into compliance with such requirements: *Provided,* That the amount made available to a State pursuant to this subsection shall not be less than 50 per centum of the maximum amount which the State is eligible to receive under this section.

"(d) A State which has had a State plan approved for any fiscal year may receive for the purpose of carrying out such plan, an amount not in excess of 85 per centum of its allotment pursuant to section 302.

"(e)(1) The Commissioner shall not finally disapprove any plan submitted under subsection (a), or any modification thereof, without first affording the State educational agency submitting the plan reasonable notice and opportunity for a hearing.

"(2) Whenever the Commissioner, after reasonable notice and opportunity for hearings to any State educational agency, finds that there has been a failure to comply substantially with any requirement set forth in the plan of that State approved under section 305 or with any requirement set forth in the application of a local educational agency approved pursuant to section 304, the Commissioner shall notify the agency that further payments will not be made to the State under this title (or, in his discretion, that the State educational agency shall not make further payments under this title to specified local educational agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this title, or payments by the State educational agency under this title shall be limited to local educational agencies not affected by the failure, as the case may be.

"(3)(A) If any State is dissatisfied with the Commissioner's final action with respect to the approval of a plan submitted under subsection (a) or with his final action under paragraph (2), such State may, within 60 days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action as provided in section 2112 of title 28, United States Code.

"(B) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings.

"(C) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"(f)(1) If any local educational agency is dissatisfied with the final action of the State educational agency with respect to approval of an application of such local agency for a grant pursuant to this title, such local agency may, within sixty days after such final action or notice thereof, whichever is later, file with the United States court of appeals for the circuit in which the State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the State educational agency. The State educational agency thereupon shall file in the court the record of the proceedings on which the State educational agency based its action as provided in section 2112 of title 28, United States Code.

"(2) The findings of fact by the State educational agency, if supported by substantial evidence shall be conclusive; but the court, for good cause shown, may remand the case to the State educational agency to take further evidence, and the State educational agency may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings.

"(3) The court shall have jurisdiction to affirm the action of the State educational agency or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"SPECIAL PROGRAMS AND PROJECTS

"SEC. 306. (a) From the amount allotted to any State pursuant to section 302 which is not available to that State under a State plan approved pursuant to section 305, the Commissioner is authorized, subject to the provisions of section 304, to make grants to local educational agencies in such State for programs or projects which meet the purposes of section 303 and which, in the case of a local educational agency in a State which has a State plan approved, hold promise of making a substantial contribution to the solution of critical educational problems common to all or several States. The Commissioner may not approve an application under this section unless the application has been submitted to the appropriate State educational agency for comment and recommendation with respect to the action to be taken by the Commissioner regarding the disposition of the application.

"(b) Not less than 15 per centum of the funds granted pursuant to this section in any fiscal year shall be used for programs or projects designed to meet the special educational needs of handicapped children.

"PAYMENTS

"SEC. 307. (a) From the allotment to each State pursuant to section 302, for any fiscal year, the Commissioner shall pay to each State, which has had a plan approved pursuant to section 305 for that fiscal year, the amount necessary to carry out its State plan as approved.

"(b) The Commissioner is authorized to pay to each State amounts necessary for the activities described in section 303(c), during any fiscal year, except that (1) the total of such payments shall not be in excess of an amount equal to 7½ per centum of its allotment for that fiscal year or, $150,000 ($50,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater, and (2) in such payment, the amount paid for the administration of the State plan for any fiscal year shall not exceed an amount equal to 5 per centum of its allotment for that fiscal year or $100,000 ($35,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater.

"(c) The Commissioner shall pay to each applicant which has an application approved pursuant to section 306 the amount necessary to carry out the program or project pursuant to such application.

"(d) Payments under this section may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"(e) No payments shall be made under this title to any local educational agency or to any State unless the Commissioner finds, in the case of a local educational agency, that the combined fiscal effort of that agency and the State with respect to the provision of free public education by that agency for the preceding fiscal year was not less than such combined fiscal effort for that purpose for the second preceding fiscal year or, in the case of a State, that the fiscal effort of that State for State aid (as defined by regulation) with respect to the provision of free public education in that State for the preceding fiscal year was not less than such fiscal effort for State aid for the second preceding fiscal year.

"(f)(1) In any State which has a State plan approved under section 305(c) and in which no State agency is authorized by law to provide, or in which there is a substantial failure to provide, for effective participation on an equitable basis in programs authorized by this title by children enrolled in any one or more private elementary or secondary schools of such State in the area or areas served by such programs, the Commissioner shall arrange for the provision, on an equitable basis, of such programs and shall pay the costs thereof for any fiscal year out of that State's allotment. The Commissioner may arrange for such programs through contracts with institutions of higher education, or other competent nonprofit institutions or organizations.

"(2) In determining the amount to be withheld from any State's allotment for the provision of such programs, the Commissioner shall take into account the number of children and teachers in the area or areas served by such programs who are excluded from participation therein and who, except for such exclusion, might reasonably have been expected to participate.

"RECOVERY OF PAYMENTS

"SEC. 308. If within twenty years after completion of any construction for which Federal funds have been paid under this title—

"(a) the owner of the facility shall cease to be a State or local educational agency, or

"(b) the facility shall cease to be used for the educational and related purposes for which it was constructed, unless the Commissioner determines in accordance with

regulations that there is good cause for releasing the applicant or other owner from the obligation to do so,

the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility (or so much thereof as constituted an approved project or projects) the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

"NATIONAL ADVISORY COUNCIL

"SEC. 309. (a) The President shall appoint a National Advisory Council on Supplementary Centers and Services which shall—

"(1) review the administration of, general regulations for, and operation of this title, including its effectiveness in meeting the purposes set forth in section 303;

"(2) review, evaluate, and transmit to the Congress and the President the reports submitted pursuant to section 305(a)(2)(E);

"(3) evaluate programs and projects carried out under this title and disseminate the results thereof; and

"(4) make recommendations for the improvement of this title, and its administration and operation.

"(b) The Council shall be appointed by the President without regard to the civil service laws and shall consist of twelve members, a majority of whom shall be broadly representative of the educational and cultural resources of the United States including at least one person who has professional competence in the area of education of handicapped children. Such members shall be appointed for terms of 3 years except that (1) in the case of the initial members, four shall be appointed for terms of 1 year each and four shall be appointed for terms of 2 years each, and (2) appointments to fill the unexpired portion of any terms shall be for such portion only. When requested by the President, the Secretary of Health, Education, and Welfare shall engage such technical and professional assistance as may be required to carry out the functions of the Council, and shall make available to the Council such secretarial, clerical and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out its functions.

"(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this title) to the President and the Congress not later than January 20 of each year. The President is requested to transmit to the Congress such comments and recommendations as he may have with respect to such report."

(b) In the case of any fiscal year ending prior to July 1, 1973, each State submitting a State plan under title III of the Elementary and Secondary Education Act of 1965 shall assure the Commissioner of Education that it will expend for the purpose described in paragraph (4) of section 303(b) of such title III an amount at least equal to 50 per centum of the amount expended by that State for the purposes of title V–A of the National Defense Education Act of 1958 from funds appropriated pursuant to such title V–A for the fiscal year ending June 30, 1970.

(c) Any appropriation for the purposes of title V of the National Defense Education Act of 1958 for any fiscal year ending after June 30, 1970, shall be deemed to have been appropriated pursuant to section 301 of the Elementary and Secondary Education Act of 1965.

(d) The amendment made by this section shall be effective with respect to fiscal years ending after June 30, 1970.

PART D—AMENDMENTS TO TITLE V OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 (STRENGTHENING STATE DEPARTMENTS OF EDUCATION)

EXTENSION OF TITLE V OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 141. Section 501(b) of the Elementary and Secondary Education Act of 1965 is amended by striking out "and" where it appears after "1969," and by striking out all that follows "1968" and inserting in lieu thereof the following: "$80,000,000 each for the fiscal years ending June 30, 1969, June 30, 1970, and June 30, 1971, $85,000,000 for the fiscal year ending June 30, 1972, and $90,000,000 for the fiscal year ending June 30, 1973".

PROVISION RELATING TO GIFTED AND TALENTED CHILDREN

SEC. 142. (a) Section 503(11) of the Elementary and Secondary Education Act of 1965 (relating to grants to strengthen State departments of education) is amended by inserting after "handicapped" a comma and the following: "and gifted and talented children".

(b) The amendment made by this section shall be effective upon enactment of this Act.

STRENGTHENING LEADERSHIP AND QUALITY IN EDUCATION; IMPROVING PLANNING AND EVALUATION OF EDUCATION PROGRAMS

SEC. 143. (a)(1) The heading of title V of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"TITLE V—STRENGTHENING STATE AND LOCAL EDUCATIONAL AGENCIES"

(2) Such title V is amended by inserting before section 501 thereof the following heading:

"PART A—GRANTS TO STRENGTHEN STATE DEPARTMENTS OF EDUCATION"

(3) Section 507 of such title V, and all references thereto, is redesignated as section 553 of such title and is amended, in subsection (a), by striking out "but it does not include a local educational agency" and inserting in lieu thereof "including local educational agencies".

(4) Such title V is amended—

(A) by striking out sections 506, 508, 509 and 510;

(B) in sections 501, 502, 503, 504, and 505 by striking out "this title" wherever it appears therein and inserting in lieu thereof "this part";

(C) in section 503, by inserting "and" at the end of clause (11), by striking out the semicolon at the end of clause (12) and inserting in lieu thereof a period, and by striking out clauses (13) and (14); and

(D) by inserting after section 505 the following:

"PART B—LOCAL EDUCATIONAL AGENCIES

"APPROPRIATIONS AUTHORIZED

"SEC. 521. (a) The Commissioner shall carry out a program for making grants to stimulate and assist local educational agencies in strengthening the leadership resources of their districts, and to assist those agencies in the establishment and improvement of programs to identify and meet the educational needs of their districts.

"(b) For the purpose of making grants under this part, there is hereby authorized to be appropriated the sum of $10,000,000 for the fiscal year ending June 30, 1970, $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.

"APPORTIONMENT AMONG STATES

"SEC. 522. (a) From the sums appropriated for carrying out this part for each fiscal year, the Commissioner shall reserve such amount, but not in excess of 2 per centum of such sums, as he may determine and shall apportion such amount among the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this part. The remainder of such sums shall be apportioned by the Commissioner as follows:

"(A) He shall apportion 40 per centum of such remainder among the States in equal amounts.

"(B) He shall apportion to each State an amount that bears the same ratio to 60 per centum of such remainder as the number of public school pupils in the State bears to the number of public school pupils in all the States, as determined by the Commissioner on the basis of the most recent satisfactory data available to him.

For purposes of this paragraph, the term 'State' does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"(b) The amount apportioned to any State under subsection (a) for any fiscal year which the Commissioner determines will not be required for that year shall be available for reapportionment from time to time, on such dates during that year as the Commissioner may fix, to other States in proportion to the amounts originally apportioned among those States under subsection (a) for that year, but with the proportionate amount for any of the other States being reduced to the extent it exceeds the sum the Commissioner estimates the local educational agencies of such State need and will be able to use for that year; and the total of these reductions shall be similarly reapportioned among the States whose proportionate amounts were not so reduced. Any amount reapportioned to a State under this subsection from funds appropriated pursuant to section 521 for any fiscal year shall be deemed part of the amount apportioned to it under subsection (a) for that year.

"GRANTS FROM APPORTIONED FUNDS

"SEC. 523. From the amount apportioned to any State for any fiscal year under section 522 the Commissioner may, upon approval of an application in accordance with section 524 submitted to him by a local educational agency of such State, after approval by the State educational agency in accordance with section 525, make a grant or grants to such local educational agency equal to the expenditures incurred by such agency for the planning of, and for programs for, the development, improvement, or expansion of activities promoting the purposes set forth in section 521(a) and more particularly described in such application and for which such application is approved, such as—

"(1) educational planning on a district basis, including the identification of educational problems, issues, and needs in the district and the evaluation on a periodic or continuing basis of educational programs in the district;

"(2) providing support or services for the comprehensive and compatible recording, collecting, processing, analyzing, interpreting, storing, retrieving, and reporting of educational data including the use of automated data systems;

"(3) programs for conducting, sponsoring, or cooperating in educational research and demonstration programs and projects such as (A) establishing and maintaining curriculum research and innovation centers to assist in locating and evaluating curriculum research findings, (B) discovering and testing new educational ideas (including new uses of printed and audiovisual media) and more effective educational practices, and putting into use those which show promise of success, and (C) studying ways to improve the legal and organizational structure for education, and the management and administration of education in the district of such agency;

"(4) programs to improve the quality of teacher preparation, including student-teaching arrangements, in cooperation with institutions of higher education and State educational agencies;

"(5) programs and other activities specifically designed to encourage the full and adequate utilization and acceptance of auxiliary personnel (such as instructional assistants and teacher aides) in elementary and secondary schools on a permanent basis;

"(6) providing such agencies and the schools of such agencies with consultative and technical assistance and services relating to academic subjects and to particular aspects of education such as the education of the handicapped, the gifted and talented, and the disadvantaged, vocational education, school building design and utilization, school social work, the utilization of modern instructional materials and equipment, transportation, educational administrative procedures, and school health, physical education, and recreation;

"(7) training programs for the officials of such agencies; and

"(8) carrying out any such activities or programs, where appropriate, in cooperation with other local educational agencies.

"APPROVAL OF APPLICATIONS BY THE COMMISSIONER

"SEC. 524. (a) An application for a grant under this part for each fiscal year shall set forth a plan under which Federal funds received by the applicant under this part for that fiscal year will be used solely for a program of activities specifically designed to strengthen the leadership resources of the applicant and to establish and improve programs to identify and meet the educational needs of the persons served by the applicant.

"(b) The Commissioner may approve an application under this part only if the application for that year—

"(1) contains or is supported by adequate assurance that Federal funds made available under the approved application will be so used as to supplement, and to the extent practical, increase the amounts of State and local funds that would in the absence of such Federal funds be made available for projects and activities which meet the requirements of section 523;

"(2) sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this part; and

"(3) provides for making such reports in such form and containing such information, as the Commissioner may require to carry out his functions under this part, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"APPROVAL OF APPLICATIONS BY STATE EDUCATIONAL AGENCIES

"SEC. 525. In approving applications for the purposes of this part a State educational agency shall—

"(1) approve only such applications for proposed projects, programs, or activities as will—

"(A) make a significant contribution to strengthening the leadership resources of the applicant or its ability to participate effectively in meeting the educational needs of its district, and

"(B) involve an expenditure of at least $2,500, and

"(2) provide for an equitable distribution on the basis of need of funds provided pursuant to this part, and, to the extent possible within such a distribution, give priority to exemplary projects, programs, or activities.

"PART C—COMPREHENSIVE EDUCATIONAL PLANNING AND EVALUATION

"AUTHORIZATION

"SEC. 531. (a) The Commissioner is authorized to make comprehensive planning and evaluation grants to State and local educational agencies in order to assist and stimulate them to enhance their capability to make effective progress, through comprehensive and continuing planning and evaluation, toward the achievement of opportunities for high-quality education for all segments of the population.

"(b) For the purpose of carrying out the provisions of this part, there are hereby authorized to be appropriated $10,000,000 for the fiscal year ending June 30, 1971, $15,000,000 for the fiscal year ending June 30, 1972, and $20,000,000 for the fiscal year ending June 30, 1973.

"(c)(1)(A) From the sums appropriated for carrying out this part for each fiscal year, the Commissioner shall reserve such amount, but not in excess of 2 per centum of such per centum, as he may determine and shall apportion such amount among the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this part. The remainder shall be apportioned by the Commissioner as follows:

"(i) He shall apportion 40 per centum of such remainder among the States in equal amounts.

"(ii) He shall apportion to each State an amount that bears the same ratio to 60 per centum of such remainder as the population of the State bears to the population of all the States, as determined by the Commissioner on the basis of the most recent satisfactory data available to him.

"(B) For purposes of this paragraph (1), the term 'State' does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"(2) The amount apportioned to any State under paragraph (1) of this subsection for any fiscal year which the Commissioner determines will not be required for that year shall be available for reapportionment from time to time, on such dates during that year as the Commissioner may fix, to other States in proportion to the amounts originally apportioned among those States under such paragraph for that year, but with the proportionate amount for any of the other States being reduced to the extent it exceeds the sum the Commissioner estimates the State and local educational agencies of such State need and will be able to use for that year; and the total of these reductions shall be similarly reapportioned among the States whose proportionate amounts were not so reduced. Any amount reapportioned to a State under this paragraph from funds appropriated pursuant to this section for any fiscal year shall be deemed part of the amount apportioned to it under paragraph (1) for that year.

"(3) Grants for any fiscal year to a State agency and any local educational agency in such State pursuant to this part shall be made from such State's apportionment for such year pursuant to this subsection.

"COMPREHENSIVE PLANNING AND EVALUATION GRANTS: ELIGIBLE AGENCIES

"SEC. 532. (a) Any State desiring to receive a grant under this part for any fiscal year shall designate or establish within its State educational agency a single office or unit (hereafter in this part referred to as the State planning and evaluation agency) as the sole agency for administering a comprehensive program of systematic planning and evaluation of elementary and secondary education in the State. The State planning and evaluation agency shall have the primary responsibility for planning and evaluating the education programs of the State and for the administration of funds received by the State under this part.

"(b) Any local educational agency desiring to receive a grant under this part must provide the Commissioner with satisfactory assurance that—

"(1) the local educational agency or agencies have a planning and evaluation office or unit which has or will have, as the result of assistance under this part, the capability of carrying out a comprehensive program of systematic planning and evaluation meeting the purposes of this part;

"(2) the appropriate State educational agency or agencies have been consulted and have had the opportunity to comment on, and advise the local educational agencies and the Commissioner with regard to, the application; and

"(3) the planning and evaluation activities of the local educational agency or agencies will be closely coordinated with such activities of the appropriate State agencies;

and must further provide the Commissioner with satisfactory assurance that—

"(4) the local educational agency serves, or, if two or more local educational agencies are making joint application, those agencies serve, an area with a population sufficient to merit a comprehensive planning and evaluation program in addition to that of the State or of other local educational agencies in the area or region to be served by the applicant; or

"(5) the local educational agency or agencies will use the funds for demonstration projects to plan, develop, test, and improve planning and evaluation systems and techniques consistent with, and to further the purposes of, this part.

"(c) In making grants pursuant to this section the Commissioner shall give special emphasis on developing coordinated and comprehensive plans for educational planning and evaluation between and among the Office of Education, State educational agencies, and local educational agencies, including projects on an interstate, regional, or metropolitan area basis.

"(d) No grant shall be made by the Commissioner to a local educational agency or agencies under this part unless the application for such grant has been submitted to the State educational agency or agencies in the State or States in which it is to be carried out. If, within sixty days of such submission or within such longer period of time as the Commissioner may determine pursuant to regulations, the State agency or agencies disapprove the proposed program or project, the Commissioner shall review the application with the appropriate State and local educational agencies before making a final decision.

"APPLICATION

"SEC. 533 (a) An application for a grant under this part shall be submitted to the Commissioner at such time or times, in such form, and containing such information as he may deem necessary. Such application shall include—

"(1) a statement of present and projected educational needs of persons residing in the area to be served;

"(2) a description of a program for meeting those needs which includes—

"(A) setting long-range areawide goals in meeting educational needs and establishing priorities among such goals,

"(B) developing long-range plans for achieving such goals, taking into consideration the resources available and the educational effectiveness of each of the alternatives,

"(C) planning new programs and improvements in existing programs based on the results of analyses of alternative means of achieving educational goals,

"(D) objectively evaluating at intermediate stages the progress and effectiveness of programs in achieving such goals, and, when appropriate, adjusting goals, plans, and programs to maximize educational effectiveness, and

"(E) utilizing available management information, planning, and evaluation systems and techniques;

"(3) a plan for developing and strengthen-

ing the capabilities of the applicant to improve its planning capacity and to conduct, on a continuous basis, objective evaluations of the effectiveness of education programs and projects;

"(4) a plan for utilizing the resources of, and coordinating with, programs affecting education of other Federal, State, and local agencies, organizations, and persons; and

"(5) a statement of policies and procedures which have been, or will be, established and implemented for developing and maintaining a permanent system for obtaining and collecting significant information necessary for the assessment of education in the area to be served by the applicant, for consulting with and involving parents of children served by the applicant, and for making full and detailed information concerning the educational planning and evaluation activities and findings of the applicant and other agencies and persons receiving assistance under this part reasonably available to the public.

"(b) Applications for grants under this section may be approved by the Commissioner only if he determines that the application—

"(1) has been submitted only after interested parents have been given reasonable notice and an opportunity to express their views thereon;

"(2) sets forth, in such detail as the Commissioner may determine necessary, such policies and procedures as will provide satisfactory assurance that—

"(A) the assistance provided under this section, together with other available resources, will be so used for the purposes of this part as to result in the maximum possible effective progress toward the achievement of a high level of planning and evaluation competence, and

"(B) assistance under this part will be used primarily in strengthening the capabilities of the planning and evaluation staff of the agency, office, or unit responsible for the administration of the application plan; and

"(3) sets forth such policies and procedures as will insure that Federal funds made available under the application will be so used as to supplement, and to the extent practical, increase the amounts of State or local funds that would, in the absence of Federal funds, be made available for activities meeting the purposes of this title;

"(4) in the case of applications from States, makes adequate provision (consistent with such criteria as the Commissioner shall prescribe by regulation), for using funds granted under this section to make program planning and evaluation services available to local educational agencies in the State.

"(c) A grant made pursuant to an application under this section may be used to pay not to exceed 75 per centum of the cost of the activities covered by the application.

"REPORTS

"SEC. 534. Each recipient of a grant shall make an annual report on the activities carried out with the fund from such grant which includes such information as the Commissioner determines will permit an evaluation of the effectiveness of the program authorized by this part in achieving its purposes. Each such recipient shall also make such other reports, in such form and containing such information as the Commissioner may require to carry out his functions under this part.

"PART D—COUNCILS ON QUALITY IN EDUCATION

"NATIONAL AND STATE ADVISORY COUNCILS

"SEC. 541. (a)(1) There is hereby established a National Council on Quality in Education (hereafter referred to as the 'National Council') composed of fifteen members appointed by the President, by and with the advice and consent of the Senate. The membership of the National Council shall include persons who are familiar with the educational needs and goals of the Nation, persons with competence in assessing the progress of the education agencies, institutions, and organizations in meeting those needs and achieving those goals, persons familiar with the administration of State and local educational agencies and of institutions of higher education, and persons representative of the general public. Members shall be appointed for terms of three years, except that (1) in the case of initial members, one-third of the members shall be appointed for terms of one year each and one-third of the members shall be appointed for terms of two years each, and (2) appointments to fill the unexpired portion of any term shall be for such portion only.

"(2) The National Council shall—

"(A) review the administration of general regulations for, and operation of the programs assisted under this title at the Federal, State, and local levels, and other Federal education programs;

"(B) advise the Commissioner and, when appropriate, the Secretary and other Federal officials with respect to the educational needs and goals of the Nation and assess the progress of the educational agencies, institutions, and organizations of the Nation toward meeting those needs and achieving those goals;

"(C) conduct objective evaluations of specific education programs and projects in order to ascertain the effectiveness of such programs and projects in achieving the purpose for which they are intended;

"(D) review, evaluate, and transmit to the Congress and the President the reports submitted pursuant to clause (E) of paragraph (3) of subsection (b) of this section;

"(E) make recommendations (including recommendations for changes in legislation) for the improvement of the administration and operation of education programs including the programs authorized by this title;

"(F) consult with Federal, State, local, and other educational agencies, institutions, and organizations with respect to assessing education in the Nation and the improvement of the quality of education, including—

"(i) areas of unmet needs in education and national goals and the means by which those areas of need may be met and those national goals may be achieved;

"(ii) determinations of priorities among unmet needs and national goals; and

"(iii) specific means of improving the quality and effectiveness of teaching, curricula, and educational media and of raising standards of scholarship and levels of achievement;

"(G) conduct national conferences on the assessment and improvement of education, in which national and regional education associations and organizations, State and local education officers and administrators, and other organizations, institutions, and persons (including parents of children participating in Federal education programs) may exchange and disseminate information on the improvement of education; and

"(H) conduct, and report on, comparative studies and evaluations of education systems in foreign countries.

"(3) The National Council shall make an annual report, and such other reports as it deems appropriate, on its findings, recommendations, and activities to the Congress and the President. The President is requested to transmit to the Congress, at least annually such comments and recommendations as he may have with respect to such reports and its activities.

"(4) In carrying out its responsibilities under this section, the National Council shall consult with the National Advisory Council on the Education of Disadvantaged Children, the National Advisory Council on Supplementary Centers and Services, the National Advisory Council on Education Professions Development, and such other advisory councils and committees as may have information and competence to assist the National Council. All Federal agencies are directed to cooperate with the National Council in assisting it in carrying out its functions.

"(b)(1) Any State receiving payments under this title for any fiscal year may establish a State advisory council (hereinafter referred to as 'State council') which if it meets the requirements and has the authority specified in this subsection may receive payments pursuant to paragraph (7). The State council shall be appointed by the Governor or, in the case of States in which the members of the State educational agency are elected (including election by the State legislature), by such agency.

"(2) The State council established pursuant to this subsection shall be broadly representative of the educational resources of the State and of the public. Representation on the State council shall include, but not be limited to, persons representative of—

"(A) public and nonprofit private elementary and secondary schools,

"(B) institutions of higher education,

"(C) areas of competence in planning and evaluating education programs, and the assessment of the effectiveness of, and the administration of, such programs at the State and local levels; and

"(D) areas of competence in dealing with children for whom special educational assistance is available under this Act.

"(3) The State council shall—

"(A) prepare and submit through the State educational agency a report of its activities, recommendations, and evaluations, together with such additional comments as the State educational agency deems appropriate, to the Commissioner and the National Council at such times, in such form, and in such detail, as the Commissioner may prescribe;

"(B) advise the State educational agency on the preparation of, and policy matters arising in the administration of, State and local educational programs in the State, including the development of criteria for approval of applications for assistance under this title;

"(C) advise State and local officials who have a responsibility for education in the State with respect to the planning, evaluating, administration, and assessment of education in the State;

"(D) review and make recommendations to the State educational agency on the action to be taken with respect to applications for assistance under this title by local educational agencies; and

"(E) evaluate programs and projects assisted under this title.

"(4) Any such State shall certify the establishment of, and membership of its State council to, the Commissioner.

"(5) Such State council shall meet within thirty days after its certification has been accepted by the Commissioners and select from among its membership a chairman. The time, place, and manner of meeting shall be as provided by the rules of the State council, except that such rules must provide for not less than one public meeting each year at which the public is given opportunity to express views concerning the operation of programs and projects assisted under this title.

"(6) Such State council shall be authorized to obtain the services of such professional, technical, and clerical personnel as may be necessary to enable them to carry out their functions under this title and to contract for such services as may be necessary to enable them to carry out their evaluation functions.

"(7) There are hereby authorized to be appropriated for each fiscal year such sums, not in excess of 2½ per centum of the amount otherwise appropriated for such year for the purposes of this title, as may be necessary to carry out the provisions of this subsection.

"PART E—GENERAL PROVISIONS

"ADMINISTRATION OF PLANS

"SEC. 551. (a) The Commissioner shall not finally disapprove any application from a State or a local educational agency, submitted under part A or B of this title, or any modification thereof, without affording the applicant reasonable notice and an opportunity for a hearing.

"(b) Whenever the Commissioner, after reasonable notice and an opportunity for a hearing to a State or a local educational agency administering a program under an application approved under this title, finds that there has been a failure to comply substantially with the appropriate provisions of this title or with the provisions of an application approved under this title, he shall notify the State or the local educational agency, as the case may be, that further payments will not be made to that State or that local educational agency under that application until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to that State or that local educational agency under the application. Whenever a local educational agency is given notice under the first sentence of this subsection, notice shall also be submitted to the appropriate State educational agency.

"JUDICIAL REVIEW

"SEC. 552. (a) If any State or any local educational agency is dissatisfied with the Commissioner's final action with respect to the approval of an application submitted under part A or B of this title or with his final action under section 551(b), such State or local educational agency may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State or local educational agency is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action as provided in section 2112 of title 28, United States Code.

"(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code."

(b) The Act of July 26, 1954, entitled "An Act to establish a National Advisory Committee on Education" (Public Law 532, Eighty-third Congress) is hereby repealed.

(c) Subsections (a)(1) and (b)(1) of section 2 of the Cooperative Research Act are each amended by striking out "section 503(a)(4)" and inserting in lieu thereof "sections 503(4) and 523(a)(3)".

PART E—AMENDMENTS TO TITLE VII OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 (BILINGUAL EDUCATION)

EXTENSION OF TITLE VII OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 (THE BILINGUAL EDUCATION ACT)

SEC. 151. Section 703(a) of the Elementary and Secondary Education Act of 1965 is amended by striking out "and" where it appears after "1969," and by inserting before the period at the end thereof a comma and the following: "$80,000,000 for the fiscal year ending June 30, 1971, $100,000,000 for the fiscal year ending June 30, 1972, and $135,000,000 for the fiscal year ending June 30, 1973".

APPLICATION TO INDIANS ON RESERVATIONS

SEC. 152. (a) Title VII of the Elementary and Secondary Education Act of 1965 is amended by redesignating sections 706, 707, and 708 (and references thereto) as sections 707, 708, and 709 thereof and by inserting the following new section immediately after section 705:

"CHILDREN IN SCHOOLS ON RESERVATIONS

"SEC. 706. (a) For the purpose of carrying out programs pursuant to this title for individuals on reservations serviced by elementary and secondary schools operated on such reservations for Indian children, a nonprofit institution or organization of the Indian tribe concerned which operates any such school and which is approved by the Commissioner for the purposes of this section, may be considered to be a local educational agency as such term is used in this title.

"(b) From the sums appropriated pursuant to section 703, the Commissioner may also make payments to the Secretary of the Interior for elementary and secondary school programs to carry out the policy of section 702 with respect to individuals on reservations serviced by elementary and secondary schools for Indian children operated or funded by the Department of the Interior. The terms upon which payments for that purpose may be made to the Secretary of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the policy of section 702."

(b) Section 707(a) of such Act (as redesignated by this Act) is amended by inserting the following before the period at the end thereof: "or, in the case of payments to the Secretary of the Interior, an amount determined pursuant to section 706(b)".

INCREASE IN MEMBERSHIP OF ADVISORY COMMITTEE ON THE EDUCATION OF BILINGUAL CHILDREN

SEC. 153. Section 708(a) of the Elementary and Secondary Education Act of 1965 as redesignated by this Act, is amended (1) by striking out "nine" and inserting in lieu thereof "fifteen", and (2) by striking out "four" and inserting in lieu thereof "seven".

PART F—AMENDMENTS TO TITLE VIII OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 (GENERAL PROVISIONS)

EXTENSION OF SECTION 807 OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 161. Section 807(c) of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"(c) For the purpose of carrying out the provisions of this section, there is hereby authorized to be appropriated $30,000,000 for each of the fiscal years ending June 30, 1970, and June 30, 1971, $31,500,000 for the fiscal year ending June 30, 1972, and $33,000,000 for the fiscal year ending June 30, 1973."

DEFINITION OF "GIFTED AND TALENTED CHILDREN"

SEC. 162. Section 801 of the Elementary and Secondary Education Act of 1965 (relating to definitions) is amended by adding at the end thereof the following:

"(1) The term 'gifted and talented children' means, in accordance with objective criteria prescribed by the Commissioner, children who have outstanding intellectual ability or creative talent the development of which requires special activities or services not ordinarily provided by local educational agencies."

REVISION OF FEDERAL ADMINISTRATION SECTION

SEC. 163. Section 803(c) of the Elementary and Secondary Education Act of 1965 is amended by striking out "(1)" and by striking out everything after "by such other departments and agencies" and inserting in lieu thereof a period and the following: "Federal departments and agencies administering programs which may be effectively coordinated with programs carried out under this Act or any Act amended by this Act, including community action programs carried out under title II of the Economic Opportunity Act of 1964, shall, to the fullest extent permitted by other applicable law, carry out such programs, in such a manner as to assist in carrying out, and to make more effective, the programs under this Act or any Act amended by this Act."

SCHOOL NUTRITION AND HEALTH SERVICES AND RESEARCH IN CORRECTION EDUCATION SERVICES

SEC. 164. Title VIII of the Elementary and Secondary Education Act of 1965 is amended by adding to the end thereof the following new sections:

"GRANTS FOR DEMONSTRATION PROJECTS TO IMPROVE SCHOOL NUTRITION AND HEALTH SERVICES FOR CHILDREN FROM LOW-INCOME FAMILIES

"SEC. 808. (a) The Secretary shall carry out a program of making grants to local educational agencies and, where appropriate, nonprofit private educational organizations, to support demonstration projects designed to improve nutrition and health services in public and private schools serving areas with high concentrations of children from low-income families.

"(b) Funds appropriated pursuant to subsection (d) shall be available for grants pursuant to applications approved under this section to pay the cost of (1) coordinating nutrition and health service resources in the areas to be served by a demonstration project supported under this section, (2) providing supplemental health, nutritional, mental health, and food services to children from low-income families when the resources for such services available to the applicant from other sources are inadequate to meet the needs of such children, (3) nutrition and health education programs designed to train professional and other school personnel to provide nutrition and health services in a manner which meets the needs of children from low-income families for such services, and (4) the evaluation of projects assisted under this section with respect to their effectiveness in improving school nutrition and health services for such children.

"(c) Applications for a grant under this section shall be submitted at such time, contain such information, and be consistent with such criteria as the Secretary may require by regulation. Such applications shall provide for—

"(1) the use of funds available under this section and the coordination of health care facilities and resources and such nutrition resources as may be available to the applicant in order to insure that a comprehensive program of physical and mental health and nutrition services are available to children from low-income families in the area to be served;

"(2) the development of health and nutrition curriculum materials related to the specific needs of persons involved with the project and to new and improved approaches to health services and food technology;

"(3) the training of (A) school administrators, teachers, and school health and nutrition personnel in order to assist them in meeting the health and nutritional needs of children from low-income families, and (B) professional and subprofessional personnel for service in school nutrition and health programs; and

"(4) adequate provision for evaluation of the project.

"(d) For the purpose of making grants under this section there are hereby authorized to be appropriated $2,000,000 for the

fiscal year ending June 30, 1970, $10,000,000 for the fiscal year ending June 30, 1971, $16,000,000 for the fiscal year ending June 30, 1972, and $26,000,000 for the fiscal year ending June 30, 1973.

"RESEARCH AND DEMONSTRATION PROJECTS IN CORRECTION EDUCATION SERVICES

"SEC. 809. (a) The Commissioner is authorized to make grants to State and local educational agencies, institutions of higher education, and other public and private nonprofit research agencies and organizations for research or demonstration projects, relating to the academic and vocational education of antisocial, aggressive, or delinquent persons, including juvenile delinquents, youth offenders, and adult criminal offenders, including the development of criteria for the identification for specialized educational instruction of such persons from the general elementary and secondary school age population and special curriculums, and guidance and counseling programs. All projects shall include an evaluation component.

"(b) The Commissioner is authorized to appoint such special or technical advisory committees as he may deem necessary to advise him on matters of general policy relating to the education of persons intended to be benefited by this section, and shall secure the advice and recommendations of the Director, Bureau of Prisons, of the Director, Office of Juvenile Delinquency and Youth Development, the Director of the Teacher Corps, the head of the National Institute of Law Enforcement and Criminal Justice, the Administrator of the Law Enforcement Assistance Administration, and such other persons and organizations as he, in his discretion, deems necessary before making any grant under this section."

TITLE II—AMENDMENTS TO PUBLIC LAWS 815 AND 874 OF THE EIGHTY-FIRST CONGRESS (IMPACTED AREAS PROGRAMS)

EXTENSION OF THE IMPACTED AREAS PROGRAMS

SEC. 201. (a)(1) Section 3 of the Act of September 30, 1950 (Public Law 815, Eighty-first Congress), is amended by striking out "June 30, 1970" and inserting in lieu thereof "June 30, 1973".

(2) Section 15(15) of such Act is amended by striking out "1965–1966" and inserting in lieu thereof "1968–1969".

(b) Sections 2(a), 3(b), and 4(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), are each amended by striking out "1970" wherever it appears and inserting in lieu thereof "1973".

(c) Section 16(a)(1)(A) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), and section 7(a)(1)(A) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), are each amended by striking out "July 1, 1970" and inserting in lieu thereof "July 1, 1973".

CERTAIN REFUGEE CHILDREN

SEC. 202. (a) Section 3(b) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out the second sentence and inserting in lieu thereof the following: "In the case of fiscal years ending prior to July 1, 1973, the Commissioner shall also determine the number of children (other than children to whom subsection (a) or any other provision of this subsection applies) who were in average daily attendance at the schools of a local educational agency and for whom such agency provided free public education, during such fiscal year, and who, while in attendance at such schools resided with a parent who was, at any time during the three-year period immediately preceding the fiscal year for which the determination is made, a refugee who meets the requirements of section 2(b)(3) (A) and (B) of the Migration and Refugee Assistance Act of 1962.".

(b) Section 3(c)(2) of such Act is amended (1) by inserting before "subsection (b)" both times it appears the following: "the first sentence of", and (2) by inserting after "to whom such subsection" the following: "or such sentence".

(c) Section 3(c) of such Act is amended by inserting after paragraph (2) the following new paragraph:

"(3) No local educational agency shall be entitled to receive any payment for a fiscal year with respect to a number of children determined under the second sentence of subsection (b) unless the number of children who were in average daily attendance to whom such sentence applies amounts to 20 per centum or more of the number of children who were in average daily attendance during such year and for whom such agency provided free public education, but in determining the number of such children under such second sentence no child shall be counted with respect to whose education a payment was made under section 2(b)(4) of the Migration and Refugee Assistance Act of 1962."

INCLUSION OF CHILDREN RESIDING IN LOW-RENT PUBLIC HOUSING AS FEDERALLY CONNECTED CHILDREN

SEC. 203. (a)(1) The second sentence of section 15(1) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by striking out "and (B)" and inserting in lieu thereof "(B) any low-rent housing (whether or not owned by the United States) which is part of a low-rent housing project assisted under the United States Housing Act of 1937, and (C)".

(2) The fourth sentence of such section 15(1) is amended (A) by striking out the comma before "(B)" and inserting in lieu thereof "and", and (B) by striking out all that follows "postal services" and inserting in lieu thereof a period.

(3) Section 5(c) of such Act is amended by striking out the colon and all that follows and inserting in lieu thereof a period and the following: "In determining the eligibility of a local educational agency under this subsection and in determining the number of federally connected children who are in the average daily membership of the schools of such agency during a base year and in estimating the increase since the base year in the number of such children under subsection (a), children residing on any housing property (whether or not owned by the United States), which is part of a low-rent housing project assisted under the United States Housing Act of 1937, shall not be considered as having been federally connected during the base year if such housing project was begun after the base year 1964–1965.".

(b)(1) The second sentence of section 303(1) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out ", and (C)" and inserting in lieu thereof ", (C) any low-rent housing (whether or not owned by the United States) which is part of a low-rent housing project assisted under the United States Housing Act of 1937, section 516 of the Housing Act of 1949, or part B of title III of the Economic Opportunity Act of 1964, and (D)".

(2) The fourth sentence of such section 303(1) is amended by striking out "(A) any real property used for a labor supply center, labor home or labor camp for migratory workers, (B)" and by striking out all that follows "postal services" and inserting in lieu thereof a period.

(c)(1) The amendments made by subsections (a) and (b) shall be effective after June 30, 1970.

(2) For the purposes of section 5 of such Act of September 23, 1950, the number of children in the membership of a local educational agency residing in a low-rent housing project assisted under the United States Housing Act of 1937 during the years of the base period preceding the effective date provided in paragraph (1) shall be determined by the Commissioner on the basis of estimates.

(3) Section 3 of such Act of September 23, 1950, is further amended by inserting at the end thereof the following new sentence: "Such order of priority shall provide that applications for payments based upon increases in the number of children residing on, or residing with a parent employed on, property which is part of a low-rent housing project assisted under the United States Housing Act of 1937 shall not be approved for any fiscal year until all other applications under paragraphs (2) and (3) of subsection (a) of section 5 have been approved for that fiscal year.".

(4) Subsection (c) of section 5 of such Act of September 30, 1950, is amended to read as follows:

"ADJUSTMENTS WHERE NECESSITATED BY APPROPRIATIONS

"(c)(1) If the funds appropriated for any fiscal year for making payments under this title are not sufficient to pay in full the total amounts which the Commissioner estimates all local educational agencies will be entitled to receive under this title for such year, the Commissioner (A) shall determine the part of the entitlement of each such local educational agency which is attributable to determinations under subsections (a) and (b) of section 3 of the number of children who resided on, or resided with a parent employed on, property which is part of a low-rent housing project assisted under the United States Housing Act of 1937, section 516 of the Housing Act of 1949, or part B of title III of the Economic Opportunity Act of 1964, and (B) except as otherwise provided in paragraph (3), shall allocate such funds, other than so much thereof as he estimates may be required for carrying out the provisions of section 6, among sections 2, 3, and 4(a) in the proportion that the amount he estimates to be required under each such section bears to the total estimated to be required under all such sections, except that he shall not take into consideration any part of any entitlement determined under clause (A). The amount so allocated to any such section shall be available for payment of a percentage of the amount to which each local educational agency is entitled under such section. Such percentage shall be equal to the percentage which the amount allocated to a section under the second sentence of this paragraph is of the amount to which all such agencies are entitled under such section. For the purposes of this paragraph, in determining the amount to which each local educational agency is entitled under section 3 he shall include any increases under paragraph (4) of subsection (c) thereof; but he shall exclude any part of any entitlement determined under clause (A) of this paragraph.

"(2) If the funds available for allocation under paragraph (1) for any fiscal year exceed the amount necessary to fully satisfy entitlements for which allocations will be made under such paragraph, that excess shall be available for payment of a percentage of that part of the entitlement of each local educational agency determined under clause (A) of paragraph (1). Such percentage shall be equal to the percentage which the amount of such excess is of the total amount to which all such agencies are so entitled.

"(3) All funds appropriated for making payments under this title for any fiscal year shall be allocated in the manner specified in paragraphs (1) and (2), unless an Act making appropriations for making payments under this title for any fiscal year specifically makes funds available for payments on the basis of entitlements determined under clause

(A) of paragraph (1), apart from other payments under this title, in which case, if the funds so appropriated are not sufficient to pay in full the total amount to which all local educational agencies are so entitled, such funds shall be available for making payments in the manner specified in paragraph (2) respecting allocations of any excess apropriations.

"(4) In case the amount allocated to a section under paragraph (1) for a fiscal year exceeds the total to which all local educational agencies are entitled under such section for such year or, in case additional funds become available for making payments under this title, the excess or such additional funds, as the case may be, shall be allocated among sections for which previous allocations are inadequate, on the same basis as is provided in paragraphs (1), (2), and (3) for the initial allocation."

MINIMUM ELIGIBILITY REQUIREMENT FOR PUBLIC LAW 815

SEC. 204. (a) The first sentence of section 5(c) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), as amended by section 203(a)(3) of this Act, is amended to read as follows:

"(c) A local educational agency shall not be eligible to have any amount included in its maximum by reason of paragraph (1), (2), or (3) of subsection (a) unless the increase in children referred to in such paragraph, prior to the application of the limitation in subsection (d) is at least twenty and—

"(1) in the case of paragraph (1) or (2), is—

"(A) equal to at least 6 per centum of the number of all children who were in the average daily membership of the schools of such agency during the base year, or

"(B) at least one thousand five hundred, whichever is the lesser; and

"(2) in the case of paragraph (3), is—

"(A) equal to at least 10 per centum of the number of all children who were in the average daily membership of the schools of such agency during the base year, or

"(B) at least two thousand five hundred, whichever is the lesser: Provided, That no local educational agency shall be regarded as eligible under this paragraph (2) unless the Commissioner finds that the construction of additional minimum school facilities for the number of children in such increase will impose an undue financial burden on the taxing and borrowing authority of such agency."

(b) Section 5(d) of such Act is amended by inserting before the period at the end of the first sentence thereof the following: ", except that the number of children counted for the purposes of paragraph (1) or (2) of subsection (a) shall not be reduced by more than one thousand five hundred and that the number of children counted for the purposes of paragraph (3) of subsection (a) shall not be reduced by more than two thousand five hundred".

SCHOOL CONSTRUCTION ASSISTANCE WHERE THE IMMUNITY OF CERTAIN FEDERAL PROPERTY FROM TAXATION CREATES A SUBSTANTIAL AND CONTINUING IMPAIRMENT OF THE ABILITY TO FINANCE NEEDED SCHOOL FACILITIES

SEC. 205. (a) Section 14 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by redesignating subsections (c), (d), (e), and (f) of such subsection, and all references thereto, as subsections (d), (e), (f), and (g), respectively, and inserting after subsection (b) the following new subsection:

"(c) If the Commissioner determines with respect to any local educational agency—

"(1) that (A) such agency is providing or, upon completion of the school facilities for which provision is made herein, will provide, free public education for children who are inadequately housed by minimum school facilities and whose membership in the schools of such agency has not formed and will not form the basis for payments under other provisions of this Act, and (B) the total number of such children represents a substantial percentage of the total number of children for whom such agency provides free public education, and (C) Federal property constitutes a substantial part of the school district of such agency,

"(2) that the immunity of such Federal property from taxation by such agency has created a substantial and continuing impairment of such agency's ability to finance needed school facilities,

"(3) that such agency is making a reasonable tax effort and is exercising due diligence in availing itself of State and other financial assistance for the purpose, and

"(4) that such agency does not have sufficient funds available to it from other Federal, State, and local sources to provide the minimum school facilities required for free public education of a substantial percentage of the children in the membership of its schools.

he may provide the assistance necessary to enable such agency to provide minimum school facilities for children in the membership of the schools of such agency whom the Commissioner finds to be inadequately housed, upon such terms and conditions, and in such amounts (subject to the applicable provisions of this section) as the Commissioner may consider to be in the public interest. Such assistance may not exceed the portion of the cost of such facilities which the Commissioner estimates has not been, and is not to be, recovered by the local educational agency from other sources, including payments by the United States under any other provisions of this Act or any other law. Notwithstanding the provisions of this subsection, the Commissioner may waive the percentage requirement in paragraph (1) whenever, in his judgment, exceptional circumstances exist which make such action necessary to avoid inequity and avoid defeating the purposes of this subsection."

DECLARATION OF POLICY WITH RESPECT TO SCHOOL CONSTRUCTION ASSISTANCE FOR INDIAN CHILDREN

SEC. 206. Section 14 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), relating to public schools with children residing on Indian lands, is further amended by inserting at the end thereof the following:

"(h) It is hereby declared to be the policy of the Congress that the provision of assistance pursuant to subsections (a) and (b) of this section shall be given a priority at least equal to that given to payments made pursuant to section 10 of this Act."

TITLE III—AMENDMENTS TO THE ADULT EDUCATION ACT OF 1966

EXTENSION AND REVISION OF THE ADULT EDUCATION ACT OF 1966

SEC. 301. Effective on and after July 1, 1969, title III of the Elementary and Secondary Education Amendments of 1966 (the Adult Education Act of 1966) is amended to read as follows:

"TITLE III—ADULT EDUCATION

"SHORT TITLE

"SEC. 301. This title may be cited as the 'Adult Education Act'.

"STATEMENT OF PURPOSE

"SEC. 302. It is the purpose of this title to expand educational opportunity and encourage the establishment of programs of adult public education that will enable all adults to continue their education to at least the level of completion of secondary school and make available the means to secure training that will enable them to become more employable, productive, and responsible citizens.

"DEFINITIONS

"SEC. 303. As used in this title—

"(a) The term 'adult' means any individual who has attained the age of sixteen.

"(b) The term 'adult education' means services or instruction below the college level (as determined by the Commissioner), for adults who—

"(1) do not have a certificate of graduation from a school providing secondary education and who have not achieved an equivalent level of education, and

"(2) are not currently required to be enrolled in schools.

"(c) The term 'adult basic education' means adult education for adults whose inability to speak, read, or write the English language constitutes a substantial impairment of their ability to get or retain employment commensurate with their real ability, which is designed to help eliminate such inability and raise the level of education of such individuals with a view to making them less likely to become dependent on others, to improving their ability to benefit from occupational training and otherwise increasing their opportunities for more productive and profitable employment, and to making them better able to meet their adult responsibilities.

"(d) The term 'Commissioner' means the Commissioner of Education.

"(e) The term 'local educational agency' means a public board of education or other public authority legally constituted within a State for either administrative control or direction of public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools, except that, if there is a separate board or other legally constituted local authority having administrative control and direction of adult education in public schools therein, such term means such other board or authority.

"(f) The term 'State' includes the District of Columbia, and (except for the purposes of section 305(a)) the Commonwealth of Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands.

"(g) The term 'State educational agency' means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or if there is a separate State agency or officer primarily responsible for supervision of adult education in public schools then such agency or officer may be designated for the purpose of this title by the Governor or by State law. If no agency or officer qualifies under the preceding sentence, such term shall mean an appropriate agency or officer designated for the purposes of this title by the Governor.

"(h) The term 'academic education' means the theoretical, the liberal, the speculative, and classical subject matter found to compose the curriculum of the public secondary school.

"(i) The term 'institution of higher education' means any such institution as defined by section 801(e) of the Elementary and Secondary Education Act of 1965.

"GRANTS TO STATES FOR ADULT EDUCATION

"SEC. 304. (a) From the sums appropriated pursuant to section 312, not less than 10 per centum nor more than 20 per centum shall be reserved for the purposes of section 309.

"(b) From the remainder of such sums, the Commissioner is authorized to make grants to States, which have State plans approved by him under section 306 for the purposes of this section, to pay the Federal share of the cost of (1) the establishment or expansion of adult basic education programs to be carried out by local educational agencies

and private nonprofit agencies, and (2) the establishment or expansion of adult education programs to be carried out by local educational agencies and private nonprofit agencies.

"ALLOTMENT FOR ADULT EDUCATION

"SEC. 305. (a) From the sums available for purposes of section 304(b) for any fiscal year, the Commissioner shall allot (1) not more than 2 per centum thereof among Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands according to their respective needs for assistance under such section, and (2) $150,000 to each State. From the remainder of such sums he shall allot to each State an amount which bears the same ratio to such remainder as the number of adults who do not have a certificate of graduation from a school providing secondary education (or its equivalent) and who are not currently required to be enrolled in schools in such State bears to the number of such adults in all States.

"(b) The portion of any State's allotment under subsection (a) for a fiscal year which the Commissioner determines will not be required, for the period such allotment is available, for carrying out the State plan approved under this title shall be available for reallotment from time to time, on such dates during such period as the Commissioner shall fix, to other States in proportion to the original allotments to such States under subsection (a) for such year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum which the Commissioner estimates such State needs and will be able to use for such period for carrying out its State plan approved under this title, and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts are not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for such year.

"STATE PLANS

"SEC. 306. (a) Any State desiring to receive its allotment of Federal funds for any grant under this title shall submit through its State educational agency a State plan. Such State plan shall be in such detail as the Commissioner deems necessary, and shall—

"(1) set forth a program for the use of grants, in accordance with section 304(b), which affords assurance of substantial progress with respect to all segments of the adult population and all areas of the State, toward carrying out the purposes of such section;

"(2) provide for the administration of such plan by the State educational agency;

"(3) provide for cooperative arrangements between the State educational agency and the State health authority authorizing the use of such health information and services for adults as may be available from such agencies and as may reasonably be necessary to enable them to benefit from the instruction provided pursuant to this title;

"(4) provide for grants to public and private nonprofit agencies for special projects, teacher-training, and research;

"(5) provide for cooperation with Community Action programs, Work Experience programs, VISTA, Work Study, and other programs relating to the antipoverty effort;

"(6) provide that such agency will make such reports to the Commissioner, in such form and containing such information, as may reasonably be necessary to enable the Commissioner to perform his duties under this title and will keep such records and afford such access thereto as the Commissioner finds necessary to assure the correctness and verification of such reports;

"(7) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid the State under this title (including such funds paid by the State to local educational agencies and private nonprofit agencies);

"(8) provide that special emphasis be given to adult basic education programs except where such needs can be shown to have been met in the State; and

"(9) provide such further information and assurances as the Commissioner may by regulation require.

"(b) The Commissioner shall not finally disapprove any State plan submitted under this title, or any modification thereof, without first affording the State educational agency reasonable notice and opportunity for a hearing.

"PAYMENTS

"SEC. 307. (a) Except as provided in subsection (b), the Federal share of expenditures to carry out a State plan shall be paid from a State's allotment available for grants to such State. The Federal share for each State shall be 90 per centum, except that with respect to the Trust Territory of the Pacific Islands such Federal share shall be 100 per centum.

"(b) No payment shall be made to any State from its allotment for any fiscal year unless the Commissioner finds that the amount available for expenditure by such State for adult education from non-Federal sources for such year will be not less than the amount expended for such purposes from such sources during the preceding fiscal year, but no State shall be required to use its funds to supplant any portion of the Federal share.

"OPERATION OF STATE PLANS; HEARINGS AND JUDICIAL REVIEW

"SEC. 308. (a) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State educational agency administering a State plan approved under this title, finds that—

"(1) the State plan has been so changed that it no longer complies with the provisions of section 306, or

"(2) in the administration of the plan there is a failure to comply substantially with any such provision,

the Commissioner shall notify such State agency that no further payments will be made to the State under this title (or, in his discretion, that further payments to the State will be limited to programs under or portions of the State plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, no further payments may be made to such State under this title (or payments shall be limited to programs under or portions of the State plan not affected by such failure).

"(b) A State educational agency dissatisfied with a final action of the Commissioner under section 306 or subsection (a) of this section may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner or any officer designated by him for that purpose. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Commissioner may modify or set aside his order. The findings of the Commissioner as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or part, any action of the Commissioner shall be final, subject to the review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this subsection shall not, unless so specifically ordered by the court, operate as a stay of the Commissioner's action.

"SPECIAL EXPERIMENTAL DEMONSTRATION PROJECTS AND TEACHER TRAINING

"SEC. 309. (a) The sums reserved in section 304(a) for the purposes of this section shall be used for making special project grants or providing teacher-training grants in accordance with this section.

"(b) The Commissioner is authorized to make grants to local educational agencies or other public or private nonprofit agencies, including educational television stations, for special projects which will be carried out in furtherance of the purposes of this title, and which—

"(1) involve the use of innovative methods, systems, materials, or programs which the Commissioner determines may have national significance or be of special value in promoting effective programs under this title, or

"(2) involve programs of adult education, carried out in cooperation with other Federal, federally assisted, State, or local programs which the Commissioner determines have unusual promise in promoting a comprehensive or coordinated approach to the problems of persons with educational deficiencies.

The Commissioner shall establish procedures for making grants under this subsection which shall require a non-Federal contribution of at least 10 per centum of the costs of such projects wherever feasible and not inconsistent with the purposes of this subsection.

"(c) The Commissioner is authorized to make provision for training persons engaged, or preparing to engage, as personnel in adult education programs designed to carry out the purposes of this title, including the payment of such stipends and allowances (including traveling and subsistence expenses, if any, for such persons and their dependents) as the Commissioner may determine by regulation. The Commissioner may provide such training directly or by contract or he may provide for such training by making grants to institutions of higher education, State or local educational agencies, or other appropriate public or private agencies or organizations.

"NATIONAL ADVISORY COUNCIL ON ADULT EDUCATION

"SEC. 310. (a) The President shall appoint a National Advisory Council on Adult Education (hereinafter in this section referred to as the 'Council').

"(b) The Council shall consist of fifteen members who shall, to the extent possible, include persons knowledgeable in the field of adult education, State and local public school officials, and other persons having special knowledge and experience, or qualifications with respect to adult education, and persons representative of the general public. The Council shall meet initially at the call of the Commissioner and elect from its number a chairman. The Council will thereafter meet at the call of the chairman, but not less often than twice a year.

"(c) The Council shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including policies and procedures governing the approval of State plans under section

306 and policies to eliminate duplication, and to effectuate the coordination of programs under this title and other programs offering adult education activities and services.

"(d) The Council shall review the administration and effectiveness of programs under this title, make recommendations with respect thereto, and make annual reports to the President of its findings and recommendations (including recommendations for changes in this title and other Federal laws relating to adult education activities and services). The President shall transmit each such report to the Congress together with his comments and recommendations. The Secretary of Health, Education, and Welfare shall coordinate the work of the Council with that of other related advisory councils.

"LIMITATION

"SEC. 311. No grant may be made under this title for any educational program, activity, or service related to sectarian instruction or religious worship, or provided by a school or department of divinity. For purposes of this section, the term 'school or department of divinity' means an institution or a department or branch of an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects.

"APPROPRIATIONS AUTHORIZED

"SEC. 312. (a) There are authorized to be appropriated $160,000,000 for the fiscal year ending June 30, 1970, $200,000,000 for the fiscal year ending June 30, 1971, and $225,000,000 for each of the fiscal years ending June 30, 1972, and June 30, 1973, for the purposes of this title.

"(b) There are further authorized to be appropriated for each such fiscal year such sums, not to exceed 5 per centum of the amount appropriated pursuant to subsection (a) for such year, as may be necessary to pay the cost of the administration and development of State plans, and other activities required pursuant to this title."

APPOINTMENT OF MEMBERS OF NATIONAL ADVISORY COUNCIL ON ADULT EDUCATION

SEC. 302. Members of the National Advisory Council on Adult Education shall be appointed within ninety days after the date of enactment of this Act.

TITLE IV—AMENDMENTS TO TITLE IV OF PUBLIC LAW 90-247

GENERAL PROVISIONS

SEC. 401. (a) Title IV of the Elementary and Secondary Education Amendments of 1967 is amended in the following respects:

(1) The heading of such title is amended to read as follows:

"TITLE IV—GENERAL PROVISIONS CONCERNING EDUCATION".

(2) Section 401 of such title is amended—

(A) by adding at the end of the caption head "; DEFINITIONS; APPROPRIATIONS; SHORT TITLE", and

(B) by inserting "(a)" after "SEC. 401." and adding at the end thereof the following new subsections:

"(b) For the purposes of this title, the term—

"(1) 'Commissioner' means the Commissioner of Education;

"(2) 'Secretary' means the Secretary of Health, Education, and Welfare; and

"(3) 'applicable program' means a program to which this title is applicable.

"(c) There are hereby authorized to be appropriated for any fiscal year, as part of the appropriations for salaries and expenses for the Office of Education, such sums as the Congress may determine to be necessary to carry out the provisions of this title.

"(d) This title may be cited as the 'General Education Provisions Act'.".

(3) Section 402 of such title is amended to read as follows:

PROGRAM PLANNING AND EVALUATION

"SEC. 402. (a) Sums appropriated pursuant to section 401(c) may include for any fiscal year for which appropriations are otherwise authorized under any applicable program not to exceed $25,000,000 which shall be available to the Secretary, in accordance with regulations prescribed by him, for expenses, including grants, contracts, or other payments, for (1) planning for the succeeding year for any such program, and (2) evaluation of such programs.

"(b) No later than July 31 of each calendar year, the Secretary shall transmit to the respective committees of the Congress having legislative jurisdiction over any applicable program a report containing (1) a brief description of each contract or grant for evaluation of such program or programs (whether or not such contract or grant was made under this section), any part of the performance of which occurred during the preceding fiscal year, (2) the name of the firm or individual who is to carry out the evaluation, and (3) the amount to be paid under the contract or grant."

(4) Section 403 of such title is amended by striking out "Act referred to in section 401" and inserting in lieu thereof "applicable program" and by striking out "under any such Act" and inserting in lieu thereof "under such program".

(5) Sections 404 and 405 of such title are amended by striking out "Act referred to in section 401" and inserting in lieu thereof "applicable program".

(6) Section 404 of such title is amended—

(A) in the caption head thereof, by striking out "AND" and inserting in lieu thereof a semicolon and by inserting "CONTINGENT EXTENSION OF EXPIRING APPROPRIATION AUTHORITY" at the end thereof; and

(B) by inserting at the end thereof the following new subsection:

"(c) Unless the Congress—

"(1) in the regular session in which a comprehensive evaluation report required by subsection (b) is submitted to Congress, has passed or formally rejected legislation extending the authorization for appropriations then specified for any title, part, or section of law to which such evaluation relates, or

"(2) prior to July 1, 1973, by action of either House approves a resolution stating that the provision of this subsection shall no longer apply,

such authorization is hereby automatically extended, at the level specified for the terminal year of such authorization for one fiscal year beyond such terminal year, as specified in such legislation.".

(7) Section 405 of such title is amended by inserting "loans," after "grants,".

(8) Section 405 of such title is further amended by inserting "(a)" after "SEC. 405." and by inserting at the end thereof the following new subsection:

"(b) Notwithstanding any other provision of law, unless enacted in specific limitation of the provisions of this subsection, any funds from appropriations to carry out any programs to which this title is applicable during any fiscal year, ending prior to July 1, 1973, which are not obligated and expended prior to the beginning of the fiscal year succeeding the fiscal year for which such funds were appropriated shall remain available for obligation and expenditure during such succeeding fiscal year.".

(9) Section 406 of such title is amended by inserting "and expenditure" after "obligation".

(10) Such title is further amended by inserting after section 401 the following heading: "PART A—APPROPRIATIONS AND EVALUATIONS" and by adding at the end thereof the following new parts:

"PART B—GENERAL REQUIREMENTS AND CONDITIONS CONCERNING THE OPERATION AND ADMINISTRATION OF EDUCATION PROGRAMS; GENERAL AUTHORITY OF THE COMMISSIONER OF EDUCATION

"SUBPART 1—GENERAL AUTHORITY

"DELEGATION OF AUTHORITY; UTILIZATION OF OTHER AGENCIES

"SEC. 411. (a) The Commissioner is authorized to delegate any of his functions under any applicable program, except the making of regulations and the approval of State plans, to any officer or employee of the Office of Education.

"(b) In administering any applicable program, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by way of reimbursement, as may be agreed upon.

"COLLECTION AND DISSEMINATION OF INFORMATION

"SEC. 412. (a) The Commissioner shall—

"(1) prepare and disseminate to State and local educational agencies and institutions information concerning applicable programs and cooperate with other Federal officials who administer programs affecting education in disseminating information concerning such programs;

"(2) inform the public on federally supported education programs;

"(3) collect data and information on applicable programs for the purpose of obtaining objective measurements of the effectiveness of such programs in achieving their purposes; and

"(4) prepare and publish an annual report (to be referred to as 'the Commissioner's annual report') on (A) the condition of education in the nation, (B) developments in the administration, utilization, and impact of applicable programs, (C) results of investigations and activities by the Office of Education, and (D) such facts and recommendations as will serve the purpose for which the Office of Education is established (as set forth in section 516 of the Revised Statutes (20 U.S.C. 1)).

"(b) The Commissioner's annual report shall be submitted to the Congress not later than March 31 of each calendar year. The Commissioner's annual report shall be made available to State and local educational agencies and other appropriate agencies and institutions and to the general public.

"(c) The Commissioner is authorized to enter into contracts with public or private agencies, organizations, groups, or individuals to carry out the provisions of this section.

"CATALOG OF FEDERAL EDUCATION ASSISTANCE PROGRAMS

"SEC. 413. The Commissioner shall prepare and make available in such form as he deems appropriate a catalog of all Federal education assistance programs whether or not such programs are administered by him. The catalog shall—

"(1) identify each such program, and include the name of the program, the authorizing statute, the specific Federal administering officials, and a brief description of such program;

"(2) set for the availability of benefits and eligibility restrictions in each such program;

"(3) set forth the budget requests for each such program, past appropriations, obligations incurred, and pertinent financial information indicating (A) the size of each such program for selected fiscal years, and (B) any funds remaining available;

"(4) set forth the prerequisites, including the cost to the recipient, of receiving assistance under each such program, and any

duties required of the recipient after receiving benefits;

"(5) identify appropriate officials, in Washington, District of Columbia, as well as in each State and locality (if applicable), to whom application or reference for information for each such program may be made;

"(6) set forth the application procedures;

"(7) contain a detailed index designed to assist the potential beneficiary in identifying all education assistance programs related to a particular need or category of potential beneficiaries;

"(8) contain such other program information and data as the Commissioner deems necessary or desirable in order to assist the potential program beneficiary to understand and take advantage of each Federal education assistance program; and

"(9) be transmitted to Congress with the Commissioner's annual report.

"TECHNICAL ASSISTANCE

"SEC. 414. (a) For the purpose of carrying out more effectively Federal education programs, the Commissioner is authorized, upon request, to provide advice, counsel, and technical assistance to State educational agencies, institutions of higher education, and, with the approval of the appropriate State educational agency, elementary and secondary schools—

"(1) in determining benefits available to them under Federal law;

"(2) in preparing applications for, and meeting requirements of, applicable programs;

"(3) in order to enhance the quality, increase the depth, or broaden the scope of activities under applicable programs; and

"(4) in order to encourage simplification of applications, reports, evaluations, and other administrative procedures.

"(b) The Commissioner shall permit local educational agencies to use organized and systematic approaches in determining cost allocation, collection, measurement, and reporting under any applicable program, if he determines (1) that the use of such approaches will not in any manner lessen the effectiveness and impact of such program in achieving purposes for which it is intended, (2) that the agency will use such procedures as will insure adequate evaluation of each of the programs involved, and (3) that such approaches are consistent with criteria prescribed by the Comptroller General of the United States for the purposes of audit. For the purpose of this subsection a cost is allocable to a particular cost objective to the extent of relative benefits received by such objective.

"(c) The Commissioner's annual report shall contain a statement of the Commissioner's activities under this section.

"PARENTAL INVOLVEMENT AND DISSEMINATION

"SEC. 415. In the case of any applicable program in which the Commissioner determines that parental participation at the State or local level would increase the effectiveness of the program in achieving its purposes, he shall promulgate regulations with respect to such program setting forth criteria designed to encourage such participation. If the program for which such determination provides for payments to local educational agencies, applications for such payments shall—

"(1) set forth such policies and procedures as will ensure that programs and projects assisted under the application have been planned and developed, and will be operated, in consultation with, and with the involvement of, parents of the children to be served by such programs and projects;

"(2) be submitted with assurance that such parents have had an opportunity to present their views with respect to the application; and

"(3) set forth policies and procedures for adequate dissemination of program plans and evaluations to such parents and the public.

"USE OF FUNDS WITHHELD FOR FAILURE TO COMPLY WITH OTHER PROVISIONS OF FEDERAL LAW

"SEC. 416. At any time that the Commissioner establishes an entitlement, or makes an allotment or reallotment to any State, under any applicable program, he shall reduce such entitlement, allotment, or reallotment by such amount as he determines it would have been reduced, had the data on which the entitlement, allotment, or reallotment is based excluded all data relating to local educational agencies of the State which on the date of the Commissioner's action are ineligible to receive the Federal financial assistance involved because of a failure to comply with title VI of the Civil Rights Act of 1964. Any appropriated funds which will not be paid to a State as a result of the preceding sentence may be used by the Commissioner for grants to local educational agencies of that State in accordance with section 405 of the Civil Rights Act of 1964.

"AUTHORITY TO FURNISH INFORMATION

"SEC. 417. (a) The Commissioner is authorized to furnish transcripts or copies of tables and other records of the Office of Education to, and to make special statistical compilations and surveys for, State or local officials, private organizations, or individuals. Such statistical compilations and surveys shall be made subject to the payment of the actual or estimated cost of such work. In the case of nonprofit organizations or agencies the Commissioner may engage in joint statistical projects, the cost of which shall be shared equitably as determined by the Commissioner, provided that the purposes are otherwise authorized by law.

"(b) All moneys received in payment for work or services enumerated under this section shall be deposited in a separate account which may be used to pay directly the costs of such work or services, to repay appropriations which initially bore all or part of such costs, or to refund excess sums when necessary.

"SUBPART 2—ADMINISTRATION: REQUIREMENTS AND LIMITATIONS

"RULES: REQUIREMENTS AND ENFORCEMENT

"SEC. 421. (a) Rules, regulations, guidelines, or other published interpretations or orders issued by the Department of Health, Education, and Welfare or the Office of Education, or by any official of such agencies, in connection with, or affecting, the administration of any applicable program shall contain immediately following each substantive provision of such rules, regulations, guidelines, interpretations, or orders, citations to the particular section or sections of statutory law or other legal authority upon which such provision is based.

"(b) No standard, rule, regulation, or requirement of general applicability prescribed for the administration of any applicable program may take effect until thirty days after it is published in the Federal Register.

"(c) All such rules, regulations, guidelines, interpretations, or orders shall be uniformly applied and enforced throughout the fifty States.

"PROHIBITION AGAINST FEDERAL CONTROL OF EDUCATION

"SEC. 422. No provision of the Act of September 30, 1950, Public Law 874, Eighty-first Congress; the National Defense Education Act of 1958; the Act of September 23, 1950, Public Law 815, Eighty-first Congress; the Higher Education Facilities Act of 1963; the Elementary and Secondary Education Act of 1965; the Higher Education Act of 1965; the International Education Act of 1966; or the Vocational Education Act of 1963 shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, school, or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system, or to require the assignment or transportation of students or teachers in order to overcome racial imbalance.

"LABOR STANDARDS

"SEC. 423. Except for emergency relief under section 7 of the Act of September 30, 1960 (Public Law 874, Eighty-first Congress), all laborers and mechanics employed by contractors or subcontractors on all construction and minor remodeling projects assisted under any applicable program shall be paid wages at rates not less than those prevailing on similar construction and minor remodeling 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). The Secretary of Labor shall have, with respect to the labor standards specified in this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"RECORDS AND AUDIT

"SEC. 424. (a) Each recipient of funds from a grant or contract under any applicable program shall keep such records as the Commissioner shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such grant, the total cost of the project or undertaking in connection with which such grant or contract is given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipients that are pertinent to the grant or contract received under any applicable program.

"PAYMENTS

"SEC. 425. Payments pursuant to grants or contracts under any applicable program may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the Commissioner may determine.

"AUTHORITY TO VEST TITLE TO EQUIPMENT

"SEC. 426. The authority of the Commissioner of Education to make a grant to or contract with a local educational agency or State educational agency as such agencies are defined in sections 801(f) and 801(k) of the Elementary and Secondary Education Act of 1965, under any applicable program, shall include discretionary authority, whenever he determines that it would be in the public interest, to vest title to equipment purchased with grant or contract funds in such agency (or waive accountability to the United States for such equipment) without further obligation to the Government or on such terms or conditions as the Commissioner deems appropriate. The authority provided by this section shall be applicable to equipment purchased with funds provided by grants or contracts made on, before, or after the date of the enactment of this section.

"PART C—ADVISORY COUNCILS

"DEFINITIONS

"SEC. 431. As used in this part, the term—

"(1) 'advisory council' means any committee, board, commission, council, or other similar group (A) established or organized pursuant to any applicable statute, or (B)

established under the authority of section 432; but such term does not include State advisory councils or commissions established pursuant to any such statute;

"(2) 'statutory advisory council' means an advisory council established by, or pursuant to, statute to advise and make recommendations with respect to the administration or improvement of an applicable program or other related matter;

"(3) 'nonstatutory advisory council' means an advisory council which is (A) established under the authority of section 432, or (B) established to advise and make recommendations with respect to the approval of applications for grants or contracts as required by statute;

"(4) 'Presidental advisory council' means a statutory advisory council, the members of which are appointed by the President;

"(5) 'Secretarial advisory council' means a statutory advisory council, the members of which are appointed by the Secretary;

"(6) 'Commissioner's advisory council' means a statutory advisory council, the members of which are appointed by the Commissioner;

"(7) 'applicable statute' means any statute (or title, part, or section thereof) which authorizes an applicable program or controls the administration of any such program.

"AUTHORIZATION FOR NECESSARY ADVISORY COUNCILS

"SEC. 432. (a) The Commissioner is authorized to create, and appoint the members of, such advisory councils as he determines in writing to be necessary to advise him with respect to—

"(1) the organization of the Office of Education and its conduct in the administration of applicable programs;

"(2) recommendations for legislation regarding education programs and the means by which the educational needs of the Nation may be met; and

"(3) special problems and areas of special interest in education.

"(b) Each advisory council created under the authority of subsection (a) shall terminate not later than one year from the date of its creation unless the Commissioner determines in writing not more than thirty days prior to the expiration of such one year that its existence for an additional period, not to exceed one year, is necessary in order to complete the recommendations or reports for which it was created.

"(c) The Commissioner shall include in his report submitted pursuant to section 438 a statement on all advisory councils created or extended under the authority of this section and their activities.

"MEMBERSHIP AND REPORTS OF STATUTORY ADVISORY COUNCILS

"SEC. 433. Notwithstanding any other provision of laws unless expressly in limitation of the provisions of this section, each statutory advisory council—

"(1) shall be composed of the number of members provided by statute who may be appointed, without regard to the provisions of title 5, United States Code, governing appointment in the competitive service, and shall serve for terms of not to exceed three years, which in the case of initial members, shall be staggered; and

"(2) shall make an annual report of its activities, findings and recommendations to the Congress not later than March 31 of each calendar year, which shall be submitted with the Commissioner's annual report.

The Commissioner shall not serve as a member of any such advisory council.

"COMPENSATION OF MEMBERS OF ADVISORY COUNCILS

"SEC. 434. Members of all advisory councils to which this part is applicable who are not in the regular full-time employ of the United States shall, while attending meetings or conferences of the advisory council or otherwise engaged in the business of the advisory council, be entitled to receive compensation at a rate fixed by the Commissioner, but not exceeding the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, United States Code, including traveltime, and while so serving on the business of the advisory council 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 employed intermittently in the Government service.

"PROFESSIONAL, TECHNICAL, AND CLERICAL STAFF; TECHNICAL ASSISTANCE

"SEC. 435. (a) Presidential advisory councils are authorized to appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, or otherwise obtain the services of, such professional, technical, and clerical personnel as may be necessary to enable them to carry out their functions, as prescribed by law.

"(b) The Commissioner shall engage such personnel and technical assistance as may be required to permit Secretarial and Commissioner's advisory councils to carry out their functions as prescribed by law.

"(c) Subject to regulations of the Commissioner, Presidential advisory councils are authorized to procure temporary and intermittent services of such personnel as are necessary to the extent authorized by section 3109 of title 5, United States Code, but at rates not to exceed the rate specified at the time of such service for grade GS–18 in section 5332 of such title.

"MEETINGS OF ADVISORY COUNCILS

"SEC. 436. (a) Each statutory advisory council shall meet at the call of the chairman thereof but not less than two times each year. Nonstatutory advisory councils shall meet in accordance with regulations promulgated by the Commissioner.

"(b) Minutes of each meeting of each advisory council shall be kept and shall contain a record of the persons present, a description of matters discussed and conclusions reached, and copies of all reports received, issued, or approved by the advisory council. The accuracy of all minutes shall be certified to by the chairman of the advisory council.

"AUDITING AND REVIEW OF ADVISORY COUNCIL ACTIVITIES

"SEC. 437. (a) Each statutory advisory council shall be subject to such general regulations as the Commission may promulgate respecting the governance of statutory advisory councils and shall keep such records of its activities as will fully disclose the disposition of any funds which may be at its disposal and the nature and extent of its activities in carrying out its functions.

"(b) The Comptroller General of the United States, or any of his duly authorized representatives, shall have access, for the purpose of audit and examination, to any books, documents, papers, and records of each statutory advisory council.

"REPORT BY THE COMMISSIONER OF EDUCATION

"SEC. 438. (a) Not later than March 31 of each calendar year after 1970, the Commissioner shall submit, as a part of the Commissioner's annual report, a report on the activities of the advisory councils which are subject to this part to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives. Such report shall contain, at least, a list of all such advisory councils, the names and affiliations of their members, a description of the function of each advisory council, and a statement of the dates of the meetings of each such advisory council.

"(b) If the Commissioner determines that a statutory advisory council is not needed or that the functions of two or more statutory advisory councils should be combined, he shall include in the report a recommendation that such advisory council be abolished or that such functions be combined. Unless there is an objection to such action by either the Senate or the House of Representatives within ninety days after the submission of such report, the Commissioner is authorized to abolish such advisory council or combine the functions of two or more advisory councils as recommended in such report.".

(b) Sections 1207, 1208, 1209, and 1210 of the Higher Education Act of 1965 (as added by Public Law 90–575) are superseded by part A of title IV of Public Law 90–247 and are hereby repealed.

(c) The following provisions of law relating to the delegation of functions and utilization of the services of other agencies by the Office of Education are superseded by section 411 of Public Law 90–247 and are hereby repealed:

(1) The third sentence of subsection (a) of section 302 of the Act of September 30, 1950, Public Law 874, Eighty-first Congress (20 U.S.C. 243(a));

(2) Subsections (a) and (b) of section 803 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 883 (a) and (b));

(3) Subsection (a) of section 13 of the Act of September 23, 1950, Public Law 815, Eighty-first Congress (20 U.S.C. 643(a));

(4) Subsections (a) and (b) of section 1001 of the National Defense Education Act of 1958 (20 U.S.C. 581 (a), (b));

(5) Section 1203 of the Higher Education Act of 1965 (20 U.S.C. 1143);

(6) Subsections (a) and (b) of section 402 of the Higher Education Facilities Act of 1963 (20 U.S.C. 752 (a), (b));

(7) Subsection (b) of section 103 of the International Education Act of 1966 (20 U.S.C. 1174(b)); and

(d) The following provisions of law concerning dissemination of information and reports by the Commissioner of Education are superseded by sections 412, 413, and 414 of Public Law 90–247 and are hereby repealed:

(1) Section 518 of the Revised Statutes of the United States (20 U.S.C. 4);

(2) The sixth paragraph under the heading "Department of Education" in the material relating to the Department of the Interior in the Act of May 28, 1896, making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes, which authorizes the Commissioner of Education to prepare and publish a bulletin concerning the condition of education (20 U.S.C. 3);

(3) Section 303 of Public Law 90–576 (20 U.S.C. 6);

(4) Section 806 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 886); and

(5) Section 1206 of the Higher Education Act of 1965 (20 U.S.C. 1146).

(e) The following provisions of law concerning requirements for rules and regulations for education programs are superseded by section 421 of Public Law 90–247 and are hereby repealed:

(1) Section 2 of Public Law 90–247 (20 U.S.C. 888); and

(2) Section 505 of Public Law 90–575 (20 U.S.C. 1001, note).

(f) The following provisions of law concerning Federal control of education are superseded by section 422 of Public Law 90–247 and are hereby repealed:

(1) Subsection (g) of section 6 and subsection (a) of section 301 of the Act of September 30, 1950, Public Law 874, Eighty-first Congress (20 U.S.C. 241(g), 242(a));

(2) Section 102 of the National Defense Education Act of 1958 (20 U.S.C. 402);

(3) Subsection (a) of section 12 of the Act of September 23, 1950, Public Law 815, Eighty-first Congress (20 U.S.C. 642(a));

(4) Section 407 of the Higher Education Facilities Act of 1963 (20 U.S.C. 757);

(5) Section 804 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 884);

(6) Subsection (a) of section 1204 of the Higher Education Act of 1965 (20 U.S.C. 1144 (a));

(7) Section 104 of the International Education Act of 1966 (20 U.S.C. 1175);

(8) Section 105 of the Vocational Education Act of 1963 (20 U.S.C. 1245).

(g) The following provisions of law concerning the payment of wages at prevailing rates on federally assisted construction projects are superseded by section 423 of Public Law 90-247 and are hereby repealed:

(1) Section 145 of title I of the Elementary and Secondary Education Act of 1965, as redesignated by this Act (20 U.S.C. 241i);

(2) Subsection (c) of section 4 of the Act of July 26, 1954, Public Law 531, Eighty-third Congress (20 U.S.C. 332a(c));

(3) Subsection (a)(4) of section 203 of the Library Services and Construction Act (20 U.S.C. 355c(a)(4)), and subsection (a)(3) of such section is amended by striking out the semicolon and the word "and" and at the end thereof inserting in lieu thereof a period;

(4) Subsection (b)(1)(E) of section 6 and subsection (d) of section 12 of the Act of September 23, 1950, Public Law 815, Eighty-first Congress (20 U.S.C. 636(b)(1)(E), 642 (d));

(5) Section 709 (as redesignated by section 152 of this Act) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 880b-6); and

(6) Section 106 of the Vocational Education Act of 1963 (20 U.S.C. 1246).

(h) The following provisions of law concerning advisory councils and committees are superseded by part C of title IV of Public Law 90-247 and are hereby repealed:

(1) Subsection (d) of section 761 and sections 1002 and 1003 of the National Defense Education Act of 1958 (20 U.S.C. 561(d), 582, 583);

(2) Subsection (c) of section 402 of the Higher Education Facilities Act of 1963 (20 U.S.C. 752(c));

(3) Subsections (c), (d), and (e) of section 510, subsection (c) of section 708, and section 802 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 870(c), (d), (e), 880b-5(c), 882);

(4) Subsections (d) and (e) of section 109, subsection (c) of section 205, subsection (c) of section 224, subsection (c) of section 303, subsections (c) and (d) of section 469, subsections (d) and (e) of section 502, and subsections (c) and (d) of section 1205 of the Higher Education Act of 1965 (20 U.S.C. 1009 (d), (e), 1025(e), 1034(c), 1053(c) 1089(c), 1091a(d), (e), 1145(c), (d);

(5) Subsections (c) and (d) of section 106 of the International Education Act of 1966 (20 U.S.C. 1177(c), (d));

(6) Paragraph (3) of subsection (a) of section 104 of the Vocational Education Act of 1963 (20 U.S.C. 1244(a)(3)).

TITLE V—CANCELLATION OF STUDENT LOANS FOR CERTAIN PUBLIC SERVICE

CANCELLATION OF LOANS FOR CERTAIN PUBLIC SERVICE

Sec. 501. (a) Section 205(a)(3) of the National Defense Education Act of 1958 is amended—

(1) by striking out "made prior to July 1, 1970 (plus interest)" and inserting in lieu thereof "(plus interest) (A)";

(2) thereafter by striking out "(A)", "(B)", or "(C)" wherever appearing therein and inserting in lieu thereof "(i)", "(ii)", or "(iii)", respectively; and

(3) by inserting before the semi-colon at the end thereof a comma and the following: "and (B) shall be canceled for service after June 30, 1970, as a member of the Armed Forces of the United States at the rate of 12½ per centum of the total amount of such loan plus interest thereon for each year of consecutive service".

(b) The amendment made by this section shall apply to loans made after the date of enactment of this Act.

TITLE VI—EDUCATION OF THE HANDICAPPED

PART A—GENERAL PROVISION

SHORT TITLE

Sec. 601. This title may be cited as the "Education of the Handicapped Act".

DEFINITION

Sec. 602. As used in this title—

(1) The term "handicapped children" means mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education and related services.

(2) The term "Commissioner" means the Commissioner of Education.

(3) The term "Advisory Committee" means the National Advisory Committee on Handicapped Children.

(4) The term "construction", except where otherwise specified, means (A) erection of new or expansion of existing structures, and the acquisition and installation of equipment therefor; or (B) acquisition of existing structures not owned by any agency or institution making application for assistance under this title; or (C) remodeling or alteration (including the acquisition, installation, modernization, or replacement of equipment) of existing structures; or (D) acquisition of land in connection with the activities in clauses (A), (B), and (C); or (E) a combination of any two or more of the foregoing.

(5) The term "equipment" includes machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them, and includes all other items necessary for the functioning of a particular facility as a facility for the provision of educational services, including items such as instructional equipment and necessary furniture, printed, published, and audio-visual instructional materials, and books, periodicals, documents, and other related materials.

(6) The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands and the Trust Territory of the Pacific Islands.

(7) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

(8) The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(9) The term "elementary school" means a day or residential school which provides elementary education, as determined under State law.

(10) The term "secondary school" means a day or residential school which provides secondary education, as determined under State law, except that it does not include any education provided beyond grade 12.

(11) The term "institution of higher education" means an educational institution in any State which—

(A) admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;

(B) is legally authorized within such State to provide a program of education beyond high school;

(C) provides an educational program for which it awards a bachelor's degree, or provides not less than a two-year program which is acceptable for full credit toward such a degree, or offers a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields, which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge;

(D) is a public or other nonprofit institution; and

(E) is accredited by a nationally recognized accrediting agency or association listed by the Commissioner pursuant to this paragraph or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited: *Provided, however,* That in the case of an institution offering a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge, if the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit such institutions, he shall appoint an advisory committee, composed of persons specially qualified to evaluate training provided by such institutions, which shall prescribe the standards of content, scope, and quality which must be met in order to qualify such institutions to participate under this Act and shall also determine whether particular institutions meet such standards. For the purposes of this paragraph the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of education or training offered.

(12) The term "nonprofit" as applied to a school, agency, organization, or institution means a school, agency, organization, or institution owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(13) The term "research and related purposes" means research, research training (including the payment of stipends and allowances), surveys, or demonstrations in the field of education of handicapped children, or the dissemination of information derived therefrom, including (but without limitation) experimental schools.

(14) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(15) The term "children with specific learning disabilities" means those children who have a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or

written, which disorder may manifest itself in imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations. Such disorders include such conditions as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. Such term does not include children who have learning problems which are primarily the result of visual, hearing, or motor handicaps, or mental retardation, of emotional disturbance, or of environmental disadvantage.

BUREAU FOR EDUCATION AND TRAINING OF THE HANDICAPPED

SEC. 603. There shall be, within the Office of Education, a bureau for the education and training of the handicapped which shall be the principal agency in the Office of Education for administering and carrying out programs and projects relating to the education and training of the handicapped, including programs and projects for the training of teachers of the handicapped and for research in such education and training.

NATIONAL ADVISORY COMMITTEE ON HANDICAPPED CHILDREN

SEC. 604. (a) The Commissioner shall establish in the Office of Education a National Advisory Committee on Handicapped Children, consisting of fifteen members, appointed by the Commissioner. At least eight of such members shall be persons affiliated with educational, training, or research programs for the handicapped.

(b) The Advisory Committee shall review the administration and operation of the programs authorized by this title and other provisions of law administered by the Commissioner with respect to handicapped children, including their effect in improving the educational attainment of such children, and make recommendations for the improvement of such administration and operation with respect to such children. Such recommendations shall take into consideration experience gained under this and other Federal programs for handicapped children and, to the extent appropriate, experience gained under other public and private programs for handicapped children. The Advisory Committee shall from time to time make such recommendations as it may deem appropriate to the Commissioner and shall make an annual report of its findings and recommendations to the Commissioner not later than March 31 of each year. The Commissioner shall transmit each such report to the Secretary together with his comments and recommendations, and the Secretary shall transmit such report, comments, and recommendations to the Congress together with any comments or recommendations he may have with respect thereto.

ACQUISITION OF EQUIPMENT AND CONSTRUCTION OF NECESSARY FACILITIES

SEC. 605. (a) In the case of any program authorized by this title, if the Commissioner determines that such program will be improved by permitting the funds authorized for such program to be used for the acquisition of equipment and the construction of necessary facilities, he may authorize the use of such funds for such purposes.

(b) If within twenty years after the completion of any construction (except minor remodeling or alteration) for which funds have been paid pursuant to a grant or contract under this title the facility constructed ceases to be used for the purposes for which it was constructed, the United States, unless the Secretary determines that there is good cause for releasing the recipient of the funds from its obligation, shall be entitled to recover from the applicant or other owner of the facility an amount which bears the same ratio to the then value of the facility as the amount of such Federal funds bore to the cost of the portion of the facility financed with such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

PART B—ASSISTANCE TO STATES FOR EDUCATION OF HANDICAPPED CHILDREN

AUTHORIZATION

SEC. 611. (a) The Commissioner is authorized to make grants pursuant to the provisions of this part for the purpose of assisting the States in the initiation, expansion, and improvement of programs and projects for the education of handicapped children at the preschool, elementary school, and secondary school levels.

(b) For the purpose of making grants under this part there is authorized to be appropriated $200,000,000 for the fiscal year ending June 30, 1971, $210,000,000 for the fiscal year ending June 30, 1972, and $220,000,000 for the fiscal year ending June 30, 1973.

ALLOTMENT OF FUNDS

SEC. 612. (a)(1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 611(b). The Commissioner shall allot the amount appropriated pursuant to this paragraph among—

(A) Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands, according to their respective needs, and

(B) for each fiscal year ending prior to July 1, 1972, the Secretary of the Interior, according to the need for such assistance for the education of handicapped children on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior and the terms upon which payments for such purposes shall be made to the Secretary of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this part.

(2) From the total amount appropriated pursuant to section 611(b) for any fiscal year the Commissioner shall allot to each State an amount which bears the same ratio to such amount as the number of children aged three to twenty-one, inclusive, in the State bears to the number of such children in all the States, except that no State shall be alloted less than $200,000 or three-tenths of 1 per centum of such amount available for allotment to the States, whichever is greater. For purposes of this paragraph and subsection (b), the term "State" shall not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

(b) The number of children aged three to twenty-one, inclusive, in any State and in all the States shall be determined, for purposes of this section, by the Commissioner on the basis of the most recent satisfactory data available to him.

(c) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for that year shall be available for reallotment, from time to time and on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for that year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for that year.

STATE PLANS

SEC. 613. (a) Any State which desires to receive grants under this part shall submit to the Commissioner through its State educational agency a State plan (not part of any other plan) in such detail as the Commissioner deems necessary. Such State plan shall—

(1) set forth such policies and procedures as will provide satisfactory assurance that funds paid to the State under this part will be expanded (A) either directly or through individual, or combinations of, local educational agencies, solely to initiate, expand, or improve programs and projects, including preschool programs and projects, (i) which are designed to meet the special educational and related needs of handicapped children throughout the State, and (ii) which are of sufficient size, scope, and quality (taking into consideration the special educational needs of such children) as to give reasonable promise of substantial progress toward meeting those needs, and (B) for the proper and efficient administration of the State plan (including State leadership activities and consultative services), and for planning on the State and local level: *Provided*, That the amount expended for such administration and planning shall not exceed 5 per centum of the amount allotted to the State for any fiscal year or $100,000 ($35,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater;

(2) provide satisfactory assurance that, to the extent consistent with the number and location of handicapped children in the State who are enrolled in private elementary and secondary schools, provision will be made for participation of such children in programs assisted or carried out under this part;

(3) provide satisfactory assurance that the control of funds provided under this part, and title to property derived therefrom, shall be in a public agency for the uses and purposes provided in this part, and that a public agency will administer such funds and property;

(4) set forth policies and procedures which provide satisfactory assurance that Federal funds made available under this part will be so used as to supplement and, to the extent practical, increase the level of State, local, and private funds expended for the education of handicapped children, and in no case supplant such State, local and private funds;

(5) provide that effective procedures, including provision for appropriate objective measurements of educational achievement, will be adopted for evaluating at least annually the effectiveness of the programs in meeting the special educational needs of, and providing related services for, handicapped children;

(6) provide that the State educational agency will be the sole agency for administering or supervising the administration of the plan;

(7) provide for (A) making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this part, including reports of the objective measurements required by clause (5) of this subsection, and (B) keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports and proper disbursement of Federal funds under this part;

(8) provide satisfactory assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this part to the State, including any such funds

paid by the State to local educational agencies;

(9) provide satisfactory assurance that funds paid to the State under this part shall not be made available for handicapped children eligible for assistance under section 103 (a) (5) of title I of the Elementary and Secondary Education Act of 1965;

(10) provide satisfactory assurance that effective procedures will be adopted for acquiring and disseminating to teachers of, and administrators of programs for, handicapped children significant information derived from educational research, demonstration, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects; and

(11) contain a statement of policies and procedures which will be designed to insure that all education programs for the handicapped in the State will be properly coordinated by the persons in charge of special education programs for handicapped children in the State educational agency.

(b) The Commissioner shall approve any State plan which he determines meets the requirements and purposes of this part.

(c) (1) The Commissioner shall not approve any State plan pursuant to this section for any fiscal year unless the plan has, prior to its submission, been made public as a separate document by the State educational agency and a reasonable opportunity has been given by that agency for comment thereon by interested persons (as defined by regulation). The State educational agency shall make public the plan as finally approved. The Commissioner shall not finally disapprove any plan submitted under this section or any modification thereof, without first affording the State educational agency submitting the plan reasonable notice and opportunity for a hearing.

(2) Whenever the Commissioner, after reasonable notice and opportunity for hearing to such State agency, finds—

(A) that the State plan has been so changed that it no longer complies with the provisions of this part, or

(B) that in the administration of the plan there is a failure to comply substantially with any such provision or with any requirements set forth in the application of a local educational agency approved pursuant to such plan,

the Commissioner shall notify the agency that further payments will not be made to the State under this part (or in his discretion, that further payments to the State will be limited to programs or projects under the State plans, or portions thereof, not affected by the failure, or that the State educational agency shall not make further payments under this part to specified local agencies affected to the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, the Commissioner shall make no further payments to the State under this part (or shall limit payments to programs or projects under, or parts of, the State plan not affected by the failure, or payments by the State educational agency under this part shall be limited to local educational agencies not affected by the failure, as the case may be).

(d) (1) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under subsection (a) or with his final action under subsection (c), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(2) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(3) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

PAYMENTS

SEC. 614. From the amounts allotted to each State under this part, the Commissioner shall pay to that State an amount equal to the amount expended by the State in carrying out its State plan.

PART C—CENTERS AND SERVICES TO MEET SPECIAL NEEDS OF THE HANDICAPPED

REGIONAL RESOURCE CENTERS

SEC. 621. (a) The Commissioner is authorized to make grants to or contracts with institutions of higher education, State educational agencies, or combinations of such agencies or institutions, which combinations may include one or more local educational agencies, within particular regions of the United States, to pay all or part of the cost of the establishment and operation of regional centers which will develop and apply the best methods of appraising the special educational needs of handicapped children referred to them and will provide other services to assist in meeting such needs. Centers established or operated under this section shall (1) provide testing and educational evaluation to determine the special educational needs of handicapped children referred to such centers, (2) develop educational programs to meet those needs, and (3) assist schools and other appropriate agencies, organizations, and institutions in providing such educational programs through services such as consultation (including, in appropriate cases, consultation with parents or teachers of handicapped children at such regional centers), periodic reexamination and reevaluation of special educational programs, and other technical services.

(b) In determining whether to approve an application for a project under this section, the Commissioner shall consider the need for such a center in the region to be served by the applicant and the capability of the applicant to develop and apply, with the assistance of funds under this section, new methods, techniques, devices, or facilities relating to educational evaluation or education of handicapped children.

CENTERS AND SERVICES FOR DEAF-BLIND CHILDREN

SEC. 622. (a) It is the purpose of this section to provide, through a limited number of model centers for deaf-blind children, a program designed to develop and bring to bear upon such children, beginning as early as feasible in life, those specialized, intensive professional and allied services, methods, and aids that are found to be most effective to enable them to achieve their full potential for communication with, and adjustment to, the world around them, for useful and meaningful participation in society, and for self-fulfillment.

(b) The Commissioner is authorized, upon such terms and conditions (subject to the provisions of subsection (d) (1) of this section) as he deems appropriate to carry out the purposes of this section, to make grants to or contracts with public or nonprofit private agencies, organizations, or institutions to pay all or part of the cost of establishment, including construction, which for the purposes of this section shall include the construction of residential facilities, and operation of centers for deaf-blind children.

(c) In determining whether to make a grant or contract under subsection (b), the Commissioner shall take into consideration the need for a center for deaf-blind children in the light of the general availability and quality of existing services for such children in the part of the country involved.

(d) (1) A grant or contract pursuant to subsection (b) shall be made only if the Commissioner determines that there is satisfactory assurance that the center will provide such services as he has by regulation prescribed, including at least—

(A) comprehensive diagnostic and evaluative services for deaf-blind children;

(B) a program for the adjustment, orientation, and education of deaf-blind children which integrates all the professional and allied services necessary therefor; and

(C) effective consultative services for parents, teachers, and others who play a direct role in the lives of deaf-blind children to enable them to understand the special problems of such children and to assist in the process of their adjustment, orientation, and education.

(2) Any such services may be provided to deaf-blind children (and, where applicable, other persons) regardless of whether they reside in the center, may be provided at some place other than the center, and may include the provision of transportation for any such children (including an attendant) and for parents.

EARLY EDUCATION FOR HANDICAPPED CHILDREN

SEC. 623. (a) The Commissioner is authorized to arrange by contract, grant, or otherwise with appropriate public agencies and private nonprofit organizations, for the development and carrying out by such agencies and organizations of experimental preschool and early education programs for handicapped children which the Commissioner determines show promise of promoting a comprehensive and strengthened approach to the special problems of such children. Such programs shall be distributed to the greatest extent possible throughout the Nation, and shall be carried out both in urban and in rural areas. Such programs shall include activities and services designed to (1) facilitate the intellectual, emotional, physical, mental, social, and language development of such children; (2) encourage the participation of the parents of such children in the development and operation of any such program; and (3) acquaint the community to be served by any such program with the problems and potentialities of such children.

(b) Each arrangement for developing or carrying out a program authorized by this section shall provide for the effective coordination of each such program with similar programs in the schools of the community to be served by such a program.

(c) No arrangement pursuant to this section shall provide for the payment of more than 90 per centum of the cost of developing, carrying out, or evaluating such a program. Non-Federal contributions may be in cash or in kind, fairly evaluated, including, but not limited to plant, equipment, and services.

RESEARCH, INNOVATION, TRAINING, AND DISSEMINATION ACTIVITIES IN CONNECTION WITH CENTERS AND SERVICES FOR THE HANDICAPPED

SEC. 624. (a) The Commissioner is authorized, either as part of any grant or contract under this part, or by separate grant to, or contract with, an agency, organization, or institution operating a center or providing a service which meets such requirements as

the Commissioner determines to be appropriate, consistent with the purposes of this part, to pay all or part of the cost of such activities as—

(1) research to identify and meet the full range of special needs of handicapped children;

(2) development or demonstration of new, or improvements in existing, methods, approaches, or techniques, which would contribute to the adjustment and education of such children;

(3) training (either directly or otherwise) of professional and allied personnel engaged or preparing to engage in programs specifically designed for such children, including payment of stipends for trainees and allowances for travel and other expenses for them and their dependents; and

(4) dissemination of materials and information about practices found effective in working with such children.

(b) In making grants and contracts under this section, the Commissioner shall insure that the activities funded under such grants and contracts will be coordinated with similar activities funded from grants and contracts under other parts of this title.

EVALUATION

SEC. 625. The Commissioner shall conduct, either directly or by contract with independent organizations, a thorough and continuing evaluation of the effectiveness of each program assisted under this part.

AUTHORIZATION OF APPROPRIATIONS

SEC. 626. There are hereby authorized to be appropriated $36,500,000 for the fiscal year ending June 30, 1971, $51,500,000 for the fiscal year ending June 30, 1972, and $66,500,000 for the fiscal year ending June 30, 1973, for the purpose of carrying out the provisions of this part.

PART D—TRAINING PERSONNEL FOR THE EDUCATION OF THE HANDICAPPED

GRANTS TO INSTITUTIONS OF HIGHER EDUCATION AND OTHER APPROPRIATE INSTITUTIONS OR AGENCIES

SEC. 631. The Commissioner is authorized to make grants to institutions of higher education and other appropriate nonprofit institutions or agencies to assist them—

(1) in providing training of professional personnel to conduct training of teachers and other specialists in fields related to the education of handicapped children;

(2) in providing training for personnel engaged or preparing to engage in employment as teachers of handicapped children, as supervisors of such teachers, or as speech correctionists or other special personnel providing special services for the education of such children, or engaged or preparing to engage in research in fields related to the education of such children; and

(3) in establishing and maintaining scholarships, with such stipends and allowances as may be determined by the Commissioner, for training personnel engaged in or preparing to engage in employment as teachers of the handicapped or as related specialists.

Grants under this subsection may be used by such institutions to assist in covering the cost of courses of training or study for such personnel and for establishing and maintaining fellowships or traineeships with such stipends and allowances as may be determined by the Commissioner.

GRANTS TO STATE EDUCATIONAL AGENCIES

SEC. 632. The Commissioner is authorized to make grants to State educational agencies to assist them in establishing and maintaining, directly or through grants to institutions of higher education, programs for training personnel engaged, or preparing to engage, in employment as teachers of handicapped children or as supervisors of such teachers. Such grants shall also be available to assist such institutions in meeting the cost of training such personnel.

GRANTS OR CONTRACTS TO IMPROVE RECRUITING OF EDUCATIONAL PERSONNEL, AND TO IMPROVE DISSEMINATION OF INFORMATION CONCERNING EDUCATIONAL OPPORTUNITIES FOR THE HANDICAPPED

SEC. 633. The Commissioner is authorized to make grants to public or nonprofit private agencies, organizations, or institutions, or to enter into contracts with public or private agencies, organizations, or institutions, for projects for—

(1) encouraging students and professional personnel to work in various fields of education of handicapped children and youth through, among other ways, developing and distributing imaginative or innovative materials to assist in recruiting personnel for such careers, or publicizing existing forms of financial aid which might enable students to pursue such careers, or

(2) disseminating information about the programs, services, and resources for the education of handicapped children, or providing referral services to parents, teachers, and other persons especially interested in the handicapped.

TRAINING OF PHYSICAL EDUCATORS AND RECREATION PERSONNEL FOR HANDICAPPED CHILDREN

SEC. 634. The Commissioner is authorized to make grants to institutions of higher education to assist them in providing training for personnel engaged or preparing to engage in employment as physical educators or recreation personnel for handicapped children or as educators or supervisors of such personnel, or engaged or preparing to engage in research or teaching in fields related to the physical education or recreation of such children.

REPORTS

SEC. 635. Each recipient of a grant under this part during any fiscal year shall, after the end of such fiscal year, submit a report to the Commissioner. Such report shall be in such form and detail and contain such information as the Commissioner determines to be appropriate.

AUTHORIZATION OF APPROPRIATIONS

SEC. 636. There are authorized to be appropriated for carrying out this part, $69,500,000 for the fiscal year ending June 30, 1971, $87,000,000 for the fiscal year ending June 30, 1972, and $103,500,000 for the fiscal year ending June 30, 1973.

PART E—RESEARCH IN THE EDUCATION OF THE HANDICAPPED

RESEARCH AND DEMONSTRATION PROJECTS IN EDUCATION OF HANDICAPPED CHILDREN

SEC. 641. The Commissioner is authorized to make grants to States, State or local educational agencies, institutions of higher education, and other public or nonprofit private educational or research agencies and organizations, and to make contracts with States, State or local educational agencies, institutions of higher education, and other public or private educational or research agencies and organizations, for research and related purposes and to conduct research, surveys, or demonstrations, relating to education of handicapped children.

RESEARCH AND DEMONSTRATION PROJECTS IN PHYSICAL EDUCATION AND RECREATION FOR HANDICAPPED CHILDREN

SEC. 642. The Commissioner is authorized to make grants to States, State or local educational agencies, institutions of higher education, and other public or nonprofit private educational or research agencies and organizations, and to make contracts with States, State or local educational agencies, institutions of higher education, and other public or private educational or research agencies and organizations, for research and related purposes relating to physical education or recreation for handicapped children, and to conduct research, surveys, or demonstrations relating to physical education or recreation for handicapped children.

PANELS OF EXPERTS

SEC. 643. The Commissioner shall from time to time appoint panels of experts who are competent to evaluate various types of research or demonstration projects under this part, and shall secure the advice and recommendations of one such panel before making any grant under this part.

AUTHORIZATION OF APPROPRIATIONS

SEC. 644. There are hereby authorized to be appropriated $27,000,000 for the fiscal year ending June 30, 1971, $35,500,000 for the fiscal year ending June 30, 1972, and $45,000,000 for the fiscal year ending June 30, 1973, for carrying out the provisions of this part.

PART F—INSTRUCTIONAL MEDIA FOR THE HANDICAPPED

PURPOSE

SEC. 651. (a) The purposes of this part are to promote—

(1) the general welfare of deaf persons by (A) bringing to such persons understanding and appreciation of those films which play such an important part in the general and cultural advancement of hearing persons, (B) providing through these films enriched educational and cultural experiences through which deaf persons can be brought into better touch with the realities of their environment, and (C) providing a wholesome and rewarding experience which deaf persons may share together; and

(2) the educational advancement of handicapped persons by (A) carrying on research in the use of educational media for the handicapped, (B) producing and distributing educational media for the use of handicapped persons, their parents, their actual or potential employers, and other persons directly involved in work for the advancement of the handicapped, and (C) training persons in the use of educational media for the instruction of the handicapped.

CAPTIONED FILMS AND EDUCATIONAL MEDIA FOR HANDICAPPED PERSONS

SEC. 652. (a) The Commissioner shall establish a loan service of captioned films and educational media for the purpose of making such materials available in the United States for nonprofit purposes to handicapped persons, parents of handicapped persons, and other persons directly involved in activities for the advancement of the handicapped in accordance with regulations.

(b) The Commissioner is authorized to—

(1) acquire films (or rights thereto) and other educational media by purchase, lease, or gift;

(2) acquire by lease or purchase equipment necessary to the administration of this part;

(3) provide for the captioning of films;

(4) provide for the distribution of captioned films and other educational media and equipment through State schools for the handicapped and such other agencies as the Commissioner may deem appropriate to serve as local or regional centers for such distribution;

(5) provide for the conduct of research in the use of educational and training films and other educational media for the handicapped, for the production and distribution of educational and training films and other educational media for the handicapped and the training of persons in the use of such films and media, including the payment to those persons of such stipends (including allowances for travel and other expenses of such persons and their dependents) as he may determine, which shall be consistent with prevailing practices under comparable federally supported programs;

(6) utilize the facilities and services of other governmental agencies; and

(7) accept gifts, contributions, and voluntary and uncompensated services of individuals and organizations.

NATIONAL CENTER ON EDUCATIONAL MEDIA AND MATERIALS FOR THE HANDICAPPED

SEC. 653. (a) The Secretary is authorized to enter into an agreement with an institution of higher education for the establishment and operation of a National Center on Educational Media and Materials for the Handicapped, which will provide a comprehensive program of activities to facilitate the use of new educational technology in education programs for handicapped persons, including designing and developing, and adapting instructional materials, and such other activities consistent with the purposes of this part as the Secretary may prescribe in the agreement. Such agreement shall—

(1) provide that Federal funds paid to the Center will be used solely for such purposes as are set forth in the agreement;

(2) authorize the Center, subject to the Secretary's prior approval, to contract with public and private agencies and organizations for demonstration projects; and

(3) provide for an annual report on the activities of the Center which will be transmitted to the Congress.

(b) In considering proposals from institutions of higher education to enter into an agreement under this subsection, the Secretary shall give preference to institutions—

(1) which have demonstrated the capabilities necessary for the development and evaluation of educational media for the handicapped; and

(2) which can serve the educational technology needs of the Model High School for the Deaf (established under Public Law 89–964).

AUTHORIZATION OF APPROPRIATIONS

SEC. 654. For the purpose of carrying out this part, there are hereby authorized to be appropriated not to exceed $12,500,000 for the fiscal year ending June 30, 1971, $15,000,000 for the fiscal year endnig June 30, 1972, and $20,000,000 for the fiscal year ending June 30, 1973, and each succeeding fiscal year thereafter.

PART G—SPECIAL PROGRAMS FOR CHILDREN WITH SPECIFIC LEARNING DISABILITIES

RESEARCH, TRAINING, AND MODEL CENTERS

SEC. 661. (a) The Commissioner is authorized to make grants to, and contracts with, institutions of higher education, State and local educational agencies, and other public and private educational and research agencies and organizations (except that no grant shall be made over than to a nonprofit agency or organization) in order to carry out a program of—

(1) research and related purposes relating to the education of children with specific learning disabilities;

(2) professional or advanced training for educational personnel who are teaching, or are preparing to be teachers of, children with specific learning disabilities, or such training for persons who are, or are preparing to be, supervisors and teachers of such personnel; and

(3) establishing and operating model centers for the improvement of education of children with specific learning disabilities, which centers shall (A) provide testing and educational evaluation to identify children with learning disabilities who have been referred to such centers, (B) develop and conduct model programs designed to meet the special educational needs of such children, (C) assist appropriate educational agencies, organizations, and institutions in making such model programs available to other children with learning disabilities, and (D) disseminate new methods or techniques for overcoming learning disabilities to educational institutions, organizations, and agencies within the area served by such center and evaluate the effectiveness of the dissemination process. Such evaluation shall be conducted annually after the first year of operation of a center.

In making grants and contracts under this section the Commissioner shall give special consideration to applications which propose innovative and creative approaches to meeting the educational needs of children with specific learning disabilities, and those which emphasize the prevention and early identification of learning disabilities.

(b) In making grants and controls under this section, the Commissioner shall—

(1) for the purposes of clause (2) of subsection (a), seek to achieve an equitable geographical distribution of training programs and trained personnel throughout the Nation, and

(2) for the purposes of clause (3) of subsection (a), to the extent feasible, taking into consideration the appropriations pursuant to this section, seek to encourage the establishment of a model center in each of the States.

(c) For the purpose of making grants and contracts under this section there are hereby authorized to be appropriated $12,000,000 for the fiscal year ending June 30, 1970, $20,000,000 for the fiscal year ending June 30, 1971, and $31,000,000 for each of the succeeding fiscal years ending prior to July 1, 1973.

REPEALER

SEC. 662. Effective July 1, 1971, the following provisions of law are repealed:

(1) That part of section 1 of the Act of September 2, 1958 (Public Law 85–905), which follows the enacting clause and sections 2, 3, and 4 of such Act;

(2) The Act of September 6, 1958 (Public Law 85–926);

(3) Title VI of the Elementary and Secondary Education Act of 1965 (Public Law 89–10);

(4) Titles III and V of the Act of October 31, 1963 (Public Law 88–164); and

(5) The Act of September 30, 1968 (Public Law 90–538).

TITLE VII—VOCATIONAL EDUCATION

EXTENSION OF PROGRAM OF GRANTS FOR SPECIAL PROGRAMS FOR DISADVANTAGED STUDENTS

SEC. 701. Section 102(b) of the Vocational Education Act of 1963 is amended by inserting after "1970," the following: "$50,000,000 for the fiscal year ending June 30, 1971, and $60,000,000 for the fiscal year ending June 30, 1972,".

TECHNICAL AMENDMENT

SEC. 702. Section 103(a)(2)(D) of the Vocational Education Act of 1963 is amended by striking out "5 per centum" and inserting in lieu thereof "15 per centum".

CLARIFYING AMENDMENT WITH RESPECT TO STATE ADVISORY COUNCILS

SEC. 703. Section 104(b)(1) of the Vocational Education Act of 1963 is amended by inserting after "State board are elected" the following: "(including election by the State legislature)".

EXTENSION OF AUTHORITY FOR RESIDENTIAL FACILITIES

SEC. 704. (a) Section 152(a)(1) of the Vocational Education Act of 1963 is amended by striking out "$15,000,000 for the fiscal year ending June 30, 1970" and inserting in lieu thereof "for each of the succeeding fiscal years ending prior to July 1, 1972".

(b) Section 153(d)(2) of such Act is amended by striking out "1969" and inserting in lieu thereof "1970, and on July 1, 1971".

PROMOTION OF KNOWLEDGE OF NUTRITION

SEC. 705. Section 161(b) of the Vocational Education Act of 1963 is amended by adding after "consumer education programs," the following: "including promotion of nutritional knowledge and food use and the understanding of the economic aspects of food use and purchase,".

EXTENSION OF WORK-STUDY PROGRAMS

SEC. 706. (a) Section 181(a) of the Vocational Education Act of 1963 is amended by inserting after "1970" a comma and the following: "$45,000,000 for the fiscal year ending June 30, 1971, and $55,000,000 for the fiscal year ending June 30, 1972,".

(b) Section 183(a) of such Act is amended by striking out "the fiscal year ending June 30, 1970" and inserting in lieu thereof "any succeeding fiscal year".

EXTENSION OF CURRICULUM DEVELOPMENT PROGRAM

SEC. 707. Section 191(b) of the Vocational Education Act of 1963 is amended by striking out "the fiscal year ending June 30, 1970" and inserting in lieu thereof "each of the succeeding fiscal years ending prior to July 1, 1972".

EXTENSION OF PART F OF THE EDUCATION PROFESSIONS DEVELOPMENT ACT

SEC. 708. Section 555 of the Education Professions Development Act (title V of the Higher Education Act of 1965) is amended by striking out "and" where it appears after "1969," and by inserting before the period at the end thereof a comma and the following: "the sum of $40,000,000 for the fiscal year ending June 30, 1971, and the sum of $45,000,000 for the fiscal year ending June 30, 1972".

TECHNICAL AMENDMENT

SEC. 709. Section 104 of the Vocational Education Amendments of 1968 is amended by striking out "this Act" and inserting in lieu thereof "the Vocational Education Act of 1963".

TITLE VIII—MISCELLANEOUS

WAIVER OF MATCHING REQUIREMENTS IN THE UPWARD BOUND PROGRAM

SEC. 801. Section 408(c)(1) of the Higher Education Act of 1965 is amended by inserting after the third sentence thereof the following: "The Commissioner may, however, approve assistance in excess of such percentage if he determines, in accordance with regulations establishing objective criteria, that such action is required in furtherance of the purposes of this section. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, or services."

EXTENSION OF AUTHORIZATION FOR ADVISORY COUNCIL UNDER EDUCATION PROFESSIONS DEVELOPMENT ACT

SEC. 802. Section 502(f) of the Education Professions Development Act (title V of the Higher Education Act of 1965) is amended by striking out "two" and inserting in lieu thereof "three".

TEACHER CORPS ASSISTANCE FOR INDIAN CHILDREN

SEC. 803. The first sentence of section 513(c)(2) of the Higher Education Act of 1965 is amended to read as follows: "Not to exceed 3 per centum of the number of members of the Teachers Corps who are available shall be allocated to Puerto Rico and the Virgin Islands and not to exceed 5 per centum of such members shall be allocated to the elementary and secondary schools operated for Indian children by the Department of Interior, according to their respective needs."

STUDENT TEACHER CORPS

SEC. 804. (a) It is the purpose of this section to encourage high school and college students, parents, and other community residents to volunteer for service on a part-time or full-time basis as tutors or instructional assistants for children in dis-

advantaged areas and to provide support by the Teacher Corps of volunteer programs to be carried out by State and local educational agencies and institutions of higher education.

(b)(1) Section 511(a) of the Higher Education Act of 1965 is amended by deleting the word "and" at the end of paragraph (1), by deleting the period at the end of paragraph (2) and inserting in lieu thereof a semicolon and the word "and", and by inserting after paragraph (2) the following new paragraph:

"(3) attracting volunteers to serve as part-time tutors or full-time instructional assistants in programs carried out by local educational agencies and institutions of higher education serving such areas."

(2) Section 511(b) of such Act is amended by striking out "$56,000,000 for each of the succeeding fiscal years ending prior to July 1, 1971" and inserting in lieu thereof "$80,000,000 for the fiscal year ending June 30, 1970, and $100,000,000 for the fiscal year ending June 30, 1971".

(c) Paragraph (1) of section 513(a) of such Act is amended by inserting before the semicolon at the end thereof a comma and the following: "and, for such periods as the Commissioner may prescribe by regulation, persons who volunteer to serve as part-time tutors or full-time instructional assistants".

(d) Section 513(a) of such Act is further amended by redesignating paragraphs (5), (6), and (7) as paragraphs (6), (7), and (8), respectively, and by inserting after paragraph (4) the following new paragraph:

"(5) enter into contracts or other arrangements with local educational agencies or institutions of higher education, upon approval by the appropriate State educational agency, under which provisions (including payment of the cost of such arrangements) will be made (A) to carry out programs serving disadvantaged areas in which volunteers (including high school and college students) serve as part-time tutors or full-time instructional assistants in teams with other Teacher Corps members, under the guidance of experienced teachers, but not in excess of 90 per centum of the cost of compensation for such tutors and instructional assistants may be paid from Federal funds, and (B) to provide appropriate training to prepare tutors and instructional assistants for service in such programs;".

(e) Section 514(a) of such Act is amended—

(1) by inserting after "paragraph (3) of section 513(a)" a comma and the following: "or an arrangement with a local educational agency or institution of higher education pursuant to paragraph (5) of section 513(a),";

(2) by striking out in paragraph (2) "is equal to" and inserting in lieu thereof "does not exceed", and by striking out "$75 per week" in such paragraph and inserting in lieu thereof "$90 per week"; and

(3) by deleting the word "and" at the end of paragraph (1), by deleting the period at the end of paragraph (2) and inserting in lieu thereof a semicolon and the word "and", and by inserting after paragraph (2) the following new paragraph:

"(3) tutors and instructional assistants shall be compensated at such rates as the Commissioner may determine to be consistent with prevailing practices under comparable federally supported work-study programs."

TEACHER CORPS CORRECTIONS EDUCATION PROJECTS

SEC. 805. (a) Section 511(a) of the Higher Education Act of 1965 (as amended by section 804(b) of this Act) is further amended by deleting the word "and" at the end of paragraph (2), by deleting the period at the end of paragraph (3) and inserting in lieu thereof a semicolon and the word "and", and by inserting after paragraph (3) the following new paragraph:

"(4) attracting and training educational personnel to provide relevant remedial, basic, and secondary educational training, including literacy and communications skills, for juvenile delinquents, youth offenders, and adult criminal offenders."

(b) Section 513(a) of such Act is further amended by redesignating paragraphs (6), (7), and (8) (as redesignated by section 804(d) of this Act), and all references thereto, as paragraphs (7), (8), and (9), respectively, and by inserting after paragraph (5) the following new paragraph:

"(6) enter into arrangements, through grants or contracts, with State and local educational agencies, and with institutions of higher education, and such other agencies or institutions approved by the Commissioner according to criteria which shall be established by him to carry out the purposes of this paragraph, under which provisions (including payment of the cost of such arrangements) will be made to furnish to such agencies members of the Teacher Corps to carry out projects designed to meet the special educational needs of juvenile delinquents, youth offenders, and adult criminal offenders, and persons who have been determined by a State or local educational agency, court of law, law enforcement agency, or any other State or local public agency to be predelinquent juveniles, but not in excess of 90 per centum of the cost of compensation for Teacher Corps members serving in such projects may be paid from Federal funds;".

(c) Section 514(a) of such Act is further amended by inserting before "shall provide" the following: "or an arrangement with any agency pursuant to paragraph (6) of Section 513(a),".

PROVISIONS RELATED TO GIFTED AND TALENTED CHILDREN

SEC. 806. (a) Section 521 of the Higher Education Act of 1965 (relating to fellowships for teachers) is amended by inserting in the last sentence thereof after the words "handicapped children" a comma and the following: "and for gifted and talented children".

(b) Section 1201 of such Act (relating to definitions) is amended by adding at the end thereof the following new paragraph:

"(k) The term 'gifted and talented children' means, in accordance with objective criteria prescribed by the Commissioner, children who have outstanding intellectual ability or creative talent."

(c)(1) The Commissioner of Education shall:

(A) determine the extent to which special educational assistance programs are necessary or useful to meet the needs of gifted and talented children.

(B) show which existing Federal educational assistance programs are being used to meet the needs of gifted and talented children,

(C) evaluate how existing Federal educational assistance programs can be more effectively used to meet these needs, and

(D) recommend which new programs, if any, are needed to meet these needs.

(2) The Commissioner shall report his findings, together with his recommendations, to the Congress not later than one year after the enactment of this Act.

CONSOLIDATION OF TITLE III OF THE NATIONAL DEFENSE EDUCATIONAL ACT OF 1958 AND SECTION 12 OF THE NATIONAL FOUNDATION FOR THE ARTS AND THE HUMANITIES ACT OF 1965

SEC. 807. (a)(1) Section 303(a) of the National Defense Education Act of 1958 is amended by striking out "science, mathematics, history, civics, geography, economics, industrial arts, modern foreign language, English, or reading" and inserting in lieu thereof "academic subjects".

(2) Section 303(a)(5) of such Act is amended by striking out "the fields of science, mathematics, history, civics, geography, economics, industrial arts, modern foreign languages, English, and reading" and inserting in lieu thereof "academic subjects".

(3) The first sentence of section 301 of such Act is amended by striking out "$120,000,000" and inserting in lieu thereof "$120,500,000" and by striking out "$130,000,000" and inserting in lieu thereof "$130,500,000".

(b) Section 12 of the National Foundation on the Arts and the Humanities Act of 1965 is hereby repealed.

ADVISORY COUNCIL ON RESEARCH AND DEVELOPMENT

SEC. 808. Section 2 of the Cooperative Research Act of 1954 is amended by adding the following new subsection at the end thereof:

"(e)(1) The Commissioner shall establish in the Office of Education an Advisory Council on Research and Development, consisting of fifteen members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary of Health, Education, and Welfare. The Commissioner shall appoint one such member as Chairman. Such members shall include persons recognized as authorities in the field of educational research and development or in related fields.

"(2) The Advisory Council shall advise the Commissioner with respect to matters of general policy arising in the administration of this Act."

RESEARCH ON PROBLEMS OF FINANCING ELEMENTARY AND SECONDARY EDUCATION

SEC. 809. (a) The Congress finds that—

(1) insufficient national concern has been focused upon the escalating operating expenses and construction costs faced by school districts, including serious inequities within and among States in financial support of elementary and secondary education;

(2) taxpayer resistance to the existing tax structure is growing and school bond issues and budget requests are being rejected;

(3) school districts are facing serious fiscal crises as they approach or exceed statutory limits on taxing and bonding authority; and

(4) there is a need for additional knowledge to solve these problems.

(b) It is the purpose of this section—

(1) to provide for research and reports on such problems under the Cooperative Research Act; and

(2) to provide for a National Commission on School Finance to study such problems and report to the Commissioner and the Congress within two years.

(c) Section 2(a) of the Cooperative Research Act is amended by inserting at the end thereof the following:

"(3) The Commissioner shall, pursuant to his authority under this Act, provide for research regarding the problems of financing elementary and secondary education. Such research shall include, but not be limited to, recommendations concerning—

"(A) an appropriate division of responsibility among local, State, and the Federal Government in financing elementary and secondary education;

"(B) an appropriate balance of categorical aid, general aid, and school construction aid in the total Federal responsibility for financing elementary and secondary education;

"(C) new approaches to relieve the fiscal crisis now facing the schools;

"(D) the use of Federal revenue sharing for supporting elementary and secondary education; and

"(E) methods to minimize variations within and among States in per pupil expenditures for elementary and secondary education.

The Commissioner shall make a preliminary report to the Congress not later than one

hundred and twenty days after the date of enactment of the Elementary and Secondary Education Amendments of 1969 identifying all existing federally financed research in this area (whether authorized under this or any other Act) and the current status of such research. Thereafter, the Commissioner shall report the results of, and recommendations with respect to, research under this paragraph as a separate and distinct part of his annual report pursuant to subsection (d)."

(d) The Commissioner shall, not later than ninety days after the date of enactment of this Act, establish a National Commission on School Finance. Such Commission shall consist of fifteen members appointed from (1) members of State and local educational agencies, (2) State and local government officials, (3) education administrators, (4) teachers, (5) financial experts, (6) parents with one or more children in a public elementary or secondary school, (7) the Office of Education, (8) the Department of the Treasury, with the approval of the Secretary of the Treasury, and (9) other appropriate fields. The Commissioner shall appoint a chairman and vice chairman from among such members. Such Commission shall make a full and complete investigation and study of the financing of elementary and secondary education, including, but not limited to, the matters referred to in section 2(a)(3) of the Cooperative Research Act (as amended by subsection (c) of this section). The Commission shall report the results of such investigation and study and its recommendations to the Commissioner and the Congress not later than two years after the date of enactment of this Act. Funds available for the purposes of the Cooperative Research Act and for the purposes of section 402 of Public Law 90-247 shall be available for the purposes of this subsection.

CONSTRUCTION OF EDUCATIONAL RESEARCH FACILITIES

SEC. 810. Section 4(a) of the Cooperative Research Act (Public Law 83-531) is amended by striking out "July 1, 1970" and substituting in lieu thereof "July 1, 1973", and by striking out "July 1, 1971" and substituting in lieu thereof "July 1, 1974".

AMENDMENT RELATING TO THE AMERICAN PRINTING HOUSE FOR THE BLIND

SEC. 811. (a) The paragraph designated "First" in section 3 of the Act entitled "An Act to promote the education of the blind", approved March 3, 1879 (20 U.S.C. 102), is amended to read as follows:

"First. (A) Such appropriation shall be expended by the trustees of the American Printing House for the Blind each year in manufacturing and furnishing books and other materials, specially adapted for instruction of the blind; and the total amount of such books and other materials so manufactured and furnished by such appropriation shall each year be distributed among all the public and private nonprofit institutions in the States, territories, and possessions of the United States, the Commonwealth of Puerto Rico, and the District of Columbia, in which blind pupils are educated. Each public and private nonprofit institution for the education of the blind shall receive, in books and other materials, upon requisition of its superintendent, that portion of the appropriation as is shown by the ratio between the number of blind pupils in that institution and the total number of blind pupils in all of the public and private nonprofit institutions in which blind pupils are educated. Each chief State school officer shall receive, in books and other materials, upon requisition, that portion of the appropriation as is shown by the ratio between the number of blind pupils in public and private nonprofit institutions (in the State) in which blind pupils are educated, other than institutions to which the preceding sentence is applicable, and the total number of blind pupils in the public and private nonprofit institutions in which blind pupils are educated in all of the States, territories, and possessions of the United States, the Commonwealth of Puerto Rico, and the District of Columbia. The ratio referred to in each of the two immediately preceding sentences shall be computed upon the first Monday in January of each year; and for purposes of such sentences the number of blind pupils in public and private nonprofit institutions in which blind pupils are educated shall be authenticated in such manner and as often as the trustees of the American Printing House for the Blind shall require. For purposes of this Act, an institution for the education of the blind is any institution which provides education exclusively for the blind, or exclusively for the blind and other handicapped children (in which case special classes are provided for the blind); the chief State school officer of a State is the superintendent of public elementary and secondary schools in such State or, if there is none, such other official as the Governor certifies to have comparable responsibility in the State; and a blind pupil is a blind individual pursuing a course of study in an institution of less than college grade.

"(B) The portion of the appropriation received by each chief State school officer, in such books and other materials under subparagraph (A) of this paragraph which represents the number of blind pupils in private nonprofit institutions in such State in which blind pupils are educated shall be distributed among such institutions on the basis of the number of blind pupils in each such institution as compared to the total number of such pupils in all of the private nonprofit institutions in which blind pupils are educated in such State.

"(C) All books and other materials furnished pursuant to this Act, and control and administration of their use, shall vest only in a public agency. Such books and materials made available pursuant to this Act for use of teachers and blind pupils in any State, Territory, or possession of the United States, the Commonwealth of Puerto Rico, and the District of Columbia in any school shall be limited to those books and materials which have been approved by an appropriate educational authority or agency of such State, Territory, possession, Commonwealth, or District, or any local educational authority thereof, for use, or are used, in a public elementary or secondary school therein."

(b) The paragraph designated "Fourth" of section 3 of the Act entitled "An Act to promote the education of the blind", approved March 3, 1879, as amended (20 U.S.C. 102), is amended by inserting immediately after "public", the following: "and private nonprofit".

(c) Section 4 of such Act is amended by inserting immediately after "public", the following: "or private nonprofit".

And the Senate agree to the same.

CARL D. PERKINS,
FRANK THOMPSON, JR.,
JOHN H. DENT,
ROMAN C. PUCINSKI,
DOMINICK V. DANIELS,
JOHN BRADEMAS,
JAMES G. O'HARA,
HUGH L. CAREY,
AUGUSTUS F. HAWKINS,
WILLIAM D. FORD,
WILLIAM D. HATHAWAY,
PATSY T. MINK,
LLOYD MEEDS,
W. H. AYRES,
ALBERT H. QUIE,
WILLIAM A. STEIGER,
EARL B. RUTH,
Managers on the Part of the House.

CLAIBORNE PELL,
RALPH W. YARBOROUGH,
JENNINGS RANDOLPH,
HARRISON WILLIAMS,
EDWARD M. KENNEDY,
WALTER F. MONDALE,
THOMAS F. EAGLETON,
WINSTON L. PROUTY,
JACOB K. JAVITS,
PETER H. DOMINICK,
GEORGE MURPHY,
RICHARD S. SCHWEIKER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 514) to extend programs of assistance for elementary and secondary education, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a new text. The House recedes from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment.

Except for minor, clarifying, and conforming provisions, this statement explains the action of the managers on the part of the House.

Policy with respect to the application of certain provisions of Federal law.—The Senate amendment provided that it is the policy of the United States that guidelines and criteria established under title VI of the Civil Rights Act of 1964 and section 182 of the Elementary and Secondary Education Amendments of 1966 shall be applied uniformly in all regions of the United States in dealing with conditions of segregation by race whether de jure or de facto in the schools of the local educational agencies of any State without regard to the origin or cause of such segregation. The House bill contained no comparable provision. The conference agreement provides that it is the policy of the United States that such guidelines and criteria dealing with conditions of segregation by race, whether de jure or de facto, in the schools of the local educational agencies of any State shall be applied uniformly in all regions of the United States whatever the origin or cause of such segregation. It provides that such uniformity refers to one policy applied uniformly to de jure segregation wherever found and such other policy as may be provided pursuant to law applied uniformly to de facto segregation wherever found. It is stated that nothing in the section can be construed to diminish the obligation of responsible officials to enforce or comply with such guidelines and criteria in order to eliminate discrimination in federally assisted programs and activities as required by title VI of the Civil Rights Act of 1964.

The Senate amendment further provided that it is the sense of Congress that the Departments of Justice and of Health, Education, and Welfare should request such additional funds as may be necessary to apply the policy of the first part of the Senate amendment described above throughout the United States. This provision, which has no counterpart of the House bill, is included in the conference report and is made applicable to the statement of policy as it appears in the conference report.

AMENDMENTS TO TITLE I OF ESEA

(Education of Disadvantaged Children)

Extension of title I of ESEA.—The House bill provided for extension of title I of the Elementary and Secondary Education Act of

1965 (hereinafter referred to as "ESEA") to June 30, 1972. The Senate amendment provided for its extension to June 30, 1974. The conference substitute extends title I to June 30, 1973.

The House bill extended the provisions for special incentive grants to June 30, 1972, and continued the $50,000,000 authorization for each of the years of the program. The Senate amendment extended this program at the $50,000,000 level until June 30, 1974. The conference substitute extends the provisions through June 30, 1973.

The Senate amendment extended the authority for payments to Bureau of Indian Affairs schools for Indians on reservations to June 30, 1972. The House bill eliminated references to specific fiscal years to that these schools would be automatically included for the benefits of the title whenever title I is extended. The House recedes.

Study of allocation of funds.—The Senate amendment, but not the House bill, required the Commissioner to make a study of the effectiveness of the allocation of title I funds to States and local educational agencies, particularly sub-county allocations, the appropriateness of the Federal percentage and the low-income factor, and the use of special incentive grants to increase State and local effort for education. The report is to be submitted by March 31, 1972. The conference report includes this provision.

Use of 1970 census data.—The Senate amendment, but not the House bill, precluded the use of 1970 census data for formula purposes under title I prior to January 1, 1973. The conference report provides that such data may not be used prior to July 1, 1972.

Responsibility for provision of certain educational services for institutionalized, neglected or delinquent children.—Both the House bill and the Senate amendment contained provisions making State agencies eligible to receive a portion of the allocation of title I grants to local educational agencies attributable to delinquent or neglected children if the local educational agency is not serving them and if the State agency does in fact serve them. However, the House bill provided that if neither the State educational agency nor the local educational agency serves these children, then any other State or local public agency which does assume the responsibility will be eligible to receive such portion of the allocation. This provision was modified by the Senate amendment to permit such eligibility determination to be governed by regulations of the Commissioner. The Senate modification is adopted in the conference report.

The House bill, but not the Senate amendment, provided that the Secretary shall consider all children who are in correctional institutions to be living in institutions for delinquent children. The Senate recedes.

Inclusion of certain outlying areas with respect to neglected or delinquent children.—The Senate amendment provided that, effective with fiscal years after fiscal year 1970, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territories of the Pacific Islands may participate as "States" in the title I provision authorizing grants to States for State agencies' educational programs for institutionalized delinquent and neglected children. There was no comparable provision in the House bill. The House recedes.

Amendments with respect to handicapped and neglected or delinquent children.—The Senate amendment provided for the inclusion in the count of handicapped and neglected or delinquent children (forming the basis of the grant to the State for their special educational needs) those children who are in schools providing special education for them under contract or other arrangement with the State agency. There was no comparable House provision. The House recedes.

Allocation of funds for programs for migratory children.—The Senate amendment permitted the Commissioner to reallocate funds which exceed the amount required to fund a State's program for migratory children of migratory agricultural workers to other States where funds allocated are insufficient to serve such children. Present law allows funds not used for such programs to be applied by the State for other title I purposes. Under the amendment, before the allocation can be made the Commissioner must determine that the funds which are subject to reallocation cannot be employed under the section of existing law which gives the Secretary authority to fund programs directly in a State where the State is unable or unwilling to serve certain children. There was no comparable provision in the House bill. The conference agreement includes this provision.

Minimum grant allowance to local educational agencies.—The Senate amendment raised the minimum grant allowance under title I to $10,000. Present law places this limit at $2,500. The House bill had no comparable provision. The Senate recedes.

Prohibition against supplanting State and local funds with Federal funds.—The Senate amendment added a requirement that local educational agencies, as a condition to the receipt of assistance under title I, must provide assurance that title I funds are not supplanting non-Federal funds in their schools, and that to the extent practical Federal funds will increase the level of funds which would otherwise be made available in the absence of such Federal funds from non-Federal sources. There was no comparable House provision. The conferees have included this provision in the conference report.

The Senate amendment also required as a condition to receiving title I funds that the local educational agency provide assurance that State and local funds will be so used as to provide services in areas to be served by programs and projects under the title which are at least comparable to the services from such funds provided in areas which are not so served. There is no comparable House provision. The conference report requires local educational agencies to provide assurances that State and local funds will be used in the district of such agency to provide services in project areas which taken as a whole are at least comparable to services being provided in areas in the school district of the agency which are not receiving funds under this title. It requires local educational agencies to report on or before July 1, 1971, and each subsequent year, on their compliance with this provision. However, it is further provided that any finding of noncompliance with this clause shall not affect the payment of funds to any local educational agency until the fiscal year beginning July 1, 1972.

Applications to be made available to public.—The Senate amendment precluded final action by State educational agencies on the approval or disapproval of an application for title I funds until they have afforded interested persons, as defined by regulation, an opportunity to present their views. Existing law requires only that the affected local educational agency be given notice and opportunity for a hearing. There was no comparable provision in the House bill. The conference substitute, in lieu of the language of the Senate amendment, provides that the local educational agency must make the application and all pertinent documents related thereto available to parents and other members of the general public, and that all evaluations and reports required shall be public information.

Amendments with respect to applications and assurances.—The House bill required local educational agencies to report to the State agency on title I programs "in accordance with specific performance criteria related to program objectives". The quoted requirement replaced very general language. The Senate amendment retained the language of existing law, inserting the "specific performance criteria" quoted above, but limiting it to those reports relating to performance. The conference report adopts the provisions of the Senate amendment.

The Senate amendment amended the section of existing law which required the Commissioner to afford a State agency notice and opportunity for a hearing before finally disapproving an application. The amendment of the Senate required the Commissioner to give consideration to the views of interested persons in the State in connection with any application submitted by a State. There is no comparable House provision. The Senate recedes.

Advisory councils.—The Senate amendment, unlike the House bill, increased the membership on the National Advisory Council on the Education of Disadvantaged Children from 12 to 15 members; it also changed the annual reporting date of the Council from January 31 to March 31, and required reports of the Council to include a report on the effectiveness of title I programs in preparing students for their occupational or career needs. The House recedes.

The Senate amendment contained a provision requiring State advisory councils similar in function to State advisory councils required in connection with other federally supported programs. There was no comparable provision in the House bill. The Senate recedes.

Salary bonuses for teachers in schools with high concentrations of educationally deprived children.—The House bill provided that title I funds may be used to make payments to teachers in excess of their regular salary schedules as a bonus for service in schools eligible for assistance under the section. The Senate amendment did not contain this provision. The conference substitute adopts the provision of the House bill. It is the sense of the conferees that these payments should be permitted only for teachers in schools with exceptionally high concentrations of children eligible for the benefits of this title.

Special incentive grants.—The Senate amendment rewrote the provisions of part B of title I in existing law, but made no substantive change therein except to provide for the creation of entitlements to States, rather than to provide allotments to States. The House bill contained no comparable provision. The conference substitute adopts this provision of the Senate amendment.

Special grants for urban and rural schools serving areas with the highest concentrations of children from low income families.—The Senate amendment added a new part C to title I of ESEA under which a school district where the number of children described in section 103(a)(2) of the Act is at least 20 percent of all school age children in the school district—or 5,000 of such children if that number is at least 5 percent of the number of school age children in the district—are entitled to an additional grant. The additional grant could not exceed 30 percent of the amount of the school district's entitlement for the fiscal year 1970 under title I or 40 percent of its entitlement under such title in any succeeding fiscal year. It also provided that a school district, not eligible under the above criteria, but participating in the title I program would be entitled to a special grant if it were to experience a relatively small increase in the number of its low-income pupils but the agency is deemed by the State agency to have an urgent need for financial assistance to provide services for such children. The amount available for this use cannot exceed 3 percent of the total amount available for grants under this new part in the fiscal year 1970 and 5 percent in any succeeding fiscal year. The House bill did not contain

this provision. It is retained in the conference substitute.

Adjustments where necessitated by appropriations.—The Senate amendment revised section 108 of title I (and redesignated it as section 144). This is the section which deals with the application of the low-income factor and other formula calculations in an underfunding situation. Under this provision appropriations would be allocated to special incentive grants (part B) and special part C programs and to low-income children under the part A formula, on a pro rata reduction basis when the appropriations exceed $1,396,975,000. In no event could the amount available for part C grants exceed 15 percent of the amount over $1,396,975,000 which is appropriated for title I. In other respects the Senate amendment retained the requirement that entitlements must be fully funded at the $2,000 income level first, and then the excess applied to funding entitlements at the $3,000 income level. The $4,000 income level would not be considered until all entitlements based on income at the $3,000 level had been paid. The House bill did not contain this provision. It is retained in the conference substitute.

The Senate amendment also contained provisions designed to focus the special part C funds in preschools and at the elementary level, and permitting their use only under limited circumstances at the secondary school level. These funds will be directed at schools having the highest concentrations of disadvantaged children. Specific objectives must be set forth for part C funds with objective measurement of educational achievement at least annually to determine whether the objectives are being accomplished. This provision is included in the conference report.

AMENDMENTS TO TITLE II OF ESEA

(Library Resources, Textbooks, and Other Printed and Published Materials)

Extension of title II of ESEA.—For title II of ESEA the House bill and the Senate amendment provided the following authorizations:

	House bill	Senate amendment
Fiscal year 1971	$200,000,000	$200,000,000
Fiscal year 1972	200,000,000	210,000,000
Fiscal year 1973	(1)	220,000,000
Fiscal year 1974	(1)	230,000,000

[1] No authorization.

The conference agreement adopts the provisions of the Senate amendment, as it applies for the fiscal years 1971, 1972, and 1973.

The House bill provided that allocations from title II funds to overseas dependents' schools of the Department of Defense will be automatically authorized whenever title II is extended. The Senate amendment deleted authority for participation of such schools. The conference report continues the eligibility of these schools for participation, but only for fiscal years ending before July 1, 1972.

AMENDMENTS TO TITLE III OF ESEA

(Supplementary Educational Services and Centers, and Guidance, Counseling, and Testing)

Consolidation.—The House bill added a new title IX to ESEA which provided grants to States for programs of the types now authorized by title II of ESEA (school library resources, textbooks, and other instructional materials), title III of ESEA (supplementary educational centers and services, which also includes authorization for guidance counseling and testing of students), title III–A of the National Defense Education Act of 1958 (financial assistance for strengthening instruction in science, mathematics, modern foreign languages, and other critical subjects), and title V–A of the National Defense Education Act of 1958 (guidance, counseling, and testing of students). These grants would be provided on a consolidated basis. It authorized the appropriation of $1,000,000,000 for the fiscal year 1971 and for the fiscal year 1972. The Senate amendment contained no comparable provision, though the Senate extended the provisions of title II and III of ESEA through fiscal year 1974. The House bill, in addition to the new consolidation title, extended the provisions of title II and III through 1972. The conference substitute contains, in a revised title III of ESEA, a consolidation of programs now authorized by title III of ESEA and title V–A of the National Defense Education Act.

Extension of title III, ESEA.—For title III of ESEA, the House bill and the Senate amendment provided the following authorizations:

	House bill	Senate amendment
Fiscal year 1971	$550,000,000	$550,000,000
Fiscal year 1972	550,000,000	575,000,000
Fiscal year 1973	(1)	605,000,000
Fiscal year 1974	(1)	635,000,000

[1] No authorization.

With respect to title III, the conference agreement adopts the Senate authorizations for fiscal years 1971, 1972, and 1973, with the proviso that each state shall expend for guidance, counseling, and testing programs an amount each year which is at least equal to 50 percent of the amount expended by the State from 1970 appropriations for title V–A of the National Defense Education Act.

The House bill provided that allocations from title III funds to overseas dependent schools of the Department of Defense will be automatically authorized whenever title III is extended. The Senate amendment deleted authority for participation of such schools. The conference report continues the eligibility of these schools for participation, but only for fiscal years ending before July 1, 1972.

The House bill extended authority for appropriating funds for State administration, advisory council activities and evaluation and dissemination activities under title III until the end of fiscal year 1972. The Senate amendment made this authorization permanent. The House recedes.

The Senate amendment, but not the House bill, extended the Commissioner's authority to approve a portion of a State plan deemed in compliance and to fund such portion of a State plan. The House bill contained no comparable provision. The provision is retained in the conference report.

The Senate amendment continued the Commissioner's authority to reserve 25 percent of the funds appropriated for title III to fund applications of local educational agencies outside of the State plan. The House bill contained no comparable provision. Under the conference report, the Commissioner may reserve 15 percent of the funds appropriated for title III to fund applications outside of the State plan.

Gifted and talented children.—The Senate amendment expanded the list of programs for which title III funds may be used to include programs for gifted and talented children. The House bill contained no comparable provision. The conference substitute retains this provision.

Advisory Committees.—Under the Senate amendment the following new requirements were established for title III State advisory councils: (1) annual certification of the establishment of and membership on the State advisory council; (2) that the council meet within 30 days after certification has been accepted by the Commissioner and select a chairman from its membership; and (3) at least one public meeting be held each year at which time the public be given an opportunity to express their views. There were no comparable House provisions. The House recedes.

AMENDMENTS TO TITLE V OF ESEA

(Strengthening State Departments of Education)

Extension of part A of title V.—The House bill and the Senate amendment provided the following authorizations for part A of title V of ESEA:

	House bill	Senate amendment
1971	$80,000,000	$80,000,000
1972	80,000,000	85,000,000
1973	(1)	90,000,000
1974	(1)	95,000,000

[1] No authorization.

The conference agreement adopts the provisions of the Senate amendment with respect to the fiscal years 1971, 1972, and 1973.

Provisions relating to gifted and talented children.—The Senate amendment, but not the House bill, amended section 503 of ESEA to authorize State agencies to use title V funds to provide local educational agencies with consultive and technical services for the education of gifted and talented children. This provision is retained in the conference substitute.

Assistance to local educational agencies to strengthen their leadership resources, and to identify and meet educational needs.—The Senate amendment designated the existing provisions of title V as part A of that title, and adds a new part B providing grants to local educational agencies to assist them in strengthening their leadership resources and to assist them in establishing programs to identify and meet their educational needs. The authorizations for the newly created part B in the Senate amendment are the following:

Fiscal year:	
1970	$10,000,000
1971	20,000,000
1972	30,000,000
1973	40,000,000
1974	40,000,000

The conference report contains a modification of the Senate amendment. Under the conference report sums appropriated for the part will be allotted, 40 percent among the States equally and 60 percent on the basis of their relative numbers of public school pupils. Grants under the new part will be made to the Commissioner on the basis of applications approved by the State educational agency. It is provided that the Federal funds may be used only for activities specifically designed to strengthen the leadership resources of the applicant and to establish and improve programs to identify and meet the educational needs of the persons served by the applicant. Applications may be approved only if the Federal funds will be used to supplement, and to the extent practicable, increase State and local funds which would otherwise be available for these purposes. The authorization in the Senate amendment for fiscal year 1974 is not included in the conference report.

The Senate amendment also added a new part C to title V of ESEA to provide for grants to assist State and local educational agencies to carry on comprehensive planning and evaluation. The conference substitute retains a modified version of this new part.

For carrying out part C the Senate amendment authorized the appropriation of $10,000,000 for fiscal year 1971, $15,000,000 for fiscal year 1972, and $20,000,000 each for fiscal years 1973 and 1974. The conference report retains this provision, except that it does not continue the program for 1974.

Under the Senate amendment 75 percent

of the sums appropriated to carry out the new part C were to be apportioned among the States in the manner prescribed in the bill. The remaining twenty-five percent of such sums would be available to make such grants as the Commissioner determines. Under the conference agreement all of the funds appropriated for the new part C will be apportioned among the States.

If a State desires to receive a grant under the new part it must have a single State agency to administer a comprehensive program of systematic planning and evaluation of elementary and secondary education. For a local educational agency to receive a grant it must satisfy the Commissioner that it has a planning and evaluation office or unit with the capability of carrying out comprehensive programs of systematic planning and evaluation. It is also required that State educational agencies be consulted and that there will be coordination with other State agencies. It is further required that the area to be served have a population sufficient to merit a comprehensive planning and evaluation program or that the local educational agency will use the funds for demonstration projects to further the purposes of the part. These grants may be used to meet only seventy-five percent of the cost of the program with respect to which they are made.

The Senate amendment also added a new part D to title V of ESEA. This part provides for the establishment of a National Council on Quality in Education to review Federal education programs, advise Federal officials, conduct evaluations, and review, evaluate, and transmit to the President its recommendations for the improvement of the administration and operation of Federal education programs. It is also required to consult with Federal, State, local, and other educational agencies with respect to assessing education in the Nation and in the improvement of the quality of education.

The Senate amendment, in this part also required any State which wishes to receive a grant under the title to establish a State advisory council. As agreed to in this conference, this part provides that States may establish State advisory councils. If those State advisory councils meet the statutory requirements relating to them, they will be eligible for payments. Appropriations are authorized for this purpose.

The Senate amendment also added a new part E to title V of ESEA which deals with administration of State plans. It is retained in the conference substitute.

The Senate amendment expanded the title V program authorizing the interchange of Office of Education personnel with personnel in State Departments of Education to include the interchange of Office of Education personnel with personnel in local educational agencies. The House bill contained no comparable provision. The House recedes.

The Senate amendment also amends the Cooperative Research Act to enable that authority to be used in connection with activities of local educational agencies supported under the new part B of title V. The conference report includes this provision.

AMENDMENTS TO TITLE VII OF ESEA

(Bilingual Education)

Extension of title VII of ESEA (the Bilingual Education Act).—Authorizations for bilingual programs under the House bill and the Senate amendment were as follows:

	House bill	Senate amendment
Fiscal year:		
1971	$40,000,000	$80,000,000
1972	40,000,000	100,000,000
1973	(1)	135,000,000
1974	(1)	170,000,000

[1] No authorization.

The conference agreement adopted the provisions of the Senate amendment, except that the authorization of appropriations for fiscal year 1974 is deleted.

Application to Indians on reservations.—Both the House bill and the Senate amendment amended the bilingual education program to authorize allocations to the Secretary of the Interior for funding of programs on Indian reservations. The House bill limited eligible programs to those operated by the Department of the Interior while the Senate amendment also includes schools funded by that department. The House recedes.

The Senate amendment, but not the House bill, provides that for the purpose of carrying out bilingual education programs, the Commissioner may consider a nonprofit institutional organization of the Indian tribe concerned which operates an elementary or secondary school for Indians on a reservation to be a local educational agency for the purposes of title VII bilingual programs. The House recedes.

Advisory committee.—The Senate amendment increases the size of the Advisory Committee on the Education of Bilingual Children from nine to fifteen members, with the number of experienced educators in the field of educational problems of children whose native tongue is not English increased from four to seven. The House bill did not include these provisions. They are retained in the conference substitute.

AMENDMENTS TO TITLE VIII OF ESEA

(General Provisions)

Duration of and authorization of appropriations for programs.—The authorizations for dropout prevention projects carried on under section 807 of the ESEA were as follows:

	House bill	Senate amendment
Fiscal year—		
1971	$30,000,000	$30,000,000
1972	30,000,000	31,500,000
1973	(1)	33,000,000
1974	(1)	34,500,000

[1] No authorization.

The conference report adopted the provisions of the Senate amendment, except that the provisions for carrying out the program during the fiscal year 1974 are not included.

Revision of Federal administration section.—The House bill amended section 803(c) of the ESEA to strike the requirement that the Commissioner must "coordinate such programs on the Federal level with the programs being administered by such other departments and agencies" and "require that effective procedures be adopted by State and local authorities to coordinate the development and operation of programs and projects carried out under such Acts with other public and private programs having the same or similar purposes, including community action programs under title II of the Economic Opportunity Act of 1964," and to insert in lieu thereof the requirement that "Federal departments and agencies administering programs which may be effectively coordinated with programs carried out under this Act or any Act amended by this Act, including community action programs under the Economic Opportunity Act shall, to the fullest extent permitted by other applicable laws, to carry out such programs in such a manner as to assist in carrying out, and to make more effective, the programs carried out under this Act or any Act amended by this Act." The Senate recedes.

School nutrition and health services.—The Senate amendment added a new section 808 to the ESEA which authorizes grants for demonstration projects to improve school nutrition and health services for children from low-income families. Assistance may be provided under this provision to pay the cost of (1) coordinating nutrition and health service resources in the areas to be served by a demonstration project, (2) providing supplemental health, nutritional, mental health, and food services to children from low-income families when other resources are inadequate, (3) nutrition and health education programs to train school personnel to provide nutrition and health services to meet the needs of children from low-income families, and (4) the evaluation of projects assisted under this section. The new section authorized the appropriation of $2,000,000 for fiscal year 1970, $10,000,000 for the fiscal year 1971, $16,000,000 for the fiscal year 1972, and $26,000,000 for the fiscal years 1973 and 1974. The House bill contains no similar provision. The conference substitute adopts this provision of the Senate amendment with respect to the fiscal years 1970 through 1973, but deletes the authorization for the fiscal year 1974.

AMENDMENTS TO PUBLIC LAWS 815 AND 874, EIGHTY-FIRST CONGRESS

(Impacted Areas Program)

Extension of the impacted areas program.—The House bill extended the impacted areas programs through June 30, 1972. The Senate amendment extended them through June 30, 1974. The conference agreement extends these programs through June 30, 1973.

Extension of school assistance in disaster areas.—The House bill extended school assistance in disaster areas through June 30, 1972, whereas the Senate amendment extended this authorization through June 30, 1974. The conference substitute extends it through June 30, 1973.

Certain refugee children.—The Senate amendment, but not the House bill, amends Public Law 874 (relating to the maintenance and operation of schools in federally impacted areas) to permit the counting, for purposes of determining entitlement to payments, of children in average daily attendance who resided with a parent who was at any time during the preceding three year period a refugee within the meaning of Migration and Refugee Assistance Act of 1962. Under the amendment local educational agencies will not receive payment on account of these refugee children unless their number amounts to twenty percent or more of the number of children who were in average daily attendance at the schools of the agency. It also prohibits payments on account of children with respect to whose education a payment was made under the Migration and Refugee Assistance Act of 1962. The conference agreement retains this provision of the Senate amendment.

Inclusion of children residing in low rent public housing as federally connected children.—Both the House bill and the Senate amendment revised Public Laws 815 and 874, Eighty-first Congress, to authorize payments to local educational agencies on account of children who live in low-rent public housing. The provisions of the two bills differ in some particulars. In the case of Public Law 874, the House bill provides for computing entitlements on account of children living in public housing separately from computations made for the purpose of determining payments on account of other children. It contemplates that a separate appropriation will be made for payments attributable to the new category of children. In contrast the Senate amendment provides for considering the new category of children in the same manner as other "federally connected" children are considered. However, if the appropriations are insufficient to pay all entitlements in full, then the Secretary

will first pay entitlements resulting from the counting of children other than those in the new category. Any funds remaining will then be used to pay, pro rata, entitlement based on children in the new category. Alternatively, the Senate amendment does provide that if an appropriation bill does provide a separate appropriation for the category of public housing children separate from the category of other federally connected children then the amounts to be paid on account of each category will be computed separately. The conference report adopts the provisions of the Senate amendment.

In the case of Public Law 815, the Senate amendment provide that no payments will be made on account of children whose parents reside in public housing until all entitlements based on other federally connected children have been fully funded. The House bill, in contrast, contemplates separate appropriations to pay entitlements based on the new category of children and on the old categories of children. The conference agreement adopts a provision of the Senate amendment.

Minimum eligibility requirement for Public Law 815.—The Senate amendment, but not the House bill, amends Public Law 815, Eighty-first Congress (relating to school construction in federally impacted areas), which provides that unless there is an increase in federally connected children equal to six percent of the enrollment of that local educational agency and an increase of six percent in non-federally connected children, it is not eligible for payments. As amended, a minimum eligibility will be six percent or fifteen hundred pupils, whichever is less. Similarly with respect to entitlement based on children whose membership in the schools results from Federal activities referred to in section 5(a)(3), the ten percent requirement in existing law is relaxed to provide that the minimum eligibility requirement is satisfied by twenty-five hundred pupils. The conference substitute contains this provision.

School construction assistance where immunity of Federal property from taxation creates special burden.—The Senate amendment provided that in certain cases where Federal property forms a substantial part of a school district and the school district is making a reasonable tax effort. Federal assistance may be provided for the construction of minimum school facilities for children whom the Commissioner finds to be inadequately housed and who are not considered in computing other payments under Public Law 815.

Declaration of policy with respect to school construction assistance for Indian children.—The Senate amendment places a declaration of policy in section 14 of Public Law 815 to the effect that applications for construction of school facilities in those public schools impacted with Indian children should be given a priority at least equal to that of applications for school construction under section 10. The provision is included in the conference substitute.

AMENDMENTS TO THE ADULT EDUCATION ACT OF 1965

The Senate amendment entirely rewrote the Adult Education Act of 1966, while the House bill merely extends its duration for two years—until the end of fiscal year 1972—and at the same level of authorizations.

The Senate amendment made the following substantive changes in the provisions of existing law:

(1) It adds high school equivalency adult education to the Act, but with the provision that adult basic education needs must first be satisfied before the State and local agencies may expend Federal funds for the new high school equivalency program.

(2) The National Advisory Committee on Adult Basic Education is changed to become the National Advisory Council on Adult Education, and its membership is increased from eight to fifteen.

(3) It requires the creation of State advisory council on adult education similar to the State advisory councils required in title III of ESEA.

(4) It authorizes the National and State Advisory Councils on Adult Education to encourage the establishment of local adult education advisory committees in order to improve reporting of State and local administration of programs under the Act and to assure that the local program is meeting community needs.

(5) It authorizes appropriations of $160,000,000 for fiscal year 1970, $200,000,000 for fiscal year 1971, $225,000,000 for each of the fiscal years 1972 and 1973, and $250,000,000 for fiscal year 1974.

(6) It authorizes the appropriation of not to exceed 7½ percent of the amount appropriated each fiscal year as may be necessary to pay the costs of administration, development of State plans, and the activities of advisory committees, and other activities required by the Act.

The conference agreement adopts the scheme of the Senate amendment, but alters it by not including the requirement for State advisory councils, the provision relating to the establishment of local adult education advisory committees, and by reducing the percent of the appropriation which may be used for costs of administration and related uses from 7½ percent to 5 percent. It also deletes the provision for carrying on the program during the fiscal year 1974.

AMENDMENTS TO TITLE IV OF PUBLIC LAW 90-247

(General Education Provisions)

The Senate amendment, but not the House bill, amended title IV of the Elementary and Secondary Education Amendments of 1967 to create a "General Education Provision Act" which is designed to be a single body of law controlling the administration of education programs. The major portion of the general provisions is present law brought together into a single title. Substantive changes in present law are indicated below, together with the conference action on them.

Section 402 of the present law is amended to authorize the Commissioner to reserve 1 percent of any appropriation for education programs for use by him for evaluation. The conference agreement modifies section 402, which authorizes the appropriation of such sums as is necessary for planning and evaluation to limit such appropriations to $25 million a year.

Section 405 is amended to provide that, unless the Congress in the regular session prior to the expiration of an appropriation authority has formally passed or rejected legislation extending that authority, that appropriation authority will automatically be extended at the levels specified for the terminal year of the authorization. The extension would be for one fiscal year beyond terminal year specified by law. The conference agreement retains this provision, but with a major qualification. As contained in the conference report, this authority would be terminated upon the adoption by either House of the Congress, before July 1, 1973, of a resolution stating that it should no longer apply.

Section 405 is also amended by adding a new subsection providing for the carryover of any unobligated or expended education funds from any fiscal year ending prior to July 1, 1973. Funds carried over may be obligated and expended during the next fiscal year. The conference agreement adopts this provision.

A new part B is included in title IV which sets forth general requirements and the conditions concerning the operation and administration of education programs and the general authority of the Commissioner. This part contains a single authorization for the Commissioner to delegate his functions. A provision which is identical to that in the present law except that, unlike present law, the Commissioner may not delegate his authority to approve State plans. The conference agreement includes this provision.

The new part provides for a single annual report by the Commissioner of Education which would replace all reports now required under the various laws administered by the Commissioner. This provision is retained in the conference substitute.

The new part authorizes the Commissioner, upon application, to permit State and local educational agencies to use organized and systematic approaches in determining cost allocations, collection, measurement, and reporting under applicable program. The House bill had a somewhat similar, but less detailed provision. The conference agreement adopts the provision of the Senate amendment, with the qualification that costs will be allocable to a particular cost objective to the extent of relative benefits received by that objective.

The new part authorizes the Commissioner to make a consolidated grant of State administration funds to State educational agencies for any education program administered by them, except programs authorized by title I of the Elementary and Secondary Education Act of 1965 and by the Education of the Handicapped Act. The Senate recedes:

The new part contains a provision requiring in certain cases, that parental and community participation should be encouraged. The conference report adopts this provision, but only to the extent it requires the encouragement of parental participation.

The new provision requires the Commissioner to reduce allotments to States under any applicable program by the amount that a State's allotment would be reduced had not a district, not in compliance with title VI of the Civil Rights Act of 1964, in that State, been counted in making the allotment. Funds not paid to a State as a result may be used by the Commissioner to make grants in that State to local educational agencies in accordance with section 405 of the Civil Rights Act of 1964. This provision is retained in the conference substitute.

Another new provision in the new part is one which authorizes the Commissioner to furnish the transcript or copies of tables and other records of the Office of Education to, and to make special statistical compilations and surveys for, public and private agencies and individuals who are prepared to pay the cost thereof. It provides that information so furnished may not be used to the detriment of the persons to whom it relates. The provision establishes a separate account procedure for such transaction. The conference agreement retains this provision with technical changes relating to the method of paying for the cost of the work done, and it deletes the provision relating to the use of information.

The Senate amendment gives the Commissioner authority under any applicable program to vest title to equipment purchased with grant or contract funds in public educational agencies.

The new part in the Senate amendment also contained a provision, generally applicable, prohibiting Federal control of education. It provided, in part, that no provision of any law controlling the administration of education programs may be construed to authorize the transportation of students in order to alter the racial composition of schools. The conference substitute extends the provisions of existing law with respect to prohibiting Federal control of education and with respect to prohibiting the assignment of stu-

dents or teachers in order to overcome racial imbalance.

The Senate amendment adds another new part to title IV of the Elementary and Secondary Education Amendments of 1967 which contains a code governing the creation, operation, and abolition of advisory councils and similar groups which are related to education programs. The Commissioner's authority to create and appoint the members of advisory councils is limited to those respecting the organization of the Office of Education, legislation, and special problems in areas of special interests in education. All advisory councils appointed by the Commissioner must terminate within one year unless the Commissioner determines in writing that an advisory council's life must be extended to complete its work, in which case that advisory council may continue for not more than one year. It contains uniform provisions regarding the compensation of advisory council members, and staffing arrangements for advisory councils are included. Uniform provisions governing the meeting of advisory councils, auditing their activities, and reports by them are set forth. It also contains a provision for the appointment of advisory council members by the Speaker of the House and the President of the Senate if a vacancy exists among the membership of an advisory council for more than one hundred and twenty days. These provisions of the Senate amendment are contained in the conference report, except that the conference report drops the provision relating to the appointment of advisory council members by the Speaker and the President of the Senate to fill vacancies.

A number of the provisions of existing title IV confer authority upon the Secretary of Health, Education, and Welfare. The Senate amendment would transfer this authority to the Commissioner of Education. The conference agreement does not contain this provision.

The Senate amendment repeals a great number of provisions of law as a result of the consolidation carried out in the new title IV. The conference agreement retains these repealers.

The House bill, but not the Senate amendment, revises section 402 of the Elementary and Secondary Education Amendments of 1967 to require the Secretary to transmit to the congressional committees having legislative jurisdiction over any applicable law, a report by July 1 of each year containing a description of any contract or grant for evaluation of a program or programs, the name of the firm or individual who is to carry out the evaluation and the amount to be paid on the contract or grant. The Senate recedes.

AMENDMENTS TO TITLE II OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958

The Senate amendment extended and expanded cancellation provisions in the National Defense Education Act student loan program, and authorizes cancellation of loans made under the insured student loan program carried out under the Higher Education Act of 1965. There were no comparable House provisions. The conference agreement extends the existing authority for cancellation of student loans contained in the National Defense Education Act of 1958, but broadens it to include cancellation for service in the Armed Forces after June 30, 1970.

EDUCATION OF THE HANDICAPPED

The House bill provided for the extension for two fiscal years of existing programs dealing with the education of the handicapped. The appropriations authorized for these programs would be the same as is provided in existing law for the fiscal year ending June 30, 1970. In contrast, the Senate amendment provides, in title VI, for a complete rewriting of the various provisions of law dealing with the education of handicapped. As rewritten, the new title VI, by and large, includes the provision of existing law. Differences are discussed hereafter in this statement.

The new part B of title VI would provide for grants to States for the education of handicapped children. For this purpose it authorized the appropriation of $200,000,000 for the fiscal year 1971, $210,000,000 for the fiscal year 1972, $220,000,000 for the fiscal year 1973, and $230,000,000 for the fiscal year ending June 30, 1974. Under the House bill for the two years the program would be extended there would be authorized to be appropriated $200,000,000.

Part C of title VI of the Senate amendment dealt with regional resource centers, centers and services for deaf-blind children, early education for handicapped children, research, innovation, training, and dissemination activities in connection with centers and services for the handicapped, and for evaluation. The amount authorized by the Senate amendment to be appropriated for these programs is $36,500,000 for fiscal year 1971, $51,500,000 for fiscal year 1972, $66,500,000 for fiscal year 1973, and $88,000,000 for fiscal year 1974.

New part D of title VI deals with training of personnel for education of the handicapped. The amount authorized to be appropriated for fiscal year 1971 is $69,500,000, for fiscal year 1972 the amount is $87,000,000, for the fiscal year 1973 the amount is $103,500,000, and for the fiscal year 1974 the amount is $120,500,000.

Part E of title VI of the Senate amendment provides for programs dealing with research in the education of the handicapped. It authorizes the appropriation of $27,000,000 for fiscal year 1971, $35,500,000 for fiscal year 1972, $45,000,000 for fiscal year 1973, and $53,500,000 for the fiscal year 1974.

The new part F of title VI of the Senate amendment provides for programs dealing with films and other educational media for the handicapped. It also contains the provisions relating to the National Center on Educational Media and Materials for the Handicapped. The amount authorized to be appropriated for carrying out the part during the fiscal year 1971 is $12,500,000; during the fiscal year 1972, $15,000,000, during the fiscal year 1973, $20,000,000, and during the fiscal year 1974 and each succeeding fiscal year the sum of $30,000,000.

Part G of title VI of the Senate amendment provides a new program for children with specific learning disabilities. The House bill has no comparable provision, but since its enactment the House has passed another bill, H.R. 13310, providing for this program. The amount authorized to be appropriated by the Senate amendment for this program is $12,000,000 for the fiscal year 1970, $20,000,000 for the fiscal year 1971, and $31,000,000 for each of the fiscal years 1972, 1973, and 1974.

The Senate amendment also repeals, effective July 1, 1971, certain provisions of law which are to be replaced by the new title.

The conference report adopts the provisions of the Senate bill as they relate to the education of the handicapped, except that in each case (other than the new part F which is given a permanent authorization at the 1963 level) provisions for carrying out programs during fiscal year 1974 are deleted.

VOCATIONAL EDUCATION

The Senate amendment, but not the House bill, extended the authorization contained in section 102(b) of the Vocational Education Act of 1963 through June 30, 1972, with authorizations of $50,000,000 for the fiscal year 1971, and $60,000,000 for the fiscal year 1972. Since the enactment of the House bill, the House has passed a bill, H.R. 13630, extending the authorizations for fiscal years 1971 and 1972 at the present rate of $40,000,000 a year.

The Senate amendment, but not the House bill, amended the allotment formula section 103(a)(2)(D) of the Vocational Education Act of 1963 by raising the factor in that clause from five percent to fifteen percent, so that this provision of the Act will conform with the actual practice thereunder.

The Senate amendment, but not the House bill, amended the Vocational Education Act of 1963 to authorize the appointment by the State board members of the State advisory council when the State board members are themselves elected by the State legislature.

The Senate amendment, but not the House bill, extended the authorization for State programs of residential vocational education facilities until June 30, 1972, with authorizations for each of the fiscal years 1971 and 1972 being set at $15,000,000. In this respect the Senate amendment is the same as H.R. 13630 which passed the House.

The Senate amendment, but not the House bill, amended the Vocational Education Act of 1963 to add to the concept of home economics and consumer education programs the following specific: "including promotion of nutritional knowledge and food use and the understanding of the economic aspects of food use and purchase."

The Senate amendment, not the House bill, extended the authorization for vocational education work study programs at the level of $45 million for the fiscal year 1971 and $55 million for the fiscal year 1972. H.R. 13630, as it passed the House, extended this program for the fiscal years 1971 and 1972 at the rate of $35 million per year.

The Senate amendment, but not the House bill, extended the authorization for curriculum development programs for vocational education until July 1, 1972. The amounts authorized to be appropriated are $10 million each for the fiscal year 1971 and the fiscal year 1972. The bill, H.R. 13630, as it passed the House, extended this program for the same period and authorizes $7 million for each year.

The Senate amendment, but not the House bill, extended the authorization for Higher Education Act of 1965, as it relates to the training of vocational education personnel, until June 30, 1972. The amount authorized to be appropriated for this purpose is $40 million for the fiscal year 1971 and $45 million for the fiscal year 1972. H.R. 13630, as it passed the House, extended these provisions for the same period, and authorizes the appropriation of $35 million per year.

The Senate amendment made a technical amendment to the Vocational Education Amendments of 1968.

The conference report embodies all of the provisions of the Senate amendment relating to vocational education.

MISCELLANEOUS

Joint funding.—The House bill, but not the Senate amendment, contained a provision authorizing, pursuant to regulations prescribed by the President, the joint funding of projects in which the Office of Education is participating with other Federal agencies and where one of the Federal agencies may be designated to act for all in administering the funds so advanced. The provision established procedures for the computation of any non-Federal share requirements and the waiver of such where inconsistent with similar requirements of one of the programs conducted by one of the sponsoring agencies. This provision does not appear in the conference substitute.

Waiver of matching requirement in the Upward Bound program.—The Senate amendment, but not the House bill, contained a provision authorizing the Commissioner under certain conditions to increase the Federal contribution percentage for Upward Bound programs carried on under the Higher Education Act of 1965 and to provide that non-Federal contributions may be in cash or in kind. This provision is retained in the conference substitute.

Extension of authorization for Advisory

Council.—The Senate amendment, but not the House bill, contained a provision extending the authorization for the Advisory Council under the Education Professions Development Act for an additional year with a continuation for that year of its $200,000 authorization. This provision is retained in the conference substitute.

Teacher Corps assistance for Indian children.—The Senate amendment, but not the House bill, amended the Higher Education Act of 1965 to provide for the allocation of up to 3 percent of the number of members of the Teacher Corps for Puerto Rico and the Virgin Islands and not to exceed 5 percent to elementary and secondary schools operated for Indian children by the Department of the Interior. Present law provides for up to 3 percent for all three of these purposes. This provision is retained in the conference substitute.

Student Teacher Corps.—The Senate amendment, but not the House bill, created an authorization for a "Student Teacher Corps" under the Higher Education Act of 1965 by adding the following purpose in the teacher corps authorization: "attracting volunteers to serve as part-time tutors or full-time instructional assistants in programs carried out by local educational agencies and institutions of higher education serving such areas". The Senate amendment includes provision for arrangements with local educational agencies or institutions of higher education to put into effect the new student teacher corps provision.

The Senate amendment further amended title V of the Higher Education Act of 1965 to increase the alternate compensation factor of $75 per week to $90 per week. Furthermore, the Senate amendment revises this section to provide that tutors and instructional assistants be compensated at such rates as the Commission may determine to be consistent with prevailing practices under comparable federally supported work-study programs.

The Senate amendment increased the authorization for the Teacher Corps from $65 million for fiscal year 1970 to $80 million for that year, and from $56 million for fiscal year 1971 to $100 million for that year.

The conference report includes these provisions.

Provisions related to gifted and talented children.—The Senate amendment, but not the House bill, amends section 521 of the Higher Education Act of 1965 (relating to fellowships for teachers) to include instruction in the education of gifted and talented children. It also makes other changes to effectuate this additional authorization. The Senate provision also authorizes the Commissioner to make a study and investigation of how Federal education assistance programs can be utilized to meet the needs of gifted and talented children, and to what extent new programs are required.

While the House bill did not contain any provision comparable to that in the Senate amendment, since the enactment of the House bill the House has passed H.R. 13304 which contains comparable provisions.

The conference report adopts the provisions derived from H.R. 13304 which differ from those in the Senate amendment in that—

(1) the definition of "gifted and talented children" does not include the requirement that such children must require special activities or services not ordinarily provided by local educational agencies, and

(2) the Commissioner of Education is required to make a determination of the extent to which special educational assistance programs are necessary or useful to meet the needs of gifted and talented children, to show which existing Federal programs are being used to meet their needs, to evaluate how existing Federal programs can be more effectively used to meet the needs and recommend new programs.

Consolidation of title III of NDEA and section 12 of the National Foundation on the Arts and Humanities Act of 1965.—The Senate amendment, but not the House bill, contained a provision consolidating part A of title III of the National Defense Education Act of 1958 and section 12 of the National Foundation on the Arts and Humanities Act of 1965.

Authorizations for title III of the NDEA are increased from $120,000,000 to $120,500,000 for fiscal year 1970 and from $130,000,000 to $130,500,000 for fiscal year 1971.

The conference substitute adopts this provision.

Advisory Council on Research and Development.—The Senate amendment, but not the House bill, amended the Cooperative Research Act of 1954 to provide legislative authority for the Advisory Council on Research and Development. The conference substitute contains this provision.

Research on problems of financing elementary and secondary education.—The Senate amendment, but not the House bill, contained a provision relating to research on problems of financing elementary and secondary education. It contains a statement of Congressional findings, provides for a National Commission on School Finances to report to the Commissioner and to the Congress in two years, and inserts new language in the Cooperative Research Act requiring the Commission to provide for research regarding the problems of financing elementary and secondary education setting forth in detail the scope of the study. The conference substitute retains this provision.

Commission on Advance Funding.—The Senate amendment, but not the House bill, contained a provision establishing a Commission on Advance Funding for the purpose of studying the means of implementing the advanced funding procedures set forth in the Elementary and Secondary Education Amendments of 1967. The Commission is to be composed of six members of the Senate and six members of the House and six other members appointed by the President. The Senate recedes.

Teacher Corps corrections education projects.—The Senate amendment, but not the House bill, amended the Teacher Corps provisions of the Higher Education Act of 1965 to add as a new objective of that program that of attracting and training educational personnel to provide educational services for juvenile delinquents, youth offenders, and adult criminal offenders. Other appropriate changes are made in the Teacher Corps provisions consistent with this purpose. This provision is retained in the conference report.

Research and demonstration projects in corrections education services.—The Senate amendment, but not the House bill, added a new section to title VIII of ESEA authorizing the Commissioner to make grants for research and demonstration projects relating to the academic and vocational education of anti-social, aggressive, youth offenders, and adult criminal offenders, including the development of criteria for the identification of specialized educational instruction for such persons. The conference agreement retains this provision.

Relief of St. John's College.—The Senate amendment, but not the House bill, contains a provision for the relief of St. John's College permitting it to receive or retain a grant it received under title II of the Higher Education Act of 1965. The Senate recedes.

Construction of educational research facilities.—The Senate amendment, but not the House bill, contained a provision extending the authorization for construction of regional facilities for research and related purposes under section 4 of the Cooperative Research Act of 1954 until July 1, 1975. The House recedes.

America Printing House for the Blind.—The Senate amendment, but not the House bill, contained a provision amending sections 3 and 4 of the Act of March 3, 1879 (20 U.S.C. 102), relating to the American Printing House for the Blind to include private nonprofit institutions. The House recedes.

CARL D. PERKINS,
FRANK THOMPSON, Jr.,
JOHN H. DENT,
ROMAN C. PUCINSKI,
DOMINICK V. DANIELS,
JOHN BRADEMAS,
JAMES G. O'HARA,
HUGH L. CAREY,
AUGUSTUS F. HAWKINS,
WILLIAM D. FORD,
WILLIAM D. HATHAWAY,
PATSY T. MINK,
LLOYD MEEDS,
W. H. AYRES,
ALBERT H. QUIE,
WILLIAM A. STEIGER,
EARL B. RUTH,
Managers on the Part of the House.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 4148 UNTIL MIDNIGHT WEDNESDAY

Mr. FALLON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tomorrow night to file a conference report on H.R. 4148, amendment of the Water Pollution Control Act.

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

There was no objection.

CONFERENCE REPORT (H. REPT. 91-940)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4148) to amend the Federal Water Pollution Control Act, as amended, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

TITLE I—WATER QUALITY IMPROVEMENT

SEC. 101. This title may be cited as the "Water Quality Improvement Act of 1970".

SEC. 102. Existing sections 17 and 18 of the Federal Water Pollution Control Act, as amended, are hereby repealed. Section 19 of such Act is redesignated as section 27. Sections 11 through 16 of such Act are redesignated as sections 21 through 26, respectively. Such Act is further amended by inserting after section 10 the following new sections:

"CONTROL OF POLLUTION BY OIL

"SEC. 11. (a) For the purpose of this section, the term—

"(1) 'oil' means oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil;

"(2) 'discharge' includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying or dumping;

"(3) 'vessel' means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water other than a public vessel;

"(4) 'public vessel' means a vessel owned

or bare-boat chartered and operated by the United States, or by a State or political subdivision thereof, or by a foreign nation, except when such vessel is engaged in commerce;

"(5) 'United States' means the States, the District of Columbia, the Commonwealth of Puerto Rico, the Canal Zone, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

"(6) 'owner or operator' means (A) in the case of a vessel, any person owning, operating, or chartering by demise, such vessel, and (B) in the case of an onshore facility, and an offshore facility, any person owning or operating such onshore facility or offshore facility, and (C) in the case of any abandoned offshore facility, the person who owned or operated such facility immediately prior to such abandonment;

"(7) 'person' includes an individual, firm, corporation, association, and a partnership;

"(8) 'remove' or 'removal' refers to removal of the oil from the water and shorelines or the taking of such other actions as may be necessary to minimize or mitigate damage to the public health or welfare, including, but not limited to, fish, shellfish, wildlife, and public and private property, shorelines, and beaches;

"(9) 'contiguous zone' means the entire zone established or to be established by the United States under article 24 of the Convention on the Territorial Sea and the Contiguous Zone;

"(10) 'onshore facility' means any facility (including, but not limited to, motor vehicles and rolling stock) of any kind located in, on, or under, any land within the United States other than submerged land;

"(11) 'offshore facility' means any facility of any kind located in, on, or under, any of the navigable waters of the United States other than a vessel or a public vessel;

"(12) 'act of God' means an act occasioned by an unanticipated grave natural disaster.

"(13) 'barrel' means 42 United States gallons at 60 degrees Fahrenheit.

"(b)(1) The Congress hereby declares that it is the policy of the United States that there should be no discharges of oil into or upon the navigable waters of the United States, adjoining shorelines, or into or upon the waters of the contiguous zone.

"(2) The discharge of oil into or upon the navigable waters of the United States, adjoining shorelines, or into or upon the waters of the contiguous zone in harmful quantities as determined by the President under paragraph (3) of this subsection, is prohibited, except (A) in the case of such discharges into the waters of the contiguous zone, where permitted under article IV of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, as amended, and (B) where permitted in quantities and at times and locations or under such circumstances or conditions as the President may, by regulation, determine not to be harmful. Any regulations issued under this subsection shall be consistent with maritime safety and with marine and navigation laws and regulations and applicable water quality standards.

"(3) The President shall, by regulation, to be issued as soon as possible after the date of enactment of this paragraph, determine for the purposes of this section, those quantities of oil the discharge of which, at such times, locations, circumstances, and conditions, will be harmful to the public health or welfare of the United States, including, but not limited to, fish, shellfish, wildlife, and public and private property, shorelines, and beaches, except that in the case of the discharge of oil into or upon the waters of the contiguous zone, only those discharges which threaten the fishery resources of the contiguous zone or threaten to pollute or contribute to the pollution of the territory or the territorial sea of the United States may be determined to be harmful.

"(4) Any person in charge of a vessel or of an onshore facility or an offshore facility shall, as soon as he has knowledge of any discharge of oil from such vessel or facility in violation of paragraph (2) of this subsection, immediately notify the appropriate agency of the United States Government of such discharge. Any such person who fails to notify immediately such agency of such discharge shall, upon conviction, be fined not more than $10,000, or imprisoned for not more than one year, or both. Notification received pursuant to this paragraph or information obtained by the exploitation of such notification shall not be used against any such person in any criminal case, except a prosecution for perjury or for giving a false statement.

"(5) Any owner or operator of any vessel, onshore facility, or offshore facility from which oil is knowingly discharged in violation of paragraph (2) of this subsection shall be assessed a civil penalty by the Secretary of the department in which the Coast Guard is operating of not more than $10,000 for each offense. No penalty shall be assessed unless the owner or operator charged shall have been given notice and opportunity for a hearing on such charge. Each violation is a separate offense. Any such civil penalty may be compromised by such Secretary. In determining the amount of the penalty, or the amount agreed upon in compromise, the appropriateness of such penalty to the size of the business of the owner or operator charged, the effect on the owner or operator's ability to continue in business, and the gravity of the violation, shall be considered by such Secretary. The Secretary of the Treasury shall withhold at the request of such Secretary the clearance required by section 4197 of the Revised Statutes of the United States, as amended (46 U.S.C. 91), of any vessel the owner or operator of which is subject to the foregoing penalty. Clearance may be granted in such cases upon the filing of a bond or other surety satisfactory to such Secretary.

"(c)(1) Whenever any oil is discharged, into or upon the navigable waters of the United States, adjoining shorelines, or into or upon the waters of the contiguous zone, the President is authorized to act to remove or arrange for the removal of such oil at any time, unless he determines such removal will be done properly by the owner or operator of the vessel, onshore facility, or offshore facility from which the discharge occurs.

"(2) Within sixty days after the effective date of this section, the President shall prepare and publish a National Contingency Plan for removal of oil pursuant to this subsection. Such National Contingency Plan shall provide for efficient, coordinated, and effective action to minimize damage from oil discharges, including containment, dispersal, and removal of oil, and shall include, but not be limited to—

"(A) assignment of duties and responsibilities among Federal departments and agencies in coordination with State and local agencies, including, but not limited to, water pollution control, conservation, and port authorities;

"(B) identification, procurement, maintenance, and storage of equipment and supplies;

"(C) establishment or designation of a strike force consisting of personnel who shall be trained, prepared, and available to provide necessary services to carry out the Plan, including the establishment at major ports, to be determined by the President, of emergency task forces of trained personnel, adequate oil pollution control equipment and material, and a detailed oil pollution prevention and removal plan;

"(D) a system of surveillance and notice designed to insure earliest possible notice of discharges of oil to the appropriate Federal agency;

"(E) establishment of a national center to provide coordination and direction for operations in carrying out the Plan;

"(F) procedures and techniques to be employed in identifying, containing, dispersing, and removing oil; and

"(G) a schedule, prepared in cooperation with the States, identifying (i) dispersants and other chemicals, if any, that may be used in carrying out the Plan, (ii) the waters in which such dispersants and chemicals may be used, and (iii) the quantities of such dispersant or chemical which can be used safely in such waters, which schedule shall provide in the case of any dispersant, chemical, or waters not specifically identified in such schedule that the President, or his delegate, may, on a case-by-case, identify the dispersants and other chemicals which may be used, the waters in which they may be used, and the quantities which can be used safely in such waters.

The President may, from time to time, as he deems advisable, revise or otherwise amend the National Contingency Plan. After publication of the National Contingency Plan, the removal of oil and actions to minimize damage from oil discharges shall, to the greatest extent possible, be in accordance with the National Contingency Plan.

"(d) Whenever a marine disaster in or upon the navigable waters of the United States has created a substantial threat of a pollution hazard to the public health or welfare of the United States, including, but not limited to, fish, shellfish, and wildlife and the public and private shorelines and beaches of the United States, because of a discharge, or an imminent discharge, of large quantities of oil from a vessel the United States may (A) coordinate and direct all public and private efforts directed at the removal or elimination of such threat; and (B) summarily remove, and, if necessary, destroy such vessel by whatever means are available without regard to any provision of law governing the employment of personnel or the expenditure of appropriated funds. Any expense incurred under this subsection shall be a cost incurred by the United States Government for the purposes of subsection (f) in the removal of oil.

"(e) In addition to any other action taken by a State or local government, when the President determines there is an imminent and substantial threat to the public health or welfare of the United States, including, but not limited to, fish, shellfish, and wildlife and public and private property, shorelines, and beaches within the United States, because of an actual or threatened discharge of oil into or upon the navigable waters of the United States from an onshore or offshore facility, the President may require the United States attorney of the district in which the threat occurs to secure such relief as may be necessary to abate such threat, and the district courts of the United States shall have jurisdiction to grant such relief as the public interest and the equities of the case may require.

"(f)(1) Except where an owner or operator can prove that a discharge was caused solely by (A) an act of God, (B) an act of war, (C) negligence on the part of the United States Government, or (D) an act or omission of a third party without regard to whether any such act or omission was or was not negligent, or any combination of the foregoing clauses, such owner or operator of any vessel from which oil is discharged in violation of subsection (b)(2) of this section shall, notwithstanding any other provision of law, be liable to the United States Government for the actual costs incurred under subsection (c) for the removal of such oil by the United States Government in an

amount not to exceed $100 per gross ton of such vessel or $14,000,000, whichever is lesser, except that where the United States can show that such discharge was the result of willful negligence or willful misconduct within the privity and knowledge of the owner, such owner or operator shall be liable to the United States Government for the full amount of such costs. Such costs shall constitute a maritime lien on such vessel which may be recovered in an action in rem in the district court of the United States for any district within which any vessel may be found. The United States may also bring an action against the owner or operator of such vessel in any court of competent jurisdiction to recover such costs.

"(2) Except where an owner or operator of an onshore facility can prove that a discharge was caused solely by (A) an act of God, (B) an act of war, (C) negligence on the part of the United States Government, or (D) an act or omission of a third party without regard to whether any such act or omission was or was not negligent, or any combination of the foregoing clauses, such owner or operator of any such facility from which oil is discharged in violation of subsection (b)(2) of this section shall be liable to the United States Government for the actual costs incurred under subsection (c) for the removal of such oil by the United States Government in an amount not to exceed $8,000,000, except that where the United States can show that such discharge was the result of willful negligence or willful misconduct within the privity and knowledge of the owner, such owner or operator shall be liable to the United States Government for the full amount of such costs. The United States may bring an action against the owner or operator of such facility in any court of competent jurisdiction to recover such costs. The Secretary is authorized, by regulation, after consultation with the Secretary of Commerce and the Small Business Administration, to establish reasonable and equitable classifications of those onshore facilities having a total fixed storage capacity of 1,000 barrels or less which he determines because of size, type, and location do not present a substantial risk of the discharge of oil in violation of subsection (b)(2) of this section, and apply with respect to such classifications differing limits of liability which may be less than the amount contained in this paragraph.

"(3) Except where an owner or operator of an offshore facility can prove that a discharge was caused solely by (A) an act of God, (B) an act of war, (C) negligence on the part of the United States Government, or (D) an act or omission of a third party without regard to whether any such act or omission was or was not negligent, or any combination of the foregoing clauses, such owner or operator of any such facility from which oil is discharged in violation of subsection (b)(2) of this section shall, notwithstanding any other provision of law, be liable to the United States Government for the actual costs incurred under subsection (c) for the removal of such oil by the United States Government in an amount not to exceed $8,000,000, except that where the United States can show that such discharge was the result of willful negligence or willful misconduct within the privity and knowledge of the owner, such owner or operator shall be liable to the United States Government for the full amount of such costs. The United States may bring an action against the owner or operator of such a facility in any court of competent jurisdiction to recover such costs.

"(g) In any case where an owner or operator of a vessel, of an onshore facility, or of an offshore facility, from which oil is discharged in violation of subsection (b)(2) of this section proves that such discharge of oil was caused solely by an act or omission of a third party, or was caused solely by such an act or omission in combination with an act of God, an act of war, or negligence on the part of the United States Government, such third party shall, notwithstanding any other provision of law, be liable to the United States Government for the actual costs incurred under subsection (c) for removal of such oil by the United States Government, except where such third party can prove that such discharge was caused solely by (A) an act of God, (B) an act of war, (C) negligence on the part of the United States Government, or (D) an act or omission of another party without regard to whether such act or omission was or was not negligent, or any combination of the foregoing clauses. If such third party was the owner or operator of a vessel which caused the discharge of oil in violation of subsection (b)(2) of this section, the liability of such third party under this subsection shall not exceed $100 per gross ton of such vessel or $14,000,000, whichever is the lesser. In any other case the liability of such third party shall not exceed the limitation which would have been applicable to the owner or operator of the vessel or the onshore or offshore facility from which the discharge actually occurred, if such owner or operator were liable. If the United States can show that the discharge of oil in violation of subsection (b)(2) of this section was the result of willful negligence or willful misconduct within the privity and knowledge of such third party, such third party shall be liable to the United States Government for the full amount of such removal costs. The United States may bring an action against the third party in any court of competent jurisdiction to recover such removal costs.

"(h) The liabilities established by this section shall in no way affect any rights which (1) the owner or operator of a vessel or of an onshore facility or an offshore facility may have against any third party whose acts may in any way have caused or contributed to such discharge, or (2) the United States Government may have against any third party whose actions may in any way have caused or contributed to the discharge of oil.

"(i)(1) In any case where an owner or operator of a vessel or an onshore facility or an offshore facility from which oil is discharged in violation of subsection (b)(2) of this section acts to remove such oil in accordance with regulations promulgated pursuant to this section, such owner or operator shall be entitled to recover the reasonable costs incurred in such removal upon establishing, in a suit which may be brought against the United States Government in the United States Court of Claims, that such discharge was caused solely by (A) an act of God, (B) an act of war, (C) negligence on the part of the United States Government, or (D) an act or omission of a third party without regard to whether such act or omission was or was not negligent, or of any combination of the foregoing clauses.

"(2) The provisions of this subsection shall not apply in any case where liability is established pursuant to the Outer Continental Shelf Lands Act.

"(3) Any amount paid in accordance with a judgment of the United States Court of Claims pursuant to this section shall be paid from the funds established pursuant to subsection (k).

"(j)(1) Consistent with the National Contingency Plan required by subsection (c)(2) of this section, as soon as practicable after the effective date of this section, and from time to time thereafter, the President shall issue regulations consistent with maritime safety and with marine and navigation laws (A) establishing methods and procedures for removal of discharged oil, (B) established criteria for the development and implementation of local and regional oil removal contingency plans, (C) establishing procedures, methods, and requirements for equipment to prevent discharges of oil from vessels and from onshore facilities and offshore facilities, and (D) governing the inspection of vessels carrying cargoes of oil and the inspection of such cargoes in order to reduce the likelihood of discharges of oil from such vessels in violation of this section.

"(2) Any owner or operator of a vessel or an onshore facility or an offshore facility and any other person subject to any regulation issued under paragraph (1) of this subsection who fails or refuses to comply with the provisions of any such regulation, shall be liable to a civil penalty of not more than $5,000 for each such violation. Each violation shall be a separate offense. The President may assess and compromise such penalty. No penalty shall be assessed until the owner, operator, or other person charged shall have been given notice and an opportunity for a hearing on such charge. In determining the amount of the penalty, or the amount agreed upon in compromise, the gravity of the violation, and the demonstrated good faith of the owner, operator, or other person charged in attempting to achieve rapid compliance, after notification of a violation, shall be considered by the President.

"(k) There is hereby authorized to be appropriated to a revolving fund to be established in the Treasury not to exceed $35,000,000 to carry out the provisions of subsections (c), (l), and (l) of this section and section 12 of this Act. Any other funds received by the United States under this section shall also be deposited in said fund for such purposes. All sums appropriated, to or deposited in, said fund shall remain available until expended.

"(l) The President is authorized to delegate the administration of this section to the heads of those Federal departments, agencies, and instrumentalities which he determines to be appropriate. Any moneys in the fund established by subsection (k) of this section shall be available to such Federal departments, agencies, and instrumentalities to carry out the provisions of subsections (c) and (l) of this section and section 12 of this Act. Each such department, agency, and instrumentality, in order to avoid duplication of effort, shall, whenever appropriate, utilize the personnel, services, and facilities of other Federal departments, agencies, and instrumentalities.

"(m) Anyone authorized by the President to enforce the provisions of this section may, except as to public vessels, (A) board and inspect any vessel upon the navigable waters of the United States or the waters of the contiguous zone, (B) with or without a warrant arrest any person who violates the provisions of this section or any regulation issued thereunder in his presence or view, and (C) execute any warrant or other process issued by an officer or court of competent jurisdiction.

"(n) The several district courts of the United States are invested with jurisdiction for any actions, other than actions pursuant to subsection (l)(1), arising under this section. In the case of Guam, such actions may be brought in the district court of Guam, and in the case of the Virgin Islands such actions may be brought in the district court of the Virgin Islands. In the case of American Samoa and the Trust Territory of the Pacific Islands, such actions may be brought in the District Court of the United States for the District of Hawaii and such court shall have jurisdiction of such actions. In the case of the Canal Zone, such actions may be brought in the United States District Court for the District of the Canal Zone.

"(o)(1) Nothing in this section shall affect or modify in any way the obligations of any owner or operator of any vessel, or of any owner or operator of any onshore facility or offshore facility to any person or agency

under any provision of law for damages to any publicly-owned or privately-owned property resulting from a discharge of any oil or from the removal of any such oil.

"(2) Nothing in this section shall be construed as preempting any State or political subdivision thereof from imposing any requirement or liability with respect to the discharge of oil into any waters within such State.

"(3) Nothing in this section shall be construed as affecting or modifying any other existing authority of any Federal department, agency, or instrumentality, relative to onshore or offshore facilities under this Act or any other provision of law, or to affect any State or local law not in conflict with this section.

"(p)(1) Any vessel over three hundred gross tons, including any barge of equivalent size, using any port or place in the United States or the navigable waters of the United States for any purpose shall establish and maintain under regulations to be prescribed from time to time by the President, evidence of financial responsibility of $100 per gross ton, or $14,000,000 whichever is the lesser, to meet the liability to the United States which such vessel could be subjected under this section. In cases where an owner or operator owns, operates, or charters more than one such vessel, financial responsibility need only be established to meet the maximum liability to which the largest of such vessels could be subjected. Financial responsibility may be established by any one of, or a combination of, the following methods acceptable to the President: (A) evidence of insurance, (B) surety bonds, (C) qualification as a self-insurer, or (D) other evidence of financial responsibility. Any bond filed shall be issued by a bonding company authorized to do business in the United States.

"(2) The provisions of paragraph (1) of this subsection shall be effective one year after the effective date of this section. The President shall delegate the responsibility to carry out the provisions of this subsection to the appropriate agency head within sixty days after the date of enactment of this section. Regulations necessary to implement this subsection shall be issued within six months after the date of enactment of this section.

"(3) Any claim for costs incurred by such vessel may be brought directly against the insurer or any other person providing evidence of financial responsibility as required under this subsection. In the case of any action pursuant to this subsection such insurer or other person shall be entitled to invoke all rights and defenses which would have been available to the owner or operator if an action had been brought against him by the claimant, and which would have been available to him if an action had been brought against him by the owner or operator.

"(4) The Secretary of Transportation, in consultation with the Secretaries of Interior, State, Commerce, and other interested Federal agencies, representatives of the merchant marine, oil companies, insurance companies, and other interested individuals and organizations, and taking into account the results of the application of paragraph (1) of this subsection, shall conduct a study of the need for and, to the extent determined necessary—

"(A) other measures to provide financial responsibility and limitation of liability with respect to vessels using the navigable waters of the United States;

"(B) measures to provide financial responsibility for all onshore and offshore facilities; and

"(C) other measures for limitation of liability of such facilities;

for the cost of removing discharged oil and paying all damages resulting from the discharge of such oil. The Secretary of Transportation shall submit a report, together with any legislative recommendations, to Congress and the President by January 1, 1971.

"CONTROL OF HAZARDOUS POLLUTING SUBSTANCES

"SEC. 12. (a) The President shall, in accordance with subsection (b) of this section, develop, promulgate, and revise as may be appropriate, regulations (1) designating as hazardous substances, other than oil as defined in section 11 of this Act, such elements and compounds which, when discharged in any quantity into or upon the navigable waters of the United States or adjoining shorelines or the waters of the contiguous zone, present an imminent and substantial danger to the public health or welfare, including, but not limited to, fish, shellfish, wildlife, shorelines, and beaches; and (2) establishing, if appropriate, recommended methods and means for the removal of such substances.

"(b) Sections 551 through 559, inclusive (other than section 553(c)), and 701 through 706, inclusive, of title 5, United States Code, shall apply to regulations issued under authority of this section.

"(c) In order to facilitate the removal, if appropriate, of any hazardous substance any person in charge of a vessel or of an onshore or offshore facility of any kind shall, as soon as he has knowledge of any discharge of such substance from such vessel or facility, immediately notify the appropriate agency of the United States of such discharge.

"(d) Whenever any hazardous substance is discharged into or upon the navigable waters of the United States or adjoining shorelines or the waters of the contiguous zone, unless removal is immediately undertaken by the owner or operator of the vessel or onshore or offshore facility from which the discharge occurs or which caused the discharge, pursuant to the regulations promulgated under this section, the President, if appropriate, shall remove or arrange for the removal thereof in accordance with such regulations. Nothing in this subsection shall be construed to restrict the authority of the President to act to remove or arrange for the removal of such hazardous substance at any time.

"(e) Nothing in this section shall affect or modify in any way the obligations of any owner or operator of any vessel, onshore or offshore facility to any person or agency under any provision of law for damages to any publicly- or privately-owned property resulting from a discharge of any hazardous substance or from the removal of any such substance.

"(f)(1) For the purpose of this section the definitions in subsection (a) of section 11 of this Act shall be applicable to the provisions of this section, except as provided in paragraph (2) of this subsection:

"(2) For the purpose of this section, the term—

"(A) 'remove' or 'removal' refers to removal of the hazardous substances from the water and shorelines or the taking of such other actions as may be necessary to minimize or mitigate damage to the public health or welfare, including, but not limited to, fish, shellfish, wildlife, and public and private property, shorelines, and beaches;

"(B) 'owner or operator' means any person owning, operating, chartering by demise, or otherwise controlling the operations of, a vessel, or any person owning, operating, or otherwise controlling the operations of an onshore or offshore facility; and

"(C) 'offshore or onshore facility' means any facility of any kind and related appurtenances thereto which is located in, on, or under the surface of any land, or permanently or temporarily affixed to any land, including lands beneath the navigable waters of the United States and which is used or capable of use for the purpose of processing, transporting, producing, storing, or transferring for commercial purposes any hazardous substance designated under this section.

"(g) The President shall submit a report to the Congress, together with his recommendations, not later than November 1, 1970, on the need for, and desirability of, enacting legislation to impose liability for the cost of removal of hazardous substances discharged from vessels and onshore and offshore facilities subject to this section including financial responsibility requirements. In preparing this report, the President shall conduct an accelerated study which shall include, but not be limited to, the method and measures for controlling hazardous substances to prevent this discharge, and the most appropriate measures for (1) enforcement (including the imposition of civil and criminal penalties for discharges and for failure to notify) and (2) recovery of costs incurred by the United States if removal is undertaken by the United States. In carrying out this study, the President shall consult with the interested representatives of the various public and private groups that would be affected by such legislation as well as other interested persons.

"(h) Any moneys in the funds established by section 11 of this Act shall be available to the President to carry out the purposes of this section. In carrying out this section the President shall utilize the personnel, services, and facilities of Federal departments, agencies, and instrumentalities in such manner as will avoid duplication of effort.

"CONTROL OF SEWAGE FROM VESSELS

"SEC. 13. (a) For the purpose of this section, the term—

"(1) 'new vessel' includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on the navigable waters of the United States, to construction of which is initiated after promulgation of standards and regulations under this section;

"(2) 'existing vessel' includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on the navigable waters of the United States, the construction of which is initiated before promulgation of standards and regulations under this section;

"(3) 'public vessel' means a vessel owned or bareboat chartered and operated by the United States, by a State or political subdivision thereof, or by a foreign nation, except when such vessel is engaged in commerce;

"(4) 'United States' includes the States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Canal Zone, and the Trust Territory of the Pacific Islands;

"(5) 'marine sanitation device' includes any equipment for installation on board a vessel which is designed to receive, retain, treat, or discharge sewage, and any process to treat such sewage;

"(6) 'sewage' means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes;

"(7) 'manufacturer' means any person engaged in the manufacturing, assembling, or importation of marine sanitation devices or of vessels subject to standards and regulations promulgated under this section;

"(8) 'person' means an individual, partnership, firm, corporation, or association, but does not include an individual on board a public vessel;

"(9) 'discharge' includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

"(b)(1) As soon as possible, after the enactment of this section and subject to the provisions of section 5(j) of this Act, the

Secretary, after consultation with the Secretary of the department in which the Coast Guard is operating, after giving appropriate consideration to the economic costs involved and within the limits of available technology, shall promulgate Federal standards of performance for marine sanitation devices (hereafter in this section referred to as 'standards') which shall be designed to prevent the discharge of untreated or inadequately treated sewage into or upon the navigable waters of the United States from new vessels and existing vessels, except vessels not equipped with installed toilet facilities. Such standards shall be consistent with maritime safety and the marine and navigation laws and regulations and shall be coordinated with the regulations issued under this subsection by the Secretary of the department in which the Coast Guard is operating. The Secretary of the department in which the Coast Guard is operating shall promulgate regulations, which are consistent with standards promulgated under this subsection and with maritime safety and the marine and navigation laws and regulations, governing the design, construction, installation, and operation of any marine sanitation device on board such vessels.

"(2) Any existing vessel equipped with a marine sanitation device on the date of promulgation of initial standards and regulations under this section, which device is in compliance with such initial standards and regulations, shall be deemed in compliance with this section until such time as the device is replaced or is found not to be in compliance with such initial standards and regulations.

"(c)(1) Initial standards and regulations under this section shall become effective for new vessels two years after promulgation; and for existing vessels five years after promulgation. Revisions of standards and regulations shall be effective upon promulgation, unless another effective date is specified, except that no revision shall take effect before the effective date of the standard or regulation being revised.

"(2) The Secretary of the department in which the Coast Guard is operating with regard to his regulatory authority established by this section, after consultation with the Secretary, may distinguish among classes, types, and sizes of vessels as well as between new and existing vessels, and may waive applicability of standards and regulations as necessary or appropriate for such classes, types, and sizes of vessels (including existing vessels equipped with marine sanitation devices on the date of promulgation of the initial standards required by this section), and, upon application, for individual vessels.

"(d) The provisions of this section and the standards and regulations promulgated hereunder apply to vessels owned and operated by the United States unless the Secretary of Defense finds that compliance would not be in the interest of national security. With respect to vessels owned and operated by the Department of Defense, regulations under the last sentence of subsection (b)(1) and certifications under subsection (g)(2) of this section shall be promulgated and issued by the Secretary of Defense.

"(e) Before the standards and regulations under this section are promulgated, the Secretary and the Secretary of the department in which the Coast Guard is operating shall consult with the Secretary of State; the Secretary of Health, Education, and Welfare; the Secretary of Defense; the Secretary of the Treasury; the Secretary of Commerce; other interested Federal agencies; and the States and industries interested; and otherwise comply with the requirements of section 553 of title 5 of the United States Code.

"(f) After the effective date of the initial standards and regulations promulgated under this section, no State or political subdivision thereof shall adopt or enforce any statute or regulation of such State or political subdivision with respect to the design, manufacture, or installation or use of any marine sanitation device on any vessel subject to the provisions of this section. Upon application by a State, and where the Secretary determines that any applicable water quality standards require such a prohibition, he shall by regulation completely prohibit the discharge from a vessel of any sewage (whether treated or not) into those waters of such State which are the subject of the application and to which such standards apply.

"(g)(1) No manufacturer of a marine sanitation device shall sell, offer for sale, or introduce or deliver for introduction in interstate commerce, or import into the United States for sale or resale any marine sanitation device manufactured after the effective date of the standards and regulations promulgated under this section unless such device is in all material respects substantially the same as a test device certified under this subsection.

"(2) Upon application of the manufacturer, the Secretary of the department in which the Coast Guard is operating shall so certify a marine sanitation device if he determines, in accordance with the provisions of this paragraph, that it meets the appropriate standards and regulations promulgated under this section. The Secretary of the department in which the Coast Guard is operating shall test or require such testing of the device in accordance with procedures set forth by the Secretary as to standards of performance and for such other purposes as may be appropriate. If the Secretary of the department in which the Coast Guard is operating determines that the device is satisfactory from the standpoint of safety and any other requirements of maritime law or regulation, and after consideration of the design, installation, operation, material, or other appropriate factors, he shall certify the device. Any device manufactured by such manufacturer which is in all material respects substantially the same as the certified test device shall be deemed to be in conformity with the appropriate standards and regulations established under this section.

"(3) Every manufacturer shall establish and maintain such records, make such reports, and provide such information as the Secretary or the Secretary of the department in which the Coast Guard is operating may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this section and regulations issued thereunder and shall, upon request of an officer or employee duly designated by the Secretary or the Secretary of the department in which the Coast Guard is operating, permit such officer or employee at reasonable times to have access to and copy such records. All information reported to or otherwise obtained by, the Secretary or the Secretary of the department in which the Coast Guard is operating or their representatives pursuant to this subsection which contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers or employees concerned with carrying out this section. This paragraph shall not apply in the case of the construction of a vessel by an individual for his own use.

"(h) After the effective date of standards and regulations promulgated under this section, it shall be unlawful—

"(1) for the manufacturer of any vessel subject to such standards and regulations to manufacture for sale, to sell or offer for sale, or to distribute for sale or resale any such vessel unless it is equipped with a marine sanitation device which is in all material respects substantially the same as the appropriate test device certified pursuant to this section;

"(2) for any person, prior to the sale or delivery of a vessel subject to such standards and regulations to the ultimate purchaser, wrongfully to remove or render inoperative any certified marine sanitation device or element of design of such device installed in such vessel;

"(3) for any person to fail or refuse to permit access to or copying of records or to fail to make reports or provide information required under this section; and

"(4) for a vessel subject to such standards and regulations to operate on the navigable waters of the United States, if such vessel is not equipped with an operable marine sanitation device certified pursuant to this section.

"(i) The district courts of the United States shall have jurisdictions to restrain violations of subsection (g)(1) and subsections (h)(1) through (3) of this section. Actions to restrain such violations shall be brought by, and in, the name of the United States. In case of contumacy or refusal to obey a subpena served upon any person under this subsection, the district court of the United States for any district in which such person is found or resides or transacts business, upon application by the United States and after notice to such person, shall have jurisdiction to issue an order requiring such person to appear and give testimony or to appear and produce documents, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

"(j) Any person who violates subsection (g)(1) or clause (1) or (2) of subsection (h) of this section shall be liable to a civil penalty of not more than $5,000 for each violation. Any person who violates clause (4) of subsection (h) of this section of any regulation issued pursuant to this section shall be liable to a civil penalty of not more than $2,000 for each violation. Each violation shall be a separate offense. The Secretary of the department in which the Coast Guard is operating may assess and compromise any such penalty. No penalty shall be assessed until the person charged shall have been given notice and an opportunity for a hearing on such charge. In determining the amount of the penalty, or the amount agreed upon in compromise, the gravity of the violation, and the demonstrated good faith of the person charged in attempting to achieve rapid compliance, after notification of a violation, shall be considered by said Secretary.

"(k) The provisions of this section shall be enforced by the Secretary of the department in which the Coast Guard is operating and he may utilize by agreement, with or without reimbursement, law enforcement officers or other personnel and facilities of the Secretary, other Federal agencies, or the States to carry out the provisions of this section.

"(l) Anyone authorized by the Secretary of the department in which the Coast Guard is operating to enforce the provisions of this section may, except as to public vessels, (1) board and inspect any vessel upon the navigable waters of the United States and (2) execute any warrant or other process issued by an officer or court of competent jurisdiction.

"(m) In the case of Guam, actions arising under this section may be brought in the district court of Guam, and in the case of the Virgin Islands such actions may be brought in the district court of the Virgin Islands. In the case of American Samoa and the Trust Territory of the Pacific Islands,

such actions may be brought in the District Court of the United States for the District of Hawaii and such court shall have jurisdiction of such actions. In the case of the Canal Zone, such actions may be brought in the District Court for the District of the Canal Zone.

"AREA ACID AND OTHER MINE WATER POLLUTION CONTROL DEMONSTRATIONS

"SEC. 14. (a) The Secretary in cooperation with other Federal departments, agencies, and instrumentalities is authorized to enter into agreements with any State or interstate agency to carry out one or more projects to demonstrate methods for the elimination or control, within all or part of a watershed, of acid or other mine water pollution resulting from active or abandoned mines. Such projects shall demonstrate the engineering and economic feasibility and practicality of various abatement techniques which will contribute substantially to effective and practical methods of acid or other mine water pollution elimination or control.

"(b) The Secretary, in selecting watersheds for the purposes of this section, shall (1) require such feasibility studies as he deems appropriate, (2) give preference to areas which have the greatest present or potential value for public use for recreation, fish and wildlife, water supply, and other public uses, and (3) be satisfied that the project area will not be affected adversely by the influx of acid or other mine water pollution from nearby sources.

"(c) Federal participation in such projects shall be subject to the conditions—

"(1) that the State or interstate agency shall pay not less than 25 per centum of the actual project costs which payment may be in any form, including, but not limited to, land or interests therein that is needed for the project, or personal property or services, the value of which shall be determined by the Secretary; and

"(2) that the State or interstate agency shall provide legal and practical protection to the project area to insure against any activities which will cause future acid or other mine water pollution.

"(d) There is authorized to be appropriated $15,000,000 to carry out the provisions of this section, which sum shall be available until expended. No more than 25 per centum of the total funds available under this section in any one year shall be granted to any one State.

"POLLUTION CONTROL IN GREAT LAKES

"SEC. 15. (a) The Secretary, in cooperation with other Federal departments, agencies, and instrumentalities is authorized to enter into agreements with any State, political subdivision, interstate agency, or other public agency, or combination thereof, to carry out one or more projects to demonstrate new methods and techniques and to develop preliminary plans for the elimination or control of pollution, within all or any part of the watersheds of the Great Lakes. Such projects shall demonstrate the engineering and economic feasibility and practicality of removal of pollutants and prevention of any polluting matter from entering into the Great Lakes in the future and other abatement and remedial techniques which will contribute substantially to effective and practical methods of water pollution elimination or control.

"(b) Federal participation in such projects shall be subject to the condition that the State, political subdivision, interstate agency, or other public agency, or combination thereof, shall pay not less than 25 per centum of the actual project costs, which payment may be in any form, including, but not limited to, land or interests therein that is needed for the project, and personal property or services the value of which shall be determined by the Secretary.

"(c) There is authorized to be appropriated $20,000,000 to carry out the provisions of this section, which sum shall be available until expended.

"TRAINING GRANTS AND CONTRACTS

"SEC. 16. The Secretary is authorized to make grants to or contracts with institutions of higher education, or combinations of such institutions, to assist them in planning, developing, strengthening, improving, or carrying out programs or projects for the preparation of undergraduate students to enter an occupation which involves the design, operation and maintenance of treatment works, and other facilities whose purpose is water quality control. Such grants or contracts may include payment of all or part of the cost of programs or projects such as—

"(A) planning for the development or expansion, of programs or projects for training persons in the operation and maintenance of treatment works;

"(B) training and retraining of faculty members;

"(C) conduct of short-term or regular session institutes for study by persons engaged in, or preparing to engage in, the preparation of students preparing to enter an occupation involving the operation and maintenance of treatment works;

"(D) carrying out innovative and experimental programs of cooperative education involving alternate periods of full-time or part-time academic study at the institution and periods of full-time or part-time employment involving the operation and maintenance of treatment works; and

"(E) research into, and development of, methods of training students or faculty, including the preparation of teaching materials and the planning of curriculum.

"APPLICATION FOR TRAINING GRANT OR CONTRACT; ALLOCATION OF GRANTS OR CONTRACTS

"SEC. 17. (1) A grant or contract authorized by section 16 may be made only upon application to the Secretary at such time or times and containing such information as he may prescribe, except that no such application shall be approved unless it—

"(A) sets forth programs, activities, research, or development for which a grant is authorized under section 16, and describes the relation to any program set forth by the applicant in an application, if any, submitted pursuant to section 18;

"(B) provides such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section; and

"(C) provides for making such reports, in such form and containing such information, as the Secretary may require to carry out his functions under this section, and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

"(2) The Secretary shall allocate grants or contracts under section 16 in such manner as will most nearly provide an equitable distribution of the grants or contracts throughout the United States among institutions of higher education which show promise of being able to use funds effectively for the purposes of this section.

"(3)(A) Payment under this section may be used in accordance with regulations of the Secretary, and subject to the terms and conditions set forth in an application approved under subsection (a), to pay part of the compensation of students employed in connection with the operation and maintenance of treatment works, other than as an employee in connection with the operation and maintenance of treatment works or as an employee in any branch of the Government of the United States, as part of a program for which a grant has been approved pursuant to this section.

"(B) Departments and agencies of the United States are encouraged, to the extent consistent with efficient administration, to enter into arrangements with institutions of higher education for the full-time, part-time, or temporary employment, whether in the competitive or excepted service, of students enrolled in programs set forth in applications approved under subsection (a).

"AWARD OF SCHOLARSHIPS

"SEC. 18. (1) The Secretary is authorized to award scholarships in accordance with the provisions of this section for undergraduate study by persons who plan to enter an occupation involving the operation and maintenance of treatment works. Such scholarships shall be awarded for such periods as the Secretary may determine but not to exceed four academic years.

"(2) The Secretary shall allocate scholarships under this section among institutions of higher education with programs approved under the provisions of this section for the use of individuals accepted into such programs, in such manner and according to such plan as will insofar as practicable—

"(A) provide an equitable distribution of such scholarships throughout the United States; and

"(B) attract recent graduates of secondary schools to enter an occupation involving the operation and maintenance of treatment works.

"(3) The Secretary shall approve a program of an institution of higher education for the purposes of this section only upon application by the institution and only upon his finding—

"(A) that such program has as a principal objective the education and training of persons in the operation and maintenance of treatment works;

"(B) that such program is in effect and of high quality, or can be readily put into effect and may reasonably be expected to be of high quality;

"(C) that the application describes the relation of such program to any program, activity, research, or development set forth by the applicant in an application, if any, submitted pursuant to section 16 of this Act; and

"(D) that the application contains satisfactory assurances that (i) the institution will recommend to the Secretary for the award of scholarships under this section, for study in such program, only persons who have demonstrated to the satisfaction of the institution a serious intent, upon completing the program, to enter an occupation involving the operation and maintenance of treatment works, and (ii) the institution will make reasonable continuing efforts to encourage recipients of scholarships under this section, enrolled in such program, to enter occupations involving the operation and maintenance of treatment works upon completing the program.

"(4)(A) The Secretary shall pay to persons awarded scholarships under this section such stipends (including such allowances for subsistence and other expenses for such persons and their dependents) as he may determine to be consistent with prevailing practices under comparable federally supported programs.

"(B) The Secretary shall (in addition to the stipends paid to persons under subsection (a)) pay to the institution of higher education at which such person is pursuing his course of study such amount as he may determine to be consistent with prevailing practices under comparable federally supported programs.

"(5) A person awarded a scholarship under the provisions of this section shall continue to receive the payments provided in this section only during such periods as

the Secretary finds that he is maintaining satisfactory proficiency and devoting full time to study or research in the field in which such scholarship was awarded in an institution of higher education, and is not engaging in gainful employment other than employment approved by the Secretary by or pursuant to regulation.

"(6) The Secretary shall by regulation provide that any person awarded a scholarship under this section shall agree in writing to enter and remain in an occupation involving the design, operation, or maintenance of treatment works for such period after completion of his course of studies as the Secretary determines appropriate.

"DEFINITIONS AND AUTHORIZATIONS

"SEC. 19. As used in sections 16 through 19 of this Act—

"(A) The term 'State' includes the District of Columbia, Puerto Rico, the Canal Zone, Guam, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands.

"(B) The term 'institution of higher education' means an educational institution described in the first sentence of section 1201 of the Higher Education Act of 1965 (other than an institution of any agency of the United States) which is accredited by a nationally recognized accrediting agency or association approved by the Secretary for this purpose. For purposes of this subsection, the Secretary shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

"(C) The term 'academic year' means an academic year or its equivalent, as determined by the Secretary.

"(2) The Secretary shall annually report his activities under sections 16 through 19 of this Act, including recommendations for needed revisions in the provisions thereof.

"(3) There are authorized to be appropriated $12,000,000 for the fiscal year ending June 30, 1970, $25,000,000 for the fiscal year ending June 30, 1971, and $25,000,000 for the fiscal year ending June 30, 1972, to carry out sections 16 through 19 of this Act (and planning and related activities in the initial fiscal year for such purpose). Funds appropriated for the fiscal year ending June 30, 1970, under authority of this subsection shall be available for obligation pursuant to the provisions of sections 16 through 19 of this Act during that year and the succeeding fiscal year.

"ALASKA VILLAGE DEMONSTRATION PROJECTS

"SEC. 20. (a) The Secretary is authorized to enter into agreements with the State of Alaska to carry out one or more projects to demonstrate methods to provide for central community facilities for safe water and the elimination or control of water pollution in those native villages of Alaska without such facilities. Such projects shall include provisions for community safe water supply systems, toilets, bathing and laundry facilities, sewage disposal facilities, and other similar facilities, and educational and informational facilities and programs relating to health and hygiene. Such demonstration projects shall be for the further purpose of developing preliminary plans for providing such safe water and such elimination or control of water pollution for all native villages in such State.

"(b) In carrying out this section the Secretary shall cooperate with the Secretary of Health, Education, and Welfare for the purpose of utilizing such of the personnel and facilities of that Department as may be appropriate.

"(c) The Secretary shall report to Congress not later than January 31, 1973, the results of the demonstration projects authorized by this section together with his recommendations, including any necessary legislation, relating to the establishment of a statewide program.

"(d) There is authorized to be appropriated not to exceed $1,000,000 to carry out this section."

SEC. 103. Redesignated section 21 of the Federal Water Pollution Control Act, as amended to read as follows:

"COOPERATION BY ALL FEDERAL AGENCIES IN THE CONTROL OF POLLUTION

"SECTION 21. (a) Each Federal agency (which term is used in this section includes Federal departments, agencies, and instrumentalities) having jurisdiction over any real property or facility, or engaged in any Federal public works activity of any kind, shall, consistent with the paramount interest of the United States as determined by the President, insure compliance with applicable water quality standards and the purposes of this Act in the administration of such property, facility, or activity. In his summary of any conference pursuant to section 10(d)(4) of this Act, the Secretary shall include references to any discharges allegedly contributing to pollution from any such Federal property, facility, or activity, and shall transmit a copy of such summary to the head of the Federal agency having jurisdiction of such property, facility, or activity. Notice of any hearing pursuant to section 10(f) of this Act involving any pollution alleged to be effected by any such discharges shall also be given to the Federal agency having jurisdiction over the property, facility, or activity involved, and the findings and recommendations of the hearing board conducting such hearing shall include references to any such discharges which are contributing to the pollution found by such board.

"(b)(1) Any applicant for a Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters of the United States, shall provide the licensing or permitting agency a certification from the State in which the discharge originates or will originate, or, if appropriate, from the interstate water pollution control agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate, that there is reasonable assurance, as determined by the State or interstate agency that such activity will be conducted in a manner which will not violate applicable water quality standards. Such State or interstate agency shall establish procedures for public notice in the case of all applications for certification by it, and to the extent it deems appropriate, procedures for public hearings in connection with specific applications. In any case where such standards have been promulgated by the Secretary pursuant to section 10(c) of this Act, or where a State or interstate agency has no authority to give such a certification, such certification shall be from the Secretary. If the State, interstate agency, or Secretary, as the case may be, fails or refuses to act on a request for certification, within a reasonable period of time (which shall not exceed one year) after receipt of such request, the certification requirements of this subsection shall be waived with respects to such Federal application. No license or permit shall be granted until the certification required by this section has been obtained or has been waived as provided in the preceding sentence. No license or permit shall be granted if certification has been denied by the State, interstate agency, or the Secretary, as the case may be.

"(2) Upon receipt of such application and certification the licensing or permitting agency shall immediately notify the Secretary of such application and certification. Whenever such a discharge may affect, as determined by the Secretary, the quality of the waters of any other State, the Secretary within thirty days of the date of notice of application for such Federal license or permit shall so notify such other State, the licensing or permitting agency, and the applicant. If, within sixty days after receipt of such notification, such other State determines that such discharge will affect the quality of its waters so as to violate its water quality standards, and within such sixty-day period notifies the Secretary and the licensing or permitting agency in writing of its objection to the issuance of such license or permit and requests a public hearing on such objection, the licensing or permitting agency shall hold such a hearing. The Secretary shall at such hearing submit his evaluation and recommendations with respect to any such objection to the licensing or permitting agency. Such agency, based upon the recommendations of such State, the Secretary, and upon any additional evidence, if any, presented to the agency at the hearing, shall condition such license or permit in such manner as may be necessary to insure compliance with applicable water quality standards. If the imposition of conditions cannot insure such compliance such agency shall not issue such license or permit.

"(3) The certification obtained pursuant to paragraph (1) of this subsection with respect to the construction of any facility shall fulfill the requirements of this subsection with respect to certification in connection with any other Federal license or permit required for the operation of such facility unless, after notice to the certifying State, agency, or Secretary, as the case may be, which shall be given by the Federal agency to whom application is made for such operating license or permit, the State, or if appropriate, the interstate agency or the Secretary, notifies such agency within sixty days after receipt of such notice that there is no longer reasonable assurance that there will be compliance with applicable water quality standards because of changes since the construction license or permit certification was issued in (A) the construction or operation of the facility, (B) the characteristics of the waters into which such discharge is made, or (C) the water quality standards applicable to such waters. This paragraph shall be inapplicable in any case where the applicant for such operating license or permit has failed to provide the certifying State, or if appropriate, the interstate agency or the Secretary, with notice of any proposed changes in the construction or operation of the facility with respect to which a construction license or permit has been granted which changes may result in violation of applicable water quality standards.

"(4) Prior to the initial operation of any federally licensed or permitted facility or activity which may result in any discharge into the navigable waters of the United States and with respect to which a certification has been obtained pursuant to paragraph (1) of this subsection, which facility or activity is not subject to a Federal operating license or permit, the licensee or permittee shall provide an opportunity for such certifying State or, if appropriate, the interstate agency or the Secretary to review the manner in which the facility or activity shall be operated or conducted for the purposes of assuring that applicable water quality standards will not be violated. Upon notification by the certifying State or, if appropriate, the interstate agency or the Secretary that the operation of any such federally licensed or permitted facility or activity will violate applicable water quality standards, such Federal agency may, after public hearing, suspend such license or permit. If such license or permit is suspended, it shall remain suspended until notification is received from the certifying State, agency, or Secretary, as the case may be, that there is reasonable assurance that such facility or activity will not violate applicable water quality standards.

"(5) Any Federal license or permit with respect to which a certification has been obtained under paragraph (1) of this subsection may be suspended or revoked by the Federal agency issuing such license or permit upon the entering of a judgment under section 10(h) of this Act that such facility or activity has been operated in violation of applicable water quality standards.

"(6) No Federal agency shall be deemed to be an applicant for the purposes of this subsection.

"(7) In any case where actual construction of a facility has been lawfully commenced prior to the date of enactment of the Water Quality Improvement Act of 1970, no certification shall be required under this subsection for a license or permit issued after the date of enactment of such Act of 1970 to operate such facility, except that any such license or permit issued without certification shall terminate at the end of the three-year period beginning on the date of enactment of such Act of 1970 unless prior to such termination date the person having such license or permit submits to the Federal agency which issued such license or permit a certification and otherwise meets the requirements of this subsection.

"(8) Except as provided in paragraph (7), any application for a license or permit (A) that is pending on the date of enactment of the Water Quality Improvement Act of 1970 and (B) that is issued within one year following such date of enactment shall not require certification pursuant to this subsection for one year following the issuance of such license or permit, except that any such license or permit issued shall terminate at the end of one year unless prior to that time the licensee or permittee submits to the Federal agency that issued such license or permit a certification and otherwise meets the requirements of this subsection.

"(9)(A) In the case of any activity which will affect water quality but for which there are no applicable water quality standards, no certification shall be required under this subsection, except that the licensing or permitting agency shall impose, as a condition of any license or permit, a requirement that the licensee or permittee shall comply with the purposes of this Act.

"(B) Upon notice from the State in which the discharge originates or, as appropriate, the interstate agency or the Secretary, that such licensee or permittee has been notified of the adoption of water quality standards applicable to such activity and has failed, after reasonable notice, of not less than six months, to comply with such standards, the license or permit shall be suspended until notification is received from such State or interstate agency or the Secretary that there is reasonable assurance that such activity will comply with applicable water quality standards.

"(c) Nothing in this section shall be construed to limit the authority of any department or agency pursuant to any other provision of law to require compliance with applicable water quality standards. The Secretary shall, upon the request of any Federal department or agency, or State or interstate agency, or applicant, provide, for the purpose of this section, any relevant information on applicable water quality standards, and shall, when requested by any such department or agency or State or interstate agency, or applicant, comment on any methods to comply with such standards.

"(d) In order to implement the provisions of this section, the Secretary of the Army, acting through the Chief of Engineers, is authorized, if he deems it to be in the public interest, to permit the use of spoil disposal areas under his jurisdiction by Federal licensees or permittees, and to make an appropriate charge for such use. Moneys received from such licensees or permittees shall be deposited in the Treasury as miscellaneous receipts."

SEC. 104. Redesignated section 22 of the Federal Water Pollution Control Act, as amended, is amended by adding at the end thereof the following:

"(f)(1) It is the purpose of this subsection to authorize a program which will provide official recognition by the United States Government to those industrial organizations and political subdivisions of States which during the preceding year demonstrated an outstanding technological achievement or an innovative process, method or device in their waste treatment and pollution abatement programs. The Secretary shall, in consultation with the appropriate State water pollution control agency, establish regulations under which such recognition may be applied for and granted, except that no applicant shall be eligible for an award under this subsection if such applicant is not in total compliance with all applicable water quality standards under this Act, and otherwise does not have a satisfactory record with respect to environmental quality.

"(2) The Secretary shall award a certificate or plaque of suitable design to each industrial organization or political subdivision which qualifies for such recognition under regulations established by this subsection.

"(3) The President of the United States, the Governor of the appropriate State, the Speaker of the House of Representatives, and the President pro tempore of the Senate shall be notified of the award by the Secretary, and the awarding of such recognition shall be published in the Federal Register."

SEC. 105. Section 5 of the Federal Water Pollution Control Act, as amended, is amended as follows:

(1) by redesignating subsections (g) and (h) as (m) and (n), respectively, including all references thereto;

(2) by inserting after subsecton (f) the following new subsections:

"(g)(1) For the purpose of providing an adequate supply of trained personnel to operate and maintain existing and future treatment works and related activities, and for the purpose of enhancing substantially the proficiency of those engaged in such activities, the Secretary shall finance a pilot program, in cooperation with State and interstate agencies, municipalities, educational institutions, and other organizations and individuals, of manpower development and training and retraining of persons in, or entering into, the field of operation and maintenance of treatment works and related activities. Such program and any funds expended for such a program shall supplement, not supplant, other manpower and training programs and funds available for the purposes of this paragraph. The Secretary is authorized, under such terms and conditions as he deems appropriate, to enter into agreements with one or more States, acting jointly or severally, or with other public or private agencies or institutions for the development and implementation of such a program.

"(2) The Secretary is authorized to enter into agreements with public and private agencies and institutions, and individuals to develop and maintain an effective system for forecasting the supply of, and demand for, various professional and other occupational categories needed for the prevention, control, and abatement of water pollution in each region, State, or area of the United States and, from time to time, to publish the results of such forecasts.

"(3) In furtherance of the purposes of this Act, the Secretary is authorized to—

"(A) make grants to public or private agencies and institutions and to individuals for training projects, and provide for the conduct of training by contract with public or private agencies and institutions and with individuals without regard to sections 3648 and 3709 of the Revised Statutes;

"(B) establish and maintain research fellowships in the Department of the Interior with such stipends and allowances, including traveling and subsistence expenses, as he may deem necessary to procure the assistance of the most promising research fellowships; and

"(C) provide, in addition to the program established under paragraph (1) of this subsection, training in technical matters relating to the causes, prevention, and control of water pollution for personnel of public agencies and other persons with suitable qualifications.

"(4) The Secretary shall submit, through the President, a report to the Congress within eighteen months from the date of enactment of this subsection, summarizing the actions taken under this subsection and the effectiveness of such actions, and setting forth the number of persons trained, the occupational categories for which training was provided, the effectiveness of other Federal, State, and local training programs in this field, together with estimates of future needs, recommendations on improving training programs, and such other information and recommendations, including legislative recommendations, as he deems appropriate.

"(h) The Secretary is authorized to enter into contracts with, or make grants to, public or private agencies and organizations and individuals for (A) the purpose of developing and demonstrating new or improved methods for the prevention, removal, and control of natural or manmade pollution in lakes, including the undesirable effects of nutrients and vegetation, and (B) the construction of publicly owned research facilities for such purpose.

"(i) The Secretary shall—

"(A) engage in such research, studies, experiments, and demonstrations as he deems appropriate, relative to the removal of oil from any waters and to the prevention and control of oil pollution;

"(B) publish from time to time the results of such activities; and

"(C) from time to time, develop and publish in the Federal Register specifications and other technical information on the various chemical compounds used as dispersants or emulsifiers in the control of oil spills.

In carrying out this subsection, the Secretary may enter into contracts with, or make grants to, public or private agencies and organizations and individuals.

"(j) The Secretary shall engage in such research, studies, experiments, and demonstrations as he deems appropriate relative to equipment which is to be installed on board a vessel and is designed to receive, retain, treat, or discharge human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes with particular emphasis on equipment to be installed on small recreational vessels. The Secretary shall report to Congress the results of such research, studies, experiments, and demonstrations prior to the effective date of any standards established under section 13 of this Act. In carrying out this subsection the Secretary may enter into contracts with, or make grants to, public or private organizations and individuals.

"(k) In carrying out the provisions of this section relating to the conduct by the Secretary of demonstration projects and the development of field laboratories and research facilities, the Secretary may acquire land and interests therein by purchase, with appropriated or donated funds, by donation, or by exchange for acquired or public lands under his jurisdiction which he classifies as suitable for disposition. The values of the

properties so exchanged either shall be approximately equal, or if they are not approximately equal, the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

"(1)(1) The Secretary shall, after consultation with appropriate local, State, and Federal agencies, public and private organizations, and interested individuals, as soon as practicable but not later than two years after the effective date of this subsection, develop and issue to the States for the purpose of adopting standards pursuant to section 10(c) the latest scientific knowledge available in indicating the kind and extent of effects on health and welfare which may be expected from the presence of pesticides in the water in varying quantities. He shall revise and add to such information whenever necessary to reflect developing scientific knowledge.

"(2) For the purpose of assuring effective implementation of standards adopted pursuant to paragraph (1) the President shall, in consultation with appropriate local, State, and Federal agencies, public and private organizations, and interested individuals, conduct a study and investigation of methods to control the release of pesticides into the environment which study shall include examination of the persistency of pesticides in the water environment and alternatives thereto. The President shall submit a report on such investigation to Congress together with his recommendations for any necessary legislation within two years after the effective date of this subsection."

(3) in redesignated subsection (m)(4) by striking out the words "and June 30, 1969," and inserting in lieu thereof "June 30, 1969, June 30, 1970, and June 30, 1971,";

(4) by amending the first sentence of redesignated subsection (n) to read as follows: "There is authorized to be appropriated to carry out this section, other than subsection (g)(1) and (2), not to exceed $65,000,000 per fiscal year for each of the fiscal years ending June 30, 1969, June 30, 1970, and June 30, 1971. There is authorized to be appropriated to carry out subsection (g)(1) of this section $5,000,000 for the fiscal year ending June 30, 1970, and $7,500,000 for the fiscal year ending June 30, 1971. There is authorized to be appropriated to carry out subsection (g)(2) of this section $2,500,000 per fiscal year for each of the fiscal years ending June 30, 1970, and June 30, 1971.".

SEC. 106. Section 6(e) of the Federal Water Pollution Control Act (33 U.S.C. 466c–1) is amended as follows:

(1) Paragraph (1) is amended by striking out "three succeeding fiscal years" and inserting in lieu thereof "five succeeding fiscal years,".

(2) Paragraph (2) is amended by striking out "two succeeding fiscal years," and inserting in lieu thereof "four succeeding fiscal years,".

(3) Paragraph (3) is amended by striking out "two succeeding fiscal years," and inserting in lieu thereof "four succeeding fiscal years,".

SEC. 107. Redesignated section 24 of the Federal Water Pollution Control Act, as amended, is amended by deleting the following: "the Oil Pollution Act, 1924, or".

SEC. 108. The Oil Pollution Act, 1924 (43 Stat. 604), as amended (80 Stat. 1246–1252), is hereby repealed.

SEC. 109. The Secretary of the Interior shall conduct a full and complete investigation and study of the feasibility of all methods of financing the cost of preventing, controlling, and abating water pollution, other than methods authorized by existing law. The results of such investigation and study shall be reported to Congress no later than December 31, 1970, together with the recommendations of the Secretary for financing the programs for preventing, controlling, and abating water pollution for the fiscal years beginning after fiscal year 1971, including any necessary legislation.

SEC. 110. (a) The first sentence of section 2 of the Federal Water Pollution Control Act (33 U.S.C. 466–1) is amended by striking out "Federal Water Pollution Control Administration" and inserting in lieu thereof "Federal Water Quality Administration".

(b) Any other law, reorganization plan, regulation, map, document, record, or other paper of the United States in which the Federal Water Pollution Control Administration is referred to shall be held to refer to the Federal Water Quality Administration.

SEC. 111. Section 8(c) of the Federal Water Pollution Control Act is amended in the fourth sentence by inserting after "because of lack of funds" the following: "including States having projects eligible for reimbursement pursuant to the sixth and seventh sentences of this subsection".

SEC. 112. Section 10 of the Federal Water Pollution Control Act, as amended, is amended by adding at the end of subsection (c)(3) the following new sentence: "In establishing such standards the Secretary, the hearing board, or the appropriate State authority shall take into consideration their use and value for navigation."

TITLE II—ENVIRONMENTAL QUALITY

SHORT TITLE

SEC. 201. This title may be cited as the "Environmental Quality Improvement Act of 1970."

FINDINGS, DECLARATIONS, AND PURPOSES

SEC. 202. (a) The Congress finds—

(1) that man has caused changes in the environment;

(2) that many of these changes may affect the relationship between man and his environment; and

(3) that population increases and urban concentration contribute directly to pollution and the degradation of our environment.

(b)(1) The Congress declares that there is a national policy for the environment which provides for the enhancement of environmental quality. This policy is evidenced by statutes heretofore enacted relating to the prevention, abatement, and control of environmental pollution, water and land resources, transportation, and economic and regional development.

(2) The primary responsibility for implementing this policy rests with State and local governments.

(3) The Federal Government encourages and supports implementation of this policy through appropriate regional organizations established under existing law.

(c) The purposes of this title are—

(1) to assure that each Federal department and agency conducting or supporting public works activities which affect the environment shall implement the policies established under existing law; and

(2) to authorize an Office of Environmental Quality, which, notwithstanding any other provision of law, shall provide the professional and administrative staff for the Council on Environmental Quality established by Public Law 91–190.

OFFICE OF ENVIRONMENTAL QUALITY

SEC. 203 (a) There is established in the Executive Office of the President an office to be known as the Office of Environmental Quality (hereafter in this title referred to as the "Office"). The Chairman of the Council on Environmental Quality established by Public Law 91–190 shall be the Director of the Office. There shall be in the Office a Deputy Director who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) The compensation of the Deputy Director shall be fixed by the President at a rate not in excess of the annual rate of compensation payable to the Deputy Director of the Bureau of the Budget.

(c) The Director is authorized to employ such officers and employees (including experts and consultants) as may be necessary to enable the Office to carry out its functions under this title and Public Law 91–190, except that he may employ no more than ten specialists and other experts without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and pay such specialists and experts without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but no such specialist or expert shall be paid at a rate in excess of the maximum rate for GS–18 of the General Schedule under section 5332 of title 5.

(d) In carrying out his functions the Director shall assist and advise the President on policies and programs of the Federal Government affecting environmental quality by—

(1) providing the professional and administrative staff and support for the Council on Environmental Quality established by Public Law 91–190;

(2) assisting the Federal agencies and departments in appraising the effectiveness of existing and proposed facilities, programs, policies, and activities of the Federal Government, and those specific major projects designated by the President which do not require individual project authorization by Congress, which affect environmental quality;

(3) reviewing the adequacy of exiting systems for monitoring and predicting environmental changes in order to achieve effective coverage and efficient use of research facilities and other resources;

(4) promoting the advancement of scientific knowledge of the effects of actions and technology on the environment and encourage the development of the means to prevent or reduce adverse effects that endanger the health and well-being of man;

(5) assisting in coordinating among the Federal departments and agencies those programs and activities which affect, protect, and improve environmental quality;

(6) assisting the Federal departments and agencies in the development and interrelationship of environmental quality criteria and standards established through the Federal Government.

(7) collecting, collating, analyzing, and interpreting data and information on environmental quality, ecological research, and evaluation.

(e) The Director is authorized to contract with public or private agencies, institutions, and organizations and with individuals without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5) in carrying out his functions.

REPORT

SEC. 204. Each Environmental Quality Report required by Public Law 91–190 shall, upon transmittal to Congress, be referred to each standing committee having jurisdiction over any part of the subject matter of the Report.

AUTHORIZATION

SEC. 205. There are hereby authorized to be appropriated not to exceed $500,000 for the fiscal year ending June 30, 1970, not to exceed $750,000 for the fiscal year ending June 30, 1971, not to exceed $1,250,000 for the fiscal year ending June 30, 1972, and not to exceed $1,500,000 for the fiscal year ending

June 30, 1973. These authorizations are in addition to those contained in Public Law 91-190.

JOHN A. BLATNIK,
ROBERT E. JONES,
JIM WRIGHT,
GEORGE H. FALLON,
WILLIAM C. CRAMER,
WILLIAM HARSHA,
JAMES R. GROVER, JR.,
Managers on the Part of the House.

EDMUND S. MUSKIE,
JENNINGS RANDOLPH,
BIRCH BAYH,
JOSEPH M. MONTOYA,
J. CALEB BOGGS,
JOHN SHERMAN COOPER,
HOWARD BAKER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4148) to amend the Federal Water Pollution Control Act, as amended, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment to the text of the bill struck out all of the House bill after the enacting clause and inserted a substitute. The House recedes from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment. The differences between the House bill and the substitute agreed to in conference are noted below except for minor technical and clarifying changes made necessary by reason of the conference agreement.

CONTROL OF POLLUTION BY OIL

House bill

Section 2 of the House bill adds seven new sections to the Federal Water Pollution Control Act. The proposed new section 17 deals with control of pollution by oil and other matter.

Section 17(a) would define various terms used in this new section.

Paragraph (1) would define the term "oil" to include fuel oil, sludge, and oil refuse, but to exclude oil mixed with dredged spoil.

Paragraph (2) would define the term "matter" to include any substance which, when discharged in substantial quantities, presents, in the judgment of the Secretary of the Interior, an imminent and substantial hazard to the public health or welfare. The definition specifically excludes from this term oil, dredged spoil, and sanitary wastes, and certain material now covered by the Atomic Energy Act of 1954. Under this definition, the Secretary would be expected to publish a list from time to time of the types of substances included in this definition in order to inform the public in accordance with established administrative procedures.

Paragraph (3) defines the term "discharge."

Paragraph (4) defines the term "remove or removal" to mean the taking of reasonable and appropriate measures to mitigate the potential damage that a discharge of oil or matter might have on the public health or welfare including fish, shellfish, wildlife, and private and public beaches and shorelines.

Paragraphs (5) and (6) define the terms "vessel" and "public vessel."

Paragraph (7) defines the term "United States."

Paragraph (8) defines the term "owner or operator."

Paragraph (9) defines the term "person."

Paragraph (10) defines the term "contiguous zone" which means the zone established by the United States under article 24 of the Convention on the Territorial Sea and the Contiguous Zone.

Section 17(b) would require that any individual in charge of a vessel, other than a public vessel or an offshore or onshore facility or a Federal or State facility, at the time of a discharge of oil in substantial quantities into the navigable waters of the United States or into the waters of the contiguous zone must immediately notify either the Secretary of the Interior or the Coast Guard as soon as he has knowledge of the discharge.

This section would also provide a criminal penalty for any individual in charge of such vessel or facility who fails to notify the Secretary or the Coast Guard of a discharge. The term "individual in charge" is deliberately designed to cover only supervisory personnel who have the responsibility for the particular vessel or facility and not to include other employees.

Section 17(c)(1) would prohibit the discharge of oil or matter in substantial quantities from any vessel into or upon the navigable waters of the United States or adjoining shorelines or beaches, or into or upon the waters of the contiguous zone, if such oil threatens to pollute or contribute to the pollution of the territorial sea of the United States, and subjects violators to the penalties in section 17(c)(2). The section excepts from this prohibition various circumstances such as acts of war or sabotage or acts of God, or unavoidable accidents, collisions, or strandings, or discharges permitted under article IV of the 1954 International Convention for the Prevention of Pollution of the Sea by Oil.

Section 17(c)(2) would provide a civil penalty against the owner or operator of a vessel, except a public vessel, and against the vessel of up to $10,000 where there is a willful or negligent discharge of oil or matter in substantial quantities from such vessel. No penalty can be assessed unless the owner or operator or vessel is given notice and an opportunity for a hearing. Each violation is a separate offense. The penalties will be assessed by the Coast Guard. In determining the amount of the penalty or in compromising the penalty, the Coast Guard must take into consideration the size of the business, the ability of the owner or operator to continue in business, and the gravity of the violation. Provision is made for withholding clearance of the vessel until the penalty is paid and for the filing of bonds or other sureties. The penalty will constitute a lien on the vessel which may be recovered in an action in rem.

Section 17(d)(1) would require that the United States remove or arrange for the removal of any oil or matter discharged into any waters, shorelines, or beaches, when in the judgment of the Secretary of the Interior, such discharged oil or matter presents an actual or threatened pollution hazard without regard to any question of fault. Under this section, the United States would only exercise this authority if the United States determines that the owner or operator or a vessel or facility has not made adequate arrangements for removal of the oil or matter as required by this legislation.

Section 17(d)(2) would authorize the United States, in the case of a marine disaster within the navigable waters of the United States which has created a substantial threat of a pollution hazard because of an actual or imminent discharge of oil or matter from the vessel, to coordinate and direct public and private efforts in the removal or alleviation of the threat, and to remove summarily and if necessary destroy the vessel by whatever means are available. The expense of removing the vessel shall be charged against the vessel's cargo and the owner or operator where it is shown that negligent operation of the vessel caused or contributed to the marine disaster. If the owner or operator fails to reimburse the United States of such expense within a specified time, the United States may sell the vessel or its cargo, and deposit the proceeds in the revolving fund established by this section.

Section 17(e)(1) would require that the owner or operator of a vessel who willfully or negligently discharges or permits or causes or contributes to the discharge of oil or matter into the navigable waters of the United States or adjoining shorelines or beaches, or into the waters of the contiguous zone, immediately remove the discharged oil or matter in accordance with the regulations prescribed by this section. In any case where the United States removes the oil or matter, the vessel and the owner or operator shall be liable to the United States for the cost thereof. The liability to the United States, however, with respect to each offending vessel and the owner or operator of each offending vessel shall not exceed $10 million or $100 per gross registered ton, whichever is the lesser amount. This limitation on liability is intended to be the only limitation on liability for discharge of oil or matter under this section, notwithstanding any other provisions of law. This section would provide for the withholding of clearance of a vessel until these costs are paid and for posting of bonds or other sureties. It also provides for the establishment of a maritime lien on the vessel which may be recovered in an action in rem.

This section would also authorize the United States to bring an action against the owner or operator in any court of competent jurisdiction to recover such costs. The United States shall also have a cause of action against any other owner or operator or vessel whose willful act or negligence was found to cause or contribute to the discharge of the oil where there has been a collision or other casualty.

Section 17(e)(2) would provide that, in case of any action instituted by the United States to recover its cost of cleanup and certain penalties under this section, the evidence of a discharge of oil or matter shall constitute a prima facie case of liability to the United States on the part of the owner or operator of the vessel or the person owning or operating an onshore or offshore facility. The burden of rebutting such prima facie case would be on the owner or operator or person as appropriate. This burden, however, shall not affect any rights which such owner or operator or person may have against other vessels or facilities or owners or operators or persons whose willful act or negligence may in some way have caused or contributed to the discharge.

Section 17(f)(1) would require that any person who owns or operates an onshore facility other than a Federal- or State-owned facility and who willfully or negligently discharges or permits the discharge of oil or matter into any waters must immediately remove the oil or matter in accordance with the regulations prescribed under this section.

Section 17(f)(2) would require that any person who owns or operates an offshore facility other than a Federal or State facility which is located within the seaward boundaries of a State as defined in the Submarginal Lands Act of 1953, and who willfully or negligently discharges or permits the discharge of oil or matter from such facility into any waters or shorelines or beaches, must immediately remove the oil or matter under the regulations prescribed under this section.

Section 17(f)(3) would provide that if the United States removes oil or matter discharged from any onshore or offshore facility just mentioned, the person who owns or operates the facility shall be liable to the United States for the cost incurred therein provided that such liability shall not exceed

$8 million. The Secretary shall establish by regulation, in consultation with the Secretary of Commerce and the Small Business Administration, reasonable and equitable classifications of onshore facilities and activities and apply with respect to such classifications differing limits of liability which may be less than such $8 million limitation and none of which shall be in excess of $8 million. The classifications would take into account the types of businesses and other facilities affected. The provisions of section 17(f)(3) shall not apply to any onshore facility until it comes within the classification established by the Secretary. The Secretary's classification, however, shall not be established until the expiration of at least 60 days after notification to the Congress of such intended classification.

Section 17(f)(5) would provide that the provisions in section 17(f) relative to the imposition of any requirement or liability limitations on onshore or offshore facilities with respect to the discharge of oil or matter into any waters within the jurisdiction of a State shall not be considered as an attempt to preempt the authority of the State or any political subdivision thereof to impose additional requirements on such facilities.

Section 17(g)(1) would require that within 60 days after the enactment of this section the Secretary of the Interior must issue regulations establishing environmental quality criteria relative to methods and procedures of removing discharged oil and matter and that the Coast Guard must by regulations establish procedures, methods, or equipment consistent with such regulations for the removal of such discharged oil or matter. The objective of these regulations would be to insure that the waters, beaches, and shorelines, including the marine environment, will not be damaged through the use of harmful chemicals or other materials. This section would also provide for the issuance, by the Coast Guard of regulations establishing procedures, methods, and equipment to prevent discharges of oil from vessels, within 60 days after enactment. These regulations may be revised from time to time.

Section 17(g)(2) would establish civil penalties for the violation of any regulations issued under subsection 17(g)(1) relative to the removal of discharged oil or matter. Each violation would be a separate offense and the Coast Guard would assess the penalty and other compromise. The penalty shall not be assessed until notice and an opportunity for a hearing have been given. In order to collect the penalty finally, the United States would have to file a civil action in the U.S. district courts which will provide a de novo proceeding.

Section 17(h)(1) of the bill would establish a revolving fund in the Treasury to be administered by the Coast Guard of not to exceed $20 million and authorize appropriations in that amount to the fund as well as the depositing of other revenues received by the United States under this section 17 of the act. Sums deposited into the fund shall be available to reimburse a State or political subdivision thereof that assists in the removal of any discharged oil or matter. The moneys in the fund shall be available until expended.

Section 17(h)(2) would provide for the delegation by the President within 90 days after the enactment of this section of the authority for the United States to remove discharged oil or matter to the Coast Guard or to the Secretaries of Defense or Interior or other Federal agencies in accordance with any national contingency plan or revision thereof which has been approved by the President, including regional contingency plans. Each agency to which this authority is delegated will be able to utilize the personnel, services, and facilities of other Federal and State agencies.

Section 17(h)(3) would authorize the Secretary of the Interior to issue regulations in consultation with the Coast Guard permitting discharges of oil or matter under such conditions as he may prescribe and at time and locations deemed appropriate by him.

Section 17(h)(4) would provide that the provisions prohibiting discharges of oil or matter from vessels and the regulations issued under section 17(g) of this section shall be enforced by the Coast Guard and that the Coast Guard may utilize the services of other Federal and State agencies in carrying out these provisions.

Section 17(h)(5) would authorize the Coast Guard to board and inspect facilities and to make arrests in connection with any violations of this act.

Section 17(h)(6) would provide for the bringing of actions in certain courts where violations have occurred in Guam, the Virgin Islands. American Samoa, and the Trust Territory of the Pacific Islands.

Section 17(i) would provide that the provisions of section 17 shall not affect or modify the obligations of any owner or operator of any vessel or onshore or offshore facility under other provisions of law for damages to public or privately owned property which might occur as a result of a discharge of oil or matter or as a result of actions taken in the removal of such discharges.

Section 17(j) would provide that the provisions of section 17 shall not be construed as authorizing either the Secretary of the Interior or the Coast Guard to regulate the operations or construction of any onshore or offshore facility. This section also would provide that the provisions of section 17 shall not be construed as affecting or modifying any other existing authorities of either Secretary relative to such facilities under this act or any other provision of law.

Section 17(k)(1) would provide that any vessel over 100 gross registered tons which uses any port or place in the United States or the navigable waters of the United States for any purpose must establish evidence of financial responsibility to meet the maximum potential liability to the United States which the vessel could be subjected to for the willful or negligent discharge of oil or matter under this section. The financial responsibility should be established pursuant to regulations to be prescribed from time to time by the agency head to which the President has delegated this responsibility. Financial responsibility may include insurance policies, bonds, evidence of self-insurance, or evidences of such responsibility that the agency head deems appropriate. All bonds filed must be issued by a bonding company authorized to do business in the United States. Provisions of financial responsibility also apply to barges that are equivalent in size to vessels over 100 tons.

Section 17(k)(2) would provide that the financial responsibility provisions of section 17(k)(1) shall become effective 1 year after enactment of this section. The President is required to delegate this responsibility to the appropriate agency head within 60 days after enactment. In addition, the necessary regulations to implement this section must be issued within 6 months after the effective date of the section.

Section 17(k)(3) directs that the Secretary of Transportation, in consultation with the Secretaries of Interior, State, Commerce, and other Federal agencies such as the Small Business Administration and representatives of various industries such as the merchant marine, oil, and insurance industries and other interested persons conduct a study relative to other measures to provide financial responsibility and limitations of liability with regard to vessels and measures to provide financial responsibility for onshore and offshore facilities, and finally measures relative to the limitations of liability on such facilities in relation to the cost of removing discharged oil or matter and the payment of all damages that may result from the discharge of oil or matter and from the removal of the discharges. The study is to be completed by January 1, 1971, and a report sent to the Congress with appropriate recommendations, including legislative recommendations.

Senate amendment

Section 102 of the Senate amendment would, among other things, add to the Federal Water Pollution Control Act a new section 12 relating to control of oil discharges.

The new section 12 is concerned with the control and cleanup of oil discharges into inland waters of the United States and waters of the U.S. territorial seas, and in the case of vessels. into the waters of the 9-mile zone contiguous to the territorial sea. It does not apply to discharges from offshore facilities covered by leases and regulations under the Outer Continental Shelf Lands Act, but does not in any way affect claims to persons or agencies damaged by such discharges.

Section 12(a) would define the various terms used in the section.

The definition of "oil" is very broad, and only specifically excludes dredged spoil.

The definition of "discharge" is designed to cover by its broad terms all possible means of fouling the waters with oil.

The definition of a "vessel" is identical to that in section 3, Title 1, United States Code, and would include all vessels, both foreign and domestic.

The definition of the term "public vessel" would cover Federal- and State-owned and operated vessels and vessels owned and operated by a foreign country, except those not engaged in commerce.

The definition of "United States" includes Guam, America Samoa, the Virgin Islands, Puerto Rico, the Canal Zone, and the Trust Territory of the Pacific Islands, as well as all the States and the District of Columbia.

The definition of "owner and operator" would include individuals or organizations, such as a corporation, association, firm, or partnership, that own, operate, charter by demise, a vessel, or own or operate an onshore or offshore facility.

The definition of a "contiguous zone" is the zone established by the United States under article 24 of the Convention on the Territorial Sea and the Contiguous Zone (TIAS 5639) .

The definition of "onshore and offshore facilities" distinguishes between drilling and production facilities and other facilities. Drilling and production facilities and related appurtenances, such as pipelines, platforms, barges used for drilling purposes, etc., are those that are used or capable of being used solely for the purpose of exploring for, drilling, or producing oil. The other facilities are those that are used or capable of being used to process, transport, or transfer oil, or to store oil commercially. Neither definition applies to individual homes where oil is stored, or small businesses other than marine facilities which are used or capable of being used to store 500 barrels of oil or less. Few existing or planned service stations have a storage capacity of more than 500 barrels. In either case, the facility could be located either permanently or temporarily on dry land or land under the navigable waters of the United States which includes inland waters and coastal waters out to the 3-mile territorial sea limit.

The definition of an "act of God" means an act occasioned exclusively by violence of nature without the interference of any human action.

Section 12(b)(1) would prohibit all oil discharges into U.S. waterways and the water of the contiguous zone from any source, except where permitted under a 1954

convention, and where permitted by regulations issued by the President. Such regulations must be consistent with maritime laws and regulations and water quality standards.

Section 12(b)(2) would authorize a civil penalty for knowingly violating the regulations promulgated under the previous section. If payment is not forthcoming administratively, such penalty may be collected in the Federal district court in a de novo proceeding.

Section 12(c) would require any person in charge of a vessel or an offshore or onshore facility at the time of a discharge of oil into the navigable waters of the United States or into the waters of the contiguous zone to notify immediately the United States. This section would also provide a criminal penalty for any person in charge of such vessel or facility who knowingly fails to notify the United States. The term "person in charge" is deliberately designed to cover only supervisory personnel who have the responsibility for the particular vessel or facility and not to include other employees. The purpose of the notice provision is to prevent or mitigate damage and facilitate clean-up. Such notice and information contained therein may not be used in any criminal action under Federal or State laws.

Section 12(d)(1) would direct the President to issue regulations to govern the removal of oil which is discharged, aid in the enforcement of this section, prevent oil pollution, and establish criteria for oil removal contingency plans. The regulations will also cover procedures to review and approve, where appropriate, such plans of owners or operators as well as public agencies.

Section 12(d)(2) would authorize a civil penalty for violating the above regulations. If payment is not forthcoming administratively, such penalty may be collected in the Federal district court in a de novo proceeding.

Section 12(e) would require that when oil is discharged in violation of section 12(b) the oil must be removed immediately under the above regulations. It would provide, if the discharger fails, or is unable to act to remove the oil, authority for the President may take appropriate measures to remove the oil either directly or by contract. If the discharger acts improperly the President could also act to remove the oil.

Section 12(f) would limit the liability of a vessel owner or operator for the cost of removal of discharged oil by the United States to up to $125 per gross ton of the vessel, or $14 million, whichever is less. This limitation, however, would not apply if the discharge was the result of a negligence or a willful act on the part of the owner or operator or his agents, employees, etc. In such case, the owner or operator would be liable for all costs of removal borne by the United States. The owner or operator may not be held liable, however, for these costs if he can prove the discharge was caused solely by an act of God or war or negligence of the U.S. Government or any act of a third party.

Section 12(f)(2) would provide that any vessel over 300 gross tons which uses any port or place in the United States or the navigable waters of the United States for any purpose must establish evidence of financial responsibility of $100 per gross ton to meet the maximum potential liability to the United States which the vessel could be subjected to for the discharge of oil under section 12(f)(1). The financial responsibility should be established pursuant to regulations to be prescribed from time to time by the agency head to which the President has delegated this responsibility. Financial responsibility may include insurance policies, bonds, evidence of self-insurance, or evidences of such responsibility that the agency head deems appropriate. All bonds filed must be issued by a bonding company authorized to do business in the United States. Provisions of financial responsibility also apply to barges that are equivalent in size to vessels over 300 tons.

Section 12(g) would require that a person in the United States be designated for service of process in matters arising under section 12.

Section 12(h) would direct that the Secretary of the Treasury withhold clearance of a vessel, other than a public vessel, that is liable for any costs or penalties to the United States under section 12 or has failed to meet the requirements for financial responsibility.

Section 12(i)(1) would limit the liability of an owner or operator of a nondrilling-production facility to the United States for the cost incurred in removing discharged oil to $125 per ton of oil which such facility is capable, while operating at maximum capacity, of either processing, transporting, transferring in any 24-hour period, or storing in its largest unit. The limitation, however, would not apply if the discharge was the result of negligence or a willful act of the owner or operator, his agent, or any employee thereof. Also, the owner or operator would not be liable for such costs if he is able to prove that the discharge was caused solely by an act of God or war, or solely by negligence of the U.S. Government or solely by an act of a third party. In determining the amount of the liability, the owner or operator would be required to establish conclusively the capacity of the facility.

Section 12(i)(2) would establish the liability of an owner or operator to the United States for oil discharges from an onshore or offshore drilling-production facility of not to exceed $8 million. This limitation, however, would not apply if the discharge was due to a negligent or willful act on the part of the owner or operator, his agent, or any employee thereof. The owner or operator would not be responsible for costs where he can prove that the discharge was caused solely by an act of God or war or solely by the act of a third party or solely by negligence of the U.S. Government.

Section 12(j) provides that in any instance where the owner or operator removes the discharged oil and he is subsequently able to prove in a suit brought against the United States in the Court of Claims that the discharge was caused solely by an act of a third party or an act of God or war or by negligence on the part of the U.S. Government, the owner or operator is entitled to recover such costs from the fund established under section 12(k). If the discharge was caused solely by an act of a third party, the United States shall be subrogated to any rights that the owner or operator may have against such third party. This section does not apply to cases where liability is established under the Outer Continental Shelf Lands Act. The United States, of course, would have normal rights of appeal.

Section 12(k) would authorize the President to delegate his functions under section 12 to one or more appropriate Federal agencies. It would authorize a revolving fund. The maximum amount in the fund from appropriations would be $50 million.

Section 12(l) would establish that the provisions of section 12 are not intended to affect the rights of an owner or operator or the U.S. Government against third parties who may have caused or contributed to an oil discharge.

Section 12(m) would grant enforcement authority in carrying out provisions of section 12.

Section 12(n) would authorize the United States in cases where the President determines that there is an imminent and substantial threat to the public health or welfare, because of an actual threat or discharge of oil into the navigable waters of the United States from a vessel, to take immediate possession of the vessel and such other action that may be appropriate. Any expenses incurred by the United States could be recovered subject to the same limitations found in sections 12(f) and (g).

Similarly, the President under the same conditions may require that the U.S. attorney seek relief to abate any actual or threatened discharge of oil from any onshore or offshore facility.

Section 12(o) would provide jurisdiction in the Federal district courts and in various other district courts relative to Guam, the Virgin Islands, American Samoa, Trust Territory of the Pacific Islands, and the Canal Zone.

Section 12(p) would provide that the provisions of section 12 shall not be construed as affecting or modifying any other existing authorities under the Federal Water Pollution Control Act, as amended, or any other Federal law or any State or local law not in conflict with the provisions of section 12.

Section 12(q) would provide that section 12 will not affect or modify the obligations of any owner or operator for damages to persons or property resulting from the discharge of oil or from the removal of such oil.

Conference substitute

Section 102 of the conference substitute would add a new section 11 to the Federal Water Pollution Control Act. This proposed new section 11 deals solely with the control of pollution by oil.

Subsection (a) contains definitions. The definitions of "oil", "discharge", "vessel", "public vessel", "United States", "person", and "contiguous zone" are essentially identical with those definitions in the House bill. The definition of the term "owner or operator" would provide in the case of a vessel that it is the person owning, operating, or chartering by demise, and in the case of an onshore or offshore facility, it is the person owning or operating such facility, and in the case of an abandoned offshore facility, it is the person who owned or operated the facility immediately prior to its abandonment.

As a result of this definition, if an offshore facility has been abandoned by its former owner, and thereafter discharges oil in violation of this section, such former owner would be responsible under the provisions of this act for such subsequent discharge. The definition of the term "remove" or "removal" has been clarified to include specifically public or private property, shorelines, and beaches. The definition of "onshore facility" means any facility (including motor vehicles and rolling stock) of any kind located in, on, or under any land within the United States other than submerged land. Thus, it is made clear that tank trucks and railroad tank cars are included in the definition as well as all other facilities such as storage tanks or refineries from which oil could be discharged into the waters in question. The definition would not include, however, facilities which are built upon any submerged lands in the United States.

The definition of "offshore facility" means any facility of any kind located in, on, or under any of the navigable waters of the United States other than a vessel or public vessel. This would include offshore drilling rigs as well as all other offshore facilities within the navigable waters of the United States which, in the case of the coastal waters would extend to the seaward boundaries of the States within the meaning of the Submerged Lands Act. The term "act of God" is defined to mean an act occasioned by an unanticipated grave natural disaster. This definition varies from that of the Senate definition and, under this definition, only those acts about which the owner could have had no foreknowledge, could have made no plans to avoid, or could not predict would be included. Thus, grave natural disasters which could not be anticipated in the design, location, or operation of the facility or vessel by reason of historic, geographic, or climatic cir-

cumstances or phenomena would be outside the scope of the owner's or operator's responsibility. The definition of the term "barrel" is established at 42 U.S. gallons at 60° F.

Paragraph (1) of subsection (b) is a declaration of policy by Congress that there ought not be discharges of oil into or upon the navigable waters, adjoining shorelines, or the waters of the contiguous zone.

Paragraph (2) of subsection (b) prohibits the discharge of oil in the navigable waters, adjoining shorelines, or the waters of the contiguous zone, in harmful quantities as determined by the President under paragraph (3) with two exceptions: (A) discharges into the waters of the contiguous zone where permitted under article IV of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, as amended, and (B) where permitted in quantities at times and locations or under circumstances or conditions which the President by regulations determines not to be harmful. The President's regulations are required to be consistent with maritime safety, marine navigation laws and regulations, and applicable water quality standards.

Paragraph (3) of subsection (b) requires the President, by regulations to be issued as soon as possible, to determine for the purposes of this section those quantities of oil the discharge of which will be harmful to the public health or welfare of the United States, including fish, shellfish, wildlife, and public and private property, shorelines, and beaches with the exception that, in the case of oil discharged in the contiguous zone, only those discharges which threaten the fishery resources of the zone or threaten to pollute or contribute to the pollution of the territory or territorial sea of the United States may be determined to be harmful.

Paragraph (4) requires anyone in charge of a vessel or of an onshore or offshore facility, as soon as he has knowledge of any discharge of oil from that vessel or facility in violation of this section, to immediately notify the appropriate U.S. agency. Failure to do so subjects such person to a fine of not more than $10,000 or imprisonment for not more than a year, or both. This notification, however, is not to be used against any such person in any criminal case other than one for perjury or giving a false statement.

Paragraph (5) of this subsection imposes a civil penalty on the owner or operator of a vessel or onshore or offshore facility from which oil is knowingly discharged in violation of this section. This penalty is not to exceed $10,000 and is not to be assessed unless the owner or operator charged has been given notice and opportunity for hearing. Each violation is a separate offense, and the civil penalty may be compromised by the Secretary. The Secretary of the Treasury is required to withhold clearance from port of any vessel the owner or operator of which is subject to the foregoing penalty. Clearance may be granted upon filing of a bond or other satisfactory surety.

Paragraph (1) of subsection (c) authorizes the President to act to remove or arrange for the removal of any oil discharged into the navigable waters, adjoining: shorelines, or the waters of the contiguous zone. If he determines the removal will be properly done by the owner or operator of the vessel or facility from which the discharge occurs, he may permit them to do so. The conferees wish to make it clear that the basic responsibility for necessary cleaning up in these situations is placed upon the President. This is not to be construed to inhibit it or prevent any owner or operator from undertaking whatever action is necessary to contain or remove an oil discharge.

Paragraph (2) of subsection (c) would require the President, within 60 days, to prepare and publish a National Contingency Plan for the removal of oil. The Plan shall provide for efficient, coordinated, and effective action to minimize damage from oil discharges, including containment, dispersal, and removal of oil. The Plan is to include (A) assignment of duties and responsibilities, (B) identification, procurement, maintenance, and storage of equipment and supplies, (C) establishment of a strike force and emergency task forces, (D) a system of surveillance and notice, (E) establishment of a national center to coordinate and direct operations, (F) procedures and techniques to be employed in identifying, containing, dispersing and removing oil, and (G) a schedule identifying dispersants and other chemicals that may be used in carrying out the plan, the waters in which they may be used, and quantities which may be safely used. In the case of a dispersal, chemical or waters not specifically identified in the schedule, the President or his delegate may on a case-by-case basis, identify the dispersant, or chemicals which may be used, the waters in which they may be used, and the quantities which may safely be used. The plan may be revised from time to time. Once the plan is published, however, removal of oil and actions to minimize damage therefrom shall, to the greatest extent possible, be in accordance with the plan.

The President is given general authority by subsection (1) of this section to delegate his responsibilities under this section. It is the hope of the conferees that with respect to the provisions of subsection (c)(2)(C) and (D) such responsibilities will be delegated to the Coast Guard and with respect to subsection (c)(2)(G) such responsibilities will be delegated to the Secretary of the Interior.

Subsection (d) provides authority for the United States to remove, and if necessary, to destroy vessels in cases where they pose a substantial threat of a pollution hazard through the discharge of oil. This is almost identical to the equivalent provision in the House bill with the exception that in lieu of the House provision making the expense of removal a charge against the vessel, its cargo, and owner and permitting the sale thereof, there has been substituted a provision from the Senate amendment which states that the expense incurred under this subsection will be deemed to be a cost incurred by the United States in the removal of oil for the purposes of liability under subsection (f) of this section.

Subsection (e) authorizes the President when there is an imminent and substantial threat to the public health and welfare because of an actual or threatened discharge of oil from an onshore or offshore facility to require the U.S. attorney for the district where the threat occurs to secure such relief as may be necessary to abate the threat, and the district courts of the United States are given jurisdiction to grant such relief as the public interest and equity may require.

Subsection (f) establishes the liability of owners and operators of vessels and on or offshore facilities for cleanup costs.

Paragraph (1) of subsection (f) provides that the owner or operator of a vessel from which oil is discharged in violation of subsection (b)(2) of this section shall be liable to the United States for actual costs incurred under subsection (c) for removal of that oil with a limit of liability of not to exceed $100 per gross ton of the vessel or $14 million, whichever is lesser. The owner or operator will have no liability if he can prove that such discharge was caused solely by (A) an act of God, (B) an act of war, (C) negligence on the part of the United States, or (D) an act or omission of a third party whether or not negligent, or any combination of the foregoing clauses. Such owner or operator shall be liable without limitation if the United States can show that the discharge was the result of willful negligence or willful misconduct within the privity and knowledge of the owner. These removal costs are to be a maritime lien on the vessel recoverable in an action in rem against the vessel and in addition the United States may bring an action against the owner or operator for these costs. The inclusion of specific language relating to the maritime lien and actions against the owner or operator are for the purposes of clarification only.

Paragraph (2) of subsection (f) provides that the owner or operator of an onshore facility is liable for actual costs for removal of oil discharged from that facility in violation of subsection (b)(2) of this section in an amount not to exceed $8 million. If such owner or operator can prove such discharge was caused solely by (A) an act of God, (B) an act of war, (C) negligence on the part of the United States, or (D) an act or omission of the third party whether or not negligent or any combination thereof, then such owner or operator shall have no liability. If the United States can show the discharge was a result of willful negligence or misconduct within the privity and knowledge of the owner, then the owner is liable for the full cost without limitation. The United States is authorized to bring an action against the owner or operator in any court of competent jurisdiction to recover these costs. Additionally the Secretary is authorized by regulation, after he has consulted with the Secretary of Commerce and the Small Business Administration, to establish classifications of those onshore facilities having a total fixed storage capacity of a thousand barrels or less which he determines do not present a substantial risk and apply with respect to these classifications differing limits of liability which may be less than the $8 million limit established statutorily by this paragraph.

Paragraph (3) of subsection (f) provides that the owner or operator of an offshore facility from which oil is discharged in violation of subsection (b)(2) of this section shall be liable to the United States for removal costs in an amount not to exceed $8 million. If such owner or operator can prove that the discharge is caused solely by (A) an act of God, (B) an act of war, (C) negligence on the part of the United States, or (D) an act or omission of a third party whether or not negligent, or any combination thereof, then such owner or operator will have no liability. If the United States can show that the discharge was the result of willful negligence or misconduct within the privity and knowledge of the owner then he is liable for the full amount. The United States is authorized to bring an action against the owner or operator in a court of competent jurisdiction to recover these costs.

Subsection (g) of this section provides that in any case where an owner or operator of a vessel or of an onshore or offshore facility from which oil is discharged in violation of this section proves that the discharge is caused solely by an act or omission of a third party or solely by such act or omission in combination with an act of God, an act of war, or negligence on the part of the United States, then such third party shall be liable to the United States for the actual costs of removing the oil unless that third party can in turn prove that the discharge was caused solely by an act of God, and act of war, negligence on the part of the United States or the act or omission of another party or any combination thereof. If the third party is the owner or operator of a vessel which caused the discharge, then that third party's liability is limited to $100 per gross ton of such vessel or $14,000,000, whichever is the lesser. In any other case the liability of the third party is limited by that which would have been applicable to the owner or operator of the vessel or facility from which the discharge actually occurred if such owner or operator would have been liable. If the

United States proves the discharge of oil was the result of willful negligence or misconduct within the privity and knowledge of the third party, then such third party shall be liable for the full amount of the removal costs. The United States is authorized to bring a suit in a court of competent jurisdiction to recover these removal costs.

Subsection (h) provides that the liability established by this section will not affect any rights which the owner or operator of the vessel or onshore or offshore facility may have against third parties whose acts in any way may have caused or contributed to the discharge of oil, or which the United States may have against any such party.

Paragraph (1) of subsection (i) authorizes an owner or operator from whose vessel or facility oil has been discharged and who voluntarily removes the oil in accordance with regulations to recover reasonable costs incurred in that removal in a suit against the United States in the court of claims if such owner or operator can prove that such discharge was caused solely by (A) an act of God, (B) an act of war, (C) negligence on the part of the United States, or (D) an act or omission of a third party without regard to its negligence, or any combination of the foregoing.

Paragraph (2) of subsection (i) provides that this subsection will not apply where liability is established by regulations adopted under authority of the Outer Continental Shelf Lands Act.

Paragraph (3) of subsection (i) authorizes the payment from the revolving fund established in subsection (k) of this section of any judgment entered against the United States under this subsection.

Paragraph (1) of subsection (j) requires the President, as soon as practicable and consistent with the national contingency plan, and maritime safety, and marine and navigation laws, to establish methods and procedures for removal of discharged oil, to establish criteria for the development and implementation of local and regional oil removal contingency plans, to establish procedures, methods, and requirements for equipment to prevent discharges of oil from vessels and onshore and offshore facilities, and regulations governing the inspection of vessels carrying oil as cargo, including inspecting such cargoes all for the purpose of reducing the likelihood of discharges of oil from such vessels. This language is in very general terms, and it is the understanding of all of the conferees that under this authority the President would be authorized by regulation to require vessels and facilities to carry on board or otherwise have available materials and equipment determined necessary to prevent and to clean up oil discharges.

Paragraph (2) of subsection (j) provides for a civil penalty of up to $5,000 for each violation of the regulations issued under this subsection. Authority is granted the President to compromise these penalties.

Subsection (k) authorizes the establishment of a revolving fund in the Treasury of not to exceed $35 million to carry out the provisions of subsections (c) (relating to the removal of oil which has been discharged), (i) (relating to costs payable by the United States for removal by volunteers), and (l) (relating to the administration of the section generally), as well as section 12 of this act (relating to the removal of hazardous polluting substances). Any other funds received by the United States under this section are to be deposited in this fund. Moneys in the fund are to be available until expended.

Subsection (l) is general authority to the President to delegate the administration of this section to the heads of those departments, agencies, and instrumentalities which he determines to be appropriate. Any department, agency, or instrumentality in which functions are vested is to avoid duplication of effort and to utilize personnel, services, and facilities of other departments, agencies, and instrumentalities wherever appropriate.

Subsection (m) provides that any person authorized by the President to enforce this section may, except as to public vessels, board and inspect vessels, arrest violators, and execute warrants or other process issued by an officer or court of competent jurisdiction. It is the hope of the conferees that the responsibility for this subsection will be vested in the Coast Guard.

Subsection (n) vests the district courts of the United States with jurisdiction for actions brought under this section other than those specifically authorized in the Court of Claims by subsection (i) (1). It further designates in the case of territories and possessions which of the district courts such actions shall be brought in.

Paragraph (1) of subsection (o) provides that nothing in this section will affect or modify the obligations of an owner or operator of a vessel or facility from which oil is discharged to any other person or agency under any provision of law for damages resulting from that discharge or the removal of that oil.

Paragraph (2) of subsection (o) disclaims any intention of preempting any State or political subdivision from imposing any requirement or liability with respect to the discharge of oil into waters in that State. Thus, any State would be free to provide requirements and penalties similar to those imposed by this section or additional requirements and penalties. These, however, would be separate and independent from those imposed by this section and would be enforced by the States through its courts.

Paragraph (3) of subsection (o) insures that nothing in this section is to be construed as affecting or modifying any other existing authority of any Federal department, agency, or instrumentality relative to onshore or offshore facilities under this Act, or any other provision of law, or to affect any State or local law not in conflict with this section.

Subsection (p) is essentially the same as the equivalent provisions of the House bill relating to the financial responsibility of vessels except that where the House bill required vessels over 100 gross registered tons to establish evidence of financial responsibility, this provision requires vessels over 300 gross tons to do so and the limits of liability are specified to be the same as those contained in subsection (f) (1), that is, $100 a gross ton or $14 million, whichever is lesser. Additionally, this provision spells out in paragraph (3) that claims for costs may be brought directly against the insurer providing the evidence of financial responsibility and in such case the insurer shall be entitled to all of the rights and defenses available to the owner or operator. It is the hope of the conferees that responsibility for administering paragraph (1) of this subsection will be vested in the Federal Maritime Commission. It is also the hope of the conferees that the marine insurance industry will modernize its coverage for protection of third parties without regard to the nature of the conduct of the insured.

Paragraph (4) of subsection (p) is essentially the same as the provisions of the House bill relating to a study of the need for other measures to provide financial responsibility and to limit liability on vessels and facilities subject to the provisions of this section. This report is to be submitted to Congress by January 1, 1971.

CONTROL OF HAZARDOUS POLLUTING SUBSTANCES

House bill

The House bill in the proposed new section 17 to the Federal Water Pollution Control Act, relating to pollution resulting from oil spills, provides that "matter" which is a defined term the substantial discharge of which presents an imminent and substantial hazard to public health or welfare can be cleaned up and liability can be assessed in the same manner and to the same extent and with the same penalties as are provided in the case of oil spills.

Senate amendment

The Senate amendment proposes a new section 13 to be added to the Federal Water Pollution Control Act providing with respect to controlling hazardous polluting substances a separate and distinct means for dealing with them.

This new section 13 is concerned with the identification, control, and cleanup of hazardous substances, other than oil.

Section 13(a)–(f) would direct the President to develop, promulgate, and revise regulations designating various hazardous substances, other than oil, which when discharged in any quantity into the navigable waters of the United States, or the waters of the contiguous zone, would present an imminent and substantial danger to the public health or welfare and establishing where appropriate, criteria for the removal of such substances. The development of these regulations must include consultation with various public and private agencies and organizations and individuals interested in such regulations. Where appropriate, public hearings could be held in developing the regulations. Consideration must also be given to the latest available scientific data, technical feasibility of the regulations, and experience gained under the Federal Water Pollution Control Act. Regulations would be published in the Federal Register as proposed regulations and interested persons would be given at least 30 days to comment thereon. At the end of that time the regulations may be finally promulgated unless an interested person has filed objections stating grounds therefor and requesting a public hearing on such objections. After the notice period, the objections must be published in the Federal Register by notice and a public hearing held as soon as possible thereafter. On completion of the hearing, the President must make findings of fact and he may promulgate such modification of regulations as appropriate or take other action as he deems appropriate. All findings must be made public.

Any person aggrieved by such regulation for which a hearing was held may within 60 days file a petition in the U.S. Court of Appeals for the District of Columbia requesting that the regulation be modified or set aside. The court must hear the appeal on the record made before the President and the substantial evidence rule shall apply to the findings of the President. The court may affirm, vacate, or remand the proceedings. The review afforded by this procedure in the Court of Appeals shall be exclusive as to the person seeking the petition and such person cannot raise the validity of the regulation in any subsequent procedure relating to the enforcement thereof. The filing of a petition does not stay the regulations unless the court so orders after finding that there is substantial likelihood that the President's findings are erroneous and that irreparable injury will result if the stay is not granted.

Section 13(g) would require that notice be given immediately to the United States upon the discharge of any hazardous substance from an onshore or offshore facility or a vessel in order to permit immediate action to remove or otherwise mitigate damage from the discharged substance. Criminal penalties apply for anyone who knowingly fails to so notify. Such notice and information contained therein may not be used in any criminal action under Federal or State law.

Section 13(h) would direct that the United States remove any discharged substance unless appropriate action is taken immediately by the discharger to remove the substance.

Section 13(i) would provide civil penalties for violation of regulation promulgated under section 13(a). If payment is not forthcoming administratively such penalties may be collected in Federal court in a de novo proceeding.

Section 13(j) would provide that section 13 will not affect or modify the obligations of an owner or operator for damages to anyone for damage to persons or property resulting from the discharge of a hazardous substance or from the removal of such substance.

Section 13(k) would provide enforcement authority in carrying out the provisions of section 13.

Section 13(l) would provide jurisdiction in the Federal district courts in case of any actions arising under section 13.

Section 13(m) would define various terms used in section 13 and make applicable the definitions of section 12(a) as to the terms, oil, discharge, vessels, public vessel, United States, person, contiguous zone, and act of God.

Section 13(n) would require that the President submit a report to the Congress by November 1, 1970, on the need for, and desirability of, legislation imposing liability for the cost of removal of hazardous substances. The report would be based on an accelerated study on the methods and measures for controlling substances, the most appropriate measures for enforcement, and the methods of imposing sanctions where removal is impossible or impractical.

Section 13(o) would authorize the President to delegate his responsibility to other Federal agencies. In addition it would make available for the purpose of section 13 the fund established under section 12 of the Act.

Conference substitute

The conference substitute proposes to add a new section 12 to the Federal Water Pollution Control Act dealing with control of hazardous polluting substances. In general, this section is more nearly comparable to that proposed by the Senate amendment than to the House bill.

Section 12(a) would be the same as section 13(a) of the Senate amendment except that the President would be authorized to establish recommended methods and means for removing hazardous substances instead of establishing criteria therefor as provided in the Senate amendment.

Section 12(b) would apply the Administrative Procedure Act provisions as now contained in title V (other than the form of administrative proceeding provided in section 553(c)) in lieu of the detailed administrative proceedings and judicial review contained in the comparable Senate provisions.

Section 12(c) is essentially the same as section 13(g) of the Senate amendment except that the criminal penalty for failure to notify has been removed. This section does not contain the civil penalty provided in section 13(i) of the Senate amendment.

This section does not contain the authorities granted the President with respect to enforcement contained in sections 13(k) and 13(l) of the Senate amendment.

Section 12(g), relating to reports, with minor changes is essentially the same as section 13(n) of the Senate amendment.

Section 12(h) is essentially the same as section 13(o) of the Senate amendment.

CONTROL OF SEWAGE FROM VESSELS

House bill

Section 18 would provide for the control of sewage from vessels including foreign vessels using our waterways and commercial and recreational vessels.

Section 18(a) would define various terms used in the new section.

Section 18(b) would direct the Secretary of the Interior to promulgate Federal standards of performance for marine sanitation devices to be installed and operated on board vessels subject to this new section. The term "marine sanitation device" is defined to include equipment on board the vessel which is designed to receive, retain, treat, or discharge sewage. The standards must be consistent with maritime safety and other marine laws and regulations. In addition, the Coast Guard must also promulgate regulations governing the design, construction, installation, and operation of these devices on board these vessels.

Section 18(c) would provide that the initial standards and regulations will be effective for new vessels—that is, vessels constructed after such standards and regulations are promulgated—2 years after promulgation, but not earlier than December 31, 1971, and for existing vessels—that is, vessels constructed prior to promulgation of the standards and regulations—5 years after promulgation. Both Interior and Coast Guard, in issuing standards and regulations, may distinguish among classes, types, and sizes of vessels as well as between new and existing vessel. Both may exempt such vessels from the applicability of the standards and regulations for such periods of time as may be necessary and upon application for individual vessels. This waiver authority could be accomplished at the time the standards and regulations are promulgated.

Section 18(d) would provide that this new section and the standards and regulations issued thereunder would apply to vessels owned and operated by the United States unless the Secretary of Defense finds that such compliance would be contrary to the interests of national security. The regulations required by this section and the certifications required under section 18(g) of this section shall be promulgated and issued by the Secretary of Defense rather than by the Coast Guard.

Section 18(e) would require that before the standards and regulations are promulgated, the Secretary of the Interior and the Coast Guard will consult with other interested Federal agencies, the States, and appropriate representatives of the various industries affected and shall comply with the rulemaking provisions of title 5 of the United States Code, formerly known as the Administrative Procedures Act.

Section 18(f) would provide that once the initial standards and regulations are effective a State or a political subdivision thereof may not adopt or enforce any law or regulation governing the design, manufacture, or installation of any marine sanitation device on board any vessel subject to the Federal standards and regulations. The section would not, however, affect the State's authority to prohibit completely all sewage discharges from vessels in particular intrastate waters of the State, regardless of whether the sewage is treated or not. In such cases however, the State must also prohibit waste discharges from all other sources.

Section 18(g) would prohibit the sale or delivery into interstate commerce or importation into the United States of any marine sanitation device unless such device is in all material respects substantially the same as the test device certified by the Coast Guard under this section. The subsection would require the Coast Guard to certify upon application of each manufacturer of these devices if he finds that they meet the standards and regulations promulgated under this section. The Coast Guard would require the manufacturer to test the device in accordance with procedures set forth by the Secretary of the Interior as to performance or he shall test it himself. It would be up to the Coast Guard to determine if the results of the test are in accordance with the appropriate performance standards. If the Coast Guard finds that the device is satisfactory from the standpoint of safety and other requirements of maritime law or regulation, and after considering the design, installation, operation, and material, and other appropriate factors, he would certify it. Every manufacturer would be required to maintain records and provide such information as the Secretary or the Coast Guard may need to enable them to determine whether the manufacturer has acted or is acting in compliance with this section and regulations thereunder.

Section 18(h) would provide that after the effective date of standards and regulations promulgated by Interior and Coast Guard it shall be unlawful (1) to manufacture for sale vessels subject to the standards and regulations without a certified device; (2) for a vessel to operate on the navigable waters of the United States subject to the standards and regulations, if it is not equipped with an operable marine sanitation device; (3) to refuse Federal authorities access to records; and (4) to move or render inoperative, wrongfully, a certified device installed prior to sale or delivery to the ultimate purchaser.

Section 18(i) would authorize the district courts of the United States to restrain violations of subsections (h) (1) through (3) of this section.

Section 18(j) would establish civil penalties for violation of section 18(h) to be assessed by the Coast Guard. The maximum penalty against the manufacturer and dealer is $5,000 and against other persons violating 18(h)(4) $2,000. The penalty cannot be assessed until there is notice and an opportunity for a hearing.

Sections 18(k) and (l) would provide that the enforcement of this new section would be carried out by the Coast Guard and that the Coast Guard may utilize the services, personnel and facilities of the Secretary of the Interior and other Federal agencies where appropriate.

Section 18(m) would provide jurisdiction in the courts of Guam and the Virgin Islands in the case of actions arising under this section. In the case of American Samoa and the Trust Territory of the Pacific Islands, these actions may be brought in the district court for the district of Hawaii.

Senate amendment

The new section 11 is concerned with the control of the discharge of sewage from vessels into the navigable waters of the United States.

Section 11(a) would define the various terms used in the section.

Section 11(b) would direct the Secretary of the Interior within two years after the effective date of this section to promulgate standards of performance for marine sanitation devices to prevent the discharge of untreated or inadequately treated sewage from all new and existing vessels equipped with installed toilet facilities. These standards must be consistent with maritime safety and other marine laws and regulations. The section would also direct the Coast Guard to promulgate regulations which govern the design, construction, installation, and operation of marine sanitation devices installed on board vessels subject to this section. The regulations must be consistent with the standards. This section would also exempt from such standards and regulations vessels equipped with a device installed pursuant to State requirements prior to the promulgation of such standards and regulations, until the device is replaced or unless it does not remain in compliance with the applicable State law.

Section 11(c) would provide that stand-

ards and regulations for new vessels become effective two years after promulgation. Standards and regulations for existing vessels would become effective five years after promulgation. Revisions thereof would be effective on date specified in such revisions. The Coast Guard may waive application of standards and regulations to various classes, types, and sizes of vessels for such periods as may be necessary and, upon application, waivers may be granted for individual vessels.

Section 11(d) would require compliance with Federal standards and regulations by public vessels of the United States, except where compliance conflicts with national security, as determined by the Secretary of Defense.

Section 11(e) would require that the Secretary and the Coast Guard consult with Federal and State agencies and other interested parties and comply with the provisions of section 553 of the United States Code (the Administrative Procedure Act) prior to promulgation of standards and regulations.

Section 11(f) would preempt State or local laws or regulations relative to the design, manufacture, installation, or use of marine sanitation devices on new or existing vessels for which such devices are required under section 11(c) after the Federal standards and regulations applicable to such vessels are effective. Such State laws and regulations could still continue in effect in the case of other vessels. Also, a State may prohibit all sewage discharges from all vessels into certain waters within its boundaries in order to implement applicable water quality standards.

Section 11(g) would prohibit the sale or delivery into commerce of a device, the prototype of which is not certified; establish procedures for certification; and provide for the maintenance of records.

Section 11(h) would provide that, after the effective date of standards and regulations, it shall be unlawful:

To manufacture, or distribute for sale, vessels, subject to Federal standards and regulations without a certified device;

To, wrongfully, remove or render inoperative a certified marine sanitation device installed prior to sale or delivery to the ultimate purchaser;

To refuse Federal authorities access to records; and

To operate a vessel subject to the standards and regulations if it is not equipped with an operable device.

Section 11(i) would give jurisdiction to the courts to restrain those who under section 11(h), unlawfully manufacture or distribute for sale vessels without a device, remove or render inoperative a device, or refuse access to records.

Section 11(j) would establish civil penalties in case of violations of section 11(h) to be assessed after notice and hearing by the Coast Guard. Civil penalties not paid after administrative proceedings may be collected by the United States in the Federal district courts in a de novo proceeding.

Section 11(k) would place the responsibility for enforcement in the Coast Guard with assistance by the Secretary of the Interior, other Federal agencies, or the States.

Section 11(l) would authorize the Coast Guard to inspect vessels in U.S. waters and issue and execute warrants.

Section 11(m) would grant jurisdiction to various courts in cases of actions arising under section 11.

Conference substitute

The proposed new section 13 of the Federal Water Pollution Control Act relates to control of sewage from vessels.

Section 13(a) contains the same definitions as section 11 of the Senate amendment with the following changes:

(1) The term "public vessel" is defined to mean a vessel owned or bareboat chartered and operated by the United States, by a State or political subdivision thereof, or by a foreign nation, except when such vessel is engaged in commerce.

(2) The definition of "manufacturer" is the same as contained in the House bill.

(3) The term "discharge" is defined as including, but not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(4) The term "marine sanitation device" is defined as also including any process to treat sewage.

Section 13(b)(1) relating to the establishment of standards for marine sanitation devices is essentially the same as contained in the House bill. Language is included in the vessel pollution portion of the conference substitute for the purpose of assuring that unreasonable demands are not made on small recreational vessels, but that marine sanitation device performance standards would only be promulgated when our technology permits these standards to be practicable and reasonable, and the degree of treatment will be adequate. The exemption of vessels that do not have installed toilet facilities relieves a burden upon those vessel owners who otherwise could be driven out because of the lack of feasibility of installing toilet facilities and marine sanitation devices on certain types of vessels.

Section 13(b)(2) provides that any existing vessel equipped with a marine sanitation device on the date of promulgation of initial standards and regulations under this section which device is in compliance with such initial standards and regulations shall be deemed in compliance with this section until such time as the device is replaced or is found not to be compliance with such initial standards and regulations.

Section 13(c)(1) relating to the effective date of standards is the same as the House provision.

Section 13(c)(2) relating to differentiation and waiver is the same as the House provision with the exception that the Secretary of the department in which the Coast Guard is operating must consult with the Secretary of the Interior in distinguishing among classes, types, and sizes of vessels as well as between new and existing vessels; and, with respect to waiving applicability of standards and regulations as necessary or appropriate for such classes, types, or sizes, it is made clear that existing vessels equipped with marine sanitation devices on the date of promulgation of the initial standards required by this section are eligible for waiver of such standards.

Section 13(d) relating to federally owned vessels is essentially the same as the comparable provision of the House bill.

Section 13(e) relating to consultation with interested parties is the same as the provisions of the House bill.

Section 13(f) provides that after the effective date of the initial standards and regulations promulgated under this section no State or political subdivision thereof shall adopt or enforce any statute or regulation of any such State or political subdivision with respect to the design, manufacture, or installation or use of any marine sanitation device on any vessel subject to the provisions of this section. Upon application by a State and, where the Secretary determines that any applicable water quality standards require such a prohibition, he shall by regulation completely prohibit the discharge from a vessel of any sewage whether treated or not into those waters of such State which are the subject of the application and to which such standards apply. The conferees expect there to be a wide dissemination of information of any such prohibition.

Sections 13 (g) through (m) relating to prohibitions and their enforcement are essentially the same as the equivalent provisions in the House bill.

AREA ACID AND OTHER MINE WATER POLLUTION CONTROL DEMONSTRATIONS

Conference substitute

The proposed new section 14 is the same as the equivalent provisions in both the House bill and the Senate amendment which are substantially identical.

POLLUTION CONTROL IN THE GREAT LAKES

Conference substitute

The proposed new section 15 is the same as the equivalent provisions in both the House bill and the Senate amendment which are substantially identical.

TRAINING GRANTS AND CONTRACTS

Conference substitute

Sections 16 through 19 of the conference substitute relating to training grants and contracts are essentially the same as the equivalent provisions contained in the House bill.

ALASKA VILLAGE FACILITIES

House bill

The House bill contains no provision relating to Alaska village safe water facilities.

Senate amendment

Title IV of the Senate amendment adds a new section 23 to the Federal Water Pollution Control Act entitled "Alaska Village Safe Water Facilities Act."

Sections 23 (b) and (c) are findings of fact and a declaration of policy to establish a special emergency program to provide safe water and hygienic sewage disposal facilities in Alaska villages presently without these facilities.

Section 23(d) authorizes the Secretary of the Interior to provide for the installation of whatever safe water and hygienic sewage disposal facilities are necessary to insure that there will be one such facility in each Alaskan village. These facilities are to be available for use by the general public, to be designed to assure year round operation, to provide clean water, shower bath facilities, sewage disposal, and facilities for washing clothes.

The section also provides the means for determining the location of these facilities, prohibits contributions toward the cost of construction from the users of such facilities, provides that local workmen shall be used, provides for local operation, and authorizes $5,000,000 for fiscal year 1970 and such sums as may be necessary thereafter for the next three fiscal years.

In addition, the Secretary is directed to conduct appropriate educational and informational programs to familiarize the residents of each community wherein such a facility is located as to the health advantages of full utilization of that facility. In addition, the Secretary is authorized to make grants for operation and maintenance of these facilities.

The Secretary is required to report to Congress annually on the results of this program. He is also directed to utilize the facilities of the Department of Health, Education, and Welfare to the fullest extent possible in carrying out the provisions of the section.

Conference substitute

The conference substitute proposes to add a new section 20 to the Federal Water Pollution Control Act entitled "Alaska Village Demonstration Projects".

This section would authorize the Secretary, in agreement with the State of Alaska, to carry out demonstration projects for central community facilities for safe water and the elimination or control of water pollution in native villages of Alaska without these facilities. These projects are to include provisions for safe water supply systems, toilets, bathing and laundering facilities, sewage disposal facilities, and similar facili-

ties of that type. In addition, educational and informational facilities and programs relating to health and hygiene are authorized as part of the demonstration projects. The purpose of these demonstration projects is to assist in developing preliminary plans for providing these types of facilities for all native villages in Alaska.

In carrying out this section, the Secretary is to cooperate with the Secretary of Health, Education, and Welfare in order to utilize personnel and facilities of that department to the extent appropriate.

A report to Congress not later than January 31, 1973, is required.

There is authorized to be appropriated not to exceed $1,000,000 to carry out this new section.

It is the understanding of the conferees that these demonstration projects will not extend to the construction of facilities other than those which are centrally located and usable on a community-wide basis. Facilities for individual dwellings are not authorized under this section.

COOPERATION BY FEDERAL AGENCIES IN THE CONTROL OF POLLUTION

House bill

Section 3 of the House amends section 11 of the Federal Water Pollution Control Act to put into statutory terms the provisions of the President's Executive Order 11288 for the prevention, control, and abatement of water pollution by Federal activities, either directly or by contract. This section would require that every Federal agency having jurisdiction over any real property or facility shall take immediate and appropriate steps to insure compliance with applicable Federal, State, and local water quality standards and the purposes of the Federal Water Pollution Control Act in the administration of the property or facility. This section would recognize, however, that this requirement is subject to the availability of appropriations and the needs of the United States, but it is intended that every effort be made to carry out its directives and to seek the necessary appropriations to do so. In any summary of a conference made pursuant to section 10(d)(4) of the Federal Water Pollution Control Act, the Secretary must also include references to discharges which might cause or contribute to the pollution of any waters from Federal property of facilities and transmit a copy of his summary to the appropriate Federal agency head. Also, notice of any hearing under section 10(f) of the act shall be given to the Federal agency having jurisdiction over the property or facility involved and the finding and recommendations of the hearing board shall include references to the discharges from such Federal facility or property.

Section 11(b) would require that applicants, other than a Federal agency, seeking a Federal license or permit to conduct any activity of any kind or nature which may result in discharges into the navigable waters of the United States must provide the Federal licensing or permitting agency with a certification from the affected State or States or interstate water pollution control agency that there is reasonable assurance, as determined by that agency, that such activity will be conducted in a manner that will not reduce the quality of such waters below applicable Federal or State or local water quality standards. In any instance where the water quality standards have been promulgated by the Secretary of the Interior under section 10(c)(2) of the act or where a State agency or interstate agency lacks authority to provide such a certification, then the certification shall be obtained from the Secretary of the Interior. In any case where an activity requires two or more licenses or permits by a single Federal agency or multiple Federal agencies and the applicant receives a certification under this section in connection with any one of those licenses or permits, then any Federal agency considering an application for a subsequent license or permit for that same activity, such Federal agency may accept the first certification as meeting the requirements of this section if, after notice to the affected State or States or interstate agencies or to the Secretary, as appropriate, no written objection is made to the granting of such license or permit without a subsequent certification.

In addition, once a license or permit has been issued it may be suspended if a court of competent jurisdiction subsequently finds that such licensee or permittee is not in compliance with applicable water quality standards.

In any case where the actual construction of a facility for the conduct of any activity has been lawfully commenced prior to the effective date of this legislation, no certification shall be required under section 11(b) for a Federal license or permit issued after the effective date of this legislation to conduct such activity. Any license or permit issued without the certification, however, shall terminate at the expiration of 2 years following the effective date of this legislation unless prior to such termination date the licensee or permittee submits to the Federal licensing or permitting agency a certification as required under section 11(b).

This section prescribes that no Federal permit or license may be granted except in the manner just mentioned without a certification as prescribed by this section.

Senate amendment

Section 103 of the Senate amendment redesignates section 11 of the Federal Water Pollution Control Act as section 16 and substantially revises it.

Section 16(a) is similar to the present section 11 of the Federal Water Pollution Control Act as amended. The new section, however, would require that every Federal agency having jurisdiction over any real property or any facility or activity of any kind shall insure compliance with applicable water quality standards in the administration of the property, facility, or activity consistent with an approved plan for implementation. This section would also authorize appropriations to carry out this requirement.

Section 16(b) would require that when a Federal agency (1) issues a lease to any person for the use of any Federal property or facility or (2) contracts for the operation of such property or facility or (3) contracts for the entire operation of any non-Federal facility, such agency must insure compliance with the applicable water control quality standards and purposes of this Act in administering such lease or contract. When appropriate, a certification obtained under section 16(c) for a Federal license or permit shall be evidence of compliance with the water quality standards.

Section 16(c) applies to applicants for Federal licenses or permits to construct or operate any facility or to conduct any activity which may result in any discharge in the navigable waters of the United States. It does not apply to Federal agencies.

The section would require that the applicant for such Federal license or permit provide a certification from the State in which the discharge originates to the Federal licensing or permitting agency and notice thereof to the Secretary of the Interior, that there is reasonable assurance that the facility or activity will comply with applicable water quality standards. In appropriate cases, the certification would be obtained from an interstate water pollution control agency. Where water quality standards for interstate waters have not been approved or promulgated under section 10(c) of the Federal Water Pollution Control Act, as amended, the certification must be obtained from the Secretary of the Interior. The certifying agency has 1 year after receipt of application for certification to notify the applicant of such certification or of intent not to certify. After the Secretary of the Interior determines that the discharge may affect the applicable water quality standards of a State or States other than the certifying State, the Secretary must notify the other States within 60 days after receipt of the notice of an application for a license or permit. If such other States within 30 days after receipt of notification from the Secretary determine that the discharge will adversely affect its standards, they should notify the Secretary and the Secretary has an additional 30 days to review such determination. If upon such review he finds such adverse effect, the Secretary shall require that before the license or permit is issued that appropriate conditions be included to insure compliance with the standards.

No Federal license or permit can be granted without a certification and such conditions as the State, interstate agency or Secretary may reasonably require. These conditions could include, among other things, provision for suspension or termination of the license or permit for failure to comply with the standards.

If, in the case of discharge affecting States other than the State of origin and where the Secretary requires conditions that are more stringent than those of the State where the discharge originates, the applicant may request a hearing by the Federal licensing or permitting agency and such agency shall make findings on the conditions to be included in a license or permit. Such findings must be public and they shall not require conditions that are less stringent than those of the State where the discharge occurs. The licensing or permitting agency will, of course, provide an opportunity for the affected States and the Secretary to participate in such hearing and to appeal the findings in a Federal court within a reasonable time after the issuance thereof as provided in statute under which the license or permit is issued or under the Administrative Procedure Act.

The Federal licensee or permittee must provide the certifying State or, as appropriate, the interstate agency or the Secretary of notice of any changes in the facility or activity which may affect applicable water quality standards.

A certification for Federal license or permit for a particular facility or activity shall satisfy the requirement of certification for any later Federal license or permit necessary for such facility for activity unless, after receiving notice of an application for such later Federal license or permit, a State or the Secretary notifies such Federal licensing or permitting agency that there has been a change in the nature of the activity, the design of the facility, the natural characteristics of the waters into which the discharge will be made, or in the water quality standards applicable to such waters, and there is no longer reasonable assurance of compliance with water quality standards. In such instances a second certification will be required.

In the case of any Federally licensed or permitted facility or activity which is not required to obtain a Federal operating license or permit, the licensee or permittee must give the certifying State, or interstate agency, or the Secretary an opportunity to review the manner in which the facility or activity will be operated or conducted for the purpose of assuring compliance with water quality standards. This requirement would apply prior to the actual operation of the facility or activity. Upon receipt of notice from the certifying State, the interstate agency or the Secretary, that the operation will not comply with the standards, the Federal agency must

suspend the license or permit until notice is received of reasonable assurance of compliance.

If, in any case, a Governor of a State or the Secretary notifies the licensing or permitting agency that the facility or activity has been found by a court to be in violation of the standards, such license or permit may be suspended or terminated, as circumstances require, by the Federal agency.

If actual construction of a facility has been begun under a Federal license or permit prior to the effective date of this section, no certification shall be required for any Federal operating license or permit for such facility issued within 3 years of such date. Any Federal operating license or permit issued during such 3-year period, however, without the benefit of the certification must be terminated after the end of the 3-year period unless, prior to that time, the licensee or permittee obtains a certification. If, in any case where there is a Federal license or permit application pending on the effective date of this section and where such license or permit is issued within 1 year of such date, a certification will not be required for 1 year following the issuance of license or permit. The license or permit, however, will terminate at the end of that year unless certification is obtained.

In the case of any activity which will affect water quality for which there are no applicable standards, no certification will be required. However, a Federal licensing or permitting agency, in such event, must impose, as a condition of any license or permit, a requirement that the licensee or permittee shall comply with the purposes of the Act.

If a State in which a discharge originates or the Secretary notifies a Federal agency that its licensee or permittee has received notice of the adoption of water quality standards applicable to such activity and has failed to comply with the standards, the Federal agency must after a period of time, suspend license or permit until notice is received that there is reasonable assurance of compliance.

Section 16(d) provides that section 16 of the Act is not to be interpreted in any way to affect the authority of any Federal agency pursuant to this Act or any other provision of law relative to compliance with water quality standards. The Secretary of the Interior is also directed to provide technical assistance as may be necessary to carry out the purposes of this Act.

Section 16(e) will authorize Corps of Engineers to permit the use of spoil disposal areas under its jurisdiction by a Federal licensee or permittee and to charge for such use. Moneys received would be deposited to miscellaneous receipts.

Conference substitute

Section 103 of the conference substitute redesignates existing section 11 of the Federal Water Pollution Control Act as section 21 and revises that section substantially as follows:

Section 21(a) would require each Federal department, agency, and instrumentality (hereafter referred to as a "Federal agency") having jurisdiction over any real property or facility or engaged in any Federal public works activity to insure compliance with applicable water quality standards and the purposes of the Federal Water Pollution Control Act in the administration of that property, facility, or activity, to the extent consistent with the paramount interest of the United States as determined by the President. The jurisdiction of a Federal agency referred to in this provision includes operations of the agencies carried on by lease and by contract and therefore would subject these lease and contract operations to the requirements of this subsection. In his summary of the conference pursuant to section 10(d)(4) of the Act, the Secretary is required to include reference to any discharges alleged to contribute to pollution from any Federal property, facility, or activity and to send a copy of that summary to the head of the Federal agency having jurisdiction thereof. Notice of a hearing pursuant to section 10 (f) of the Act involving any pollution alleged to be caused by any such discharges shall also be given the Federal agency having jurisdiction over the property, facility, or activity involved and the hearing board's findings and recommendations shall include references to such discharges to the extent they are contributing to the pollution.

Section 21(b) requires any applicant for a Federal license or permit to conduct any activity (this includes constructing or operating facilities) which may result in any discharge into navigable waters of the United States to provide the licensing or permitting agency with a certification from the State in which the discharge originates or will originate or a certification from the interstate water pollution control agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate if such a certification is appropriate from such interstate agency rather than from the State of origin. This certification must state that there is reasonable assurance as determined by the certifying State or interstate agency that the activity proposed to be licensed or permitted will be conducted in a manner which will not violate applicable water quality standards. The State is required to provide public notice with respect to all applications received by it for certification and, to the extent that the State determines it appropriate, to establish procedures for holding public hearings with respect to specific applications. If these standards have been promulgated by the Secretary, or, if a State or interstate agency has no authority to make such a certification, then the certification must be obtained from the Secretary. In order to insure that sheer inactivity by the State, interstate agency, or Secretary, as the case may be, will not frustrate the Federal application, a requirement, similar to that contained in the House bill is contained in the conference substitute that if within a reasonable period, which cannot exceed one year, after it has received a request to certify, the State, interstate agency, or Secretary, as the case may be, fails or refuses to act on the request for certification, then the certification requirement is waived. If a State refuses to give a certification, the courts of that State are the forum in which the applicant must challenge that refusal if the applicant wishes to do so. No Federal license or permit shall be granted unless this certification has first been obtained or there has been a waiver of the requirement as provided by this subsection. Denial of certification by a State, interstate agency, or the Secretary, as the case may be, results in a complete prohibition against the issuance of the Federal license or permit.

When a licensing or permitting agency receives an application and a certification, it must immediately notify the Secretary of the Interior thereof. Whenever such a discharge may affect the quality of the waters of any other State as determined by the Secretary, then the Secretary shall, within 30 days of the date he is notified of the application for the Federal license or permit, notify such other State, the licensing or permitting agency, and the applicant. If within 60 days thereafter the State so determined to be affected determines that the discharge will affect the quality of its waters so as to violate its water quality standards and within that 60-day period notifies the Secretary and the licensing or permitting agency of its objection to the issuance of the license or permit and requests a public hearing on its objection, such a public hearing shall be held by the licensing or permitting agency. At that hearing the Secretary of the Interior shall submit his evaluation and recommendations with respect to the objection to the licensing or permitting agency. Based upon the recommendations of the State, the Secretary, and any additional evidence presented at the hearing, the agency shall condition the license or permit so as to insure compliance with applicable water quality standards. If conditions cannot insure this compliance, the license or permit shall not be issued.

In the case where a Federal license or permit is required both as to the construction of a facility and its operation, the initial certification required for the construction license or permit shall fulfill the requirements of this subsection with respect to certification for a Federal license or permit to operate that facility unless the certifying State, interstate agency, or Secretary, as the case may be, after having been given notice of the application for an operating license or permit by the agency to whom the application is made notifies that agency within 60 days that there is no longer reasonable assurance of compliance with applicable water quality standards because of changes since the construction license or permit certification was issued in (1) the construction or operation of the facility, (2) the characteristics of the waters into which the discharge is to be made, or (3) the water quality standards applicable to those waters. This paragraph is made inapplicable if the applicant for the operating license or permit has not provided the certifying State, interstate agency, or Secretary, as the case may be, with notice of any proposed changes in the construction or operation of the facility which changes may result in violation of applicable water quality standards.

Before the initial operation of a federally licensed or permitted facility or activity with respect to which a certification has been obtained under this provision which facility or activity is not subject to a Federal operating license or permit, the licensee or permittee is required to provide an opportunity to the certifying State, agency, or Secretary, as the case may be, to review the manner of operation of the facility for the purposes of assuring that applicable water quality standards will not be violated. Upon notification by such certifying State, agency, or Secretary, as the case may be, that operation of this facility will violate applicable water quality standards, the Federal agency may, after public hearing suspend the license or permit until notification is received from the certifying State, agency, or Secretary, as the case may be, that there is reasonable assurance that the facility or activity will not violate applicable water quality standards. This right to review the manner of operation of a facility or activity is not to be construed as authority to the State, agency, or Secretary, as the case may be, to impose operational requirements with respect to that facility or activity.

If a judgment is entered under section 10(h) of the Act that a federally licensed or permitted facility or activity has been operated in violation of applicable water quality standards, then the Federal license or permit with respect to which a certification has been obtained under this provision may be suspended or revoked by the Federal agency issuing that license or permit.

No Federal agency is to be deemed to be an applicant for the purposes of this subsection.

If the actual construction of a facility has been lawfully commenced before the date of enactment of the Water Quality Improvement Act of 1970, then no certification is to be required for a license or permit issued thereafter to operate such facility except

that if such a license or permit is issued without this certification it shall terminate at the end of three years from the date of enactment of the Act of 1970 unless before such date a proper certification is submitted to the licensing or permitting agency and the person having that license or permit otherwise meets the requirements of this subsection.

Except as provided in the preceding paragraph, an applicant for a license or permit pending on the date of enactment of the Water Quality Improvement Act of 1970, which license or permit is issued within one year after that date, will not require certification for a one-year period following the date of issuance of the license or permit except that that license or permit will terminate at the end of one year unless before that expiration date the licensee or permittee submits a certification and otherwise meets the requirements of this subsection.

In the case of any activity which will affect water quality for which there are no applicable standards, no certification will be required. However, a Federal licensing or permitting agency, in such event, must impose, as a condition of any license or permit, a requirement that the licensee or permittee shall comply with the purposes of the Act.

If a State in which a discharge originates or the Secretary notifies a Federal agency that its licensee or permittee has received notice of the adoption of water quality standards applicable to such activity and has failed to comply with the standards, the Federal agency must after a period of time, suspend license or permit until notice is received that there is reasonable assurance of compliance.

Nothing in this section is to be construed to limit the authority of any department or agency pursuant to any other provision of law to require compliance with applicable water quality standards. The Secretary of the Interior is also directed to provide technical assistance to carry out the purposes of this Act.

This section will also authorize the Chief of Engineers to permit the use of spoil disposal areas under his jurisdiction by a Federal licensee or permittee to charge for that use with the moneys received to be deposited in miscellaneous receipts of the Treasury. In considering the "public interest" the Chief of Engineers should take into consideration the necessity to maintain non-Federal dock and berthing facilities which are essential to the functioning of the Federal navigation project. In determining the needs and utilization of spoil disposal areas under the jurisdiction of the Chief of Engineers, he should give appropriate consideration to the related requirements of the non-Federal dredging activities and should consider their needs for disposal on the same basis as those of the Federal Government. Where local interests donates land, or shares in the costs of construction of spoil disposal areas, local interest should be permitted reasonable use of the area, utilizing the same standards as set forth in the two preceding sentences, at a nominal charge.

AWARDS FOR EXCELLENCE

House bill

The House bill in section 4 amends section 12 of the Federal Water Pollution Control Act to add a new subsection (f) which would authorize a program of official recognition by the United States to industrial firms and political subdivisions which demonstrated excellence in their waste treatment and pollution abatement programs. Those industrial firms and political subdivisions granted such an award are to receive a certificate or a flag of suitable design. Notification of the award is to be published in the Federal Register.

Senate amendment

The Senate amendment contained no comparable provision.

Conference substitute

Section 104 of the conference substitute adds a new subsection (f) to redesignated section 22 of the Federal Water Pollution Control Act to authorize a program of official recognition by the United States to industrial organizations and political subdivisions which during the preceding year demonstrated either outstanding technological achievement or an innovative process, method, or device in their waste treatment and pollution abatement programs. The Secretary is to establish appropriate regulations for application for and granting of this award. No applicant is to be eligible if he is not in total compliance with all applicable water quality standards and does not otherwise have a satisfactory record with respect to environmental quality. The award is to be a certificate or plaque of suitable design, and notification of the award is to be published in the Federal Register.

RESEARCH, INVESTIGATIONS, TRAINING, AND INFORMATION

House bill

Section 5 of the House bill amends section 5 of the Federal Water Pollution Control Act by adding four new subsections and by extending the provisions authorizing appropriations for 2 additional fiscal years at the level of authorization provided for fiscal year 1969, that is $65 million.

Section 5(g) authorizes the Secretary to enter into contracts and grants with various individuals, agencies, and organizations, for research and development on the problems of lake eutrophication and other lake pollution problems.

Section 5(h) would authorize the Secretary to acquire lands and interests therein by purchase with appropriated or donated funds, by donation, or by exchange, lands or interests therein in connection with development of field laboratories, research facilities, and demonstration projects.

Section 5(i) would direct that the Secretary shall engage in research studies, experiments, and demonstrations by grant, contract, or otherwise, in the prevention and control of oil pollution, including the removal of oil discharges.

Section 5(j) would direct that the Secretary engage in a program of research, studies, experiments, and demonstrations by grants, contracts, or otherwise relative to the equipment which is to be installed on board a vessel and which is designed to receive, retain, treat, or discharge sewage from vessels with particular emphasis on equipment for use on recreational vessels. The Secretary is directed to file a report of his findings prior to the effective date of any standards to be established under section 18 of the Act.

Senate amendment

Section 104 of the Senate amendment would amend section 5 of the Federal Water Pollution Control Act by deleting the present subsection (g) relating to an estuary study and inserting that subsection as a new subsection in section 21 of the Act.

This section would also add a new subsection (g) to section 5 relating to the training of personnel to operate and maintain existing and future treatment works and related activities. Under this new program the Secretary will finance pilot programs of manpower development in training and retraining of people interested in entering, or who are actually in the field of operation and maintenance of such works. The purpose of the program is to supplement, not supplant, other manpower training programs. The Secretary can carry out these programs directly or through joint ventures with the States and other public or private agencies.

The Secretary is also authorized to enter into agreements to develop and maintain an effective system for forecasting the needs of various occupational categories in the water pollution field.

The new subsection would authorize the Secretary, in carrying out the purposes of the Federal Water Pollution Control Act, to make grants and enter into contracts, establish and maintain research fellowships, and provide additional training in technical programs in the water pollution field. The Secretary is required to submit a report to Congress by September 30, 1970, summarizing actions taken under the new subsection; including information on the number of persons trained, categories for which training was provided, effectiveness of various training programs in this field, and provide estimates of the needs of this field.

This section would also add a new subsection (h) to section 5 to authorize the Secretary to enter into contracts and grants for research and development on problems of lake eutrophication and other lake pollution problems, including construction of publicly owned research facilities for that purpose.

This section would also add a new subsection (i) to section 5 to direct the Secretary to engage in research, studies, experiments, and demonstrations by grant, contract, or otherwise in the prevention and control of oil pollution, including the removal of oil discharges.

A new subsection (j) is added to section 5 to require the Secretary within two years to develop and issue to the States for the purpose of adopting standards pursuant to section 10(c), criteria reflecting the latest scientific knowledge useful in indicating the kind and extent of effects on health and welfare which may be expected from the presence of pesticides in the water in varying quantities. These criteria are to be revised from time to time. Further, the Secretary is required to conduct a study and investigation of methods to control the release of pesticides into the environment, including examination of persistency of pesticides and to report thereon within two years.

A new subsection (k) is added to section 5 which authorizes the Secretary to acquire lands and interests therein by purchase, with appropriated or donated funds, by donation, or by exchange, in connection with development of field laboratories, research facilities, and demonstration projects.

This section would also authorize appropriations to carry out provisions of this section except subsection (g) (1) and (2) at the current level of authorization which is $65 million for fiscal years 1970 and 1971. In the case of subsection (g)(1), the authorization would be $5 million for fiscal year 1970 and $7.5 million for the next fiscal year. In the case of subsection (g)(2), the authorization is $2.5 million for each of those fiscal years.

Conference substitute

Section 105 of the conference substitute amends section 5 of the Federal Water Pollution Control Act as follows:

(1) By relettering the last two subsections and inserting after subsection (f) new subsections (g) through (1).

(2) The new subsection (g) provides the same authority with respect to training of personnel as was provided by the Senate amendment in its amendment to section 5(g).

The new subsection (h) provides for the same authority with respect to lake eutrophication as was contained in the Senate amendment. It would authorize financial assistance for the construction of publicly owned research facilities by public agencies, including publicly owned universities.

The new subsection (i), relating to research on oil removal problems with the substitution of the requirement that the specifica-

tions be developed from time to time, rather than by June 30, 1970, and with other minor changes is the same as the Senate amendment in this regard.

The new subsection (j), relating to marine sanitation device research is essentially the same as the provisions contained in the proposed subsection (j) in the House bill.

The new subsection (k), relating to land acquisition, is essentially the same as the comparable provisions in both the House bill and Senate amendment.

The new subsection (l) is essentially the same as the proposed subsection (j) in the Senate amendment relating to pesticides with the exception that reference to criteria has been deleted, and the term "scientific knowledge" substituted therefor, and the requirement of making the study on pesticides has been placed in the President rather than the Secretary. The conferees expect that the Secretary will consult with the Secretary of HEW on the health aspects of pesticides and will avoid duplication of the research activities of the Department of HEW.

In addition, this provision would extend through fiscal year 1971 the $1,000,000 authorized for the estuarine studies authorized in redesignated subsection (m) and would extend through fiscal year 1971 the authorization of $65,000,000 per year for carrying out section 5 on research and would authorize for subsection (g)(1) training $5,000,000 for fiscal year 1970 and $7,500,000 for fiscal year 1971, and $2,500,000 per fiscal year for each of those two fiscal years for carrying out subsection (g)(2) training. The extension of the estuarial authorization is necessary in connection with the gathering of additional information which may be required as the result of hearings now being held by the Public Works Committee.

OIL POLLUTION ACT, 1924

The House bill, the Senate amendment, and the conference substitute all repeal the Oil Pollution Act, 1924.

FINANCING STUDY

House bill

Section 9 of the House bill authorizes a study by the Secretary of the Interior of the feasibility of all methods of financing the cost of preventing, controlling, and abating water pollution, the results to be reported to Congress by January 1, 1970, together with recommendations.

Senate amendment

The Senate amendment contains no comparable provision.

Conference substitute

Section 109 of the conference substitute authorizes this study, excluding from it, however, the methods already authorized by existing law and extending to December 31, 1970, the reporting date. The authorization of this study is not to be construed as a weakening of the congressional commitment to the financing methods for water pollution control programs now authorized by law.

NAME CHANGE

House bill

Section 10 of the House bill changes the name of the Federal Water Pollution Control Administration to the National Water Quality Administration.

Senate amendment

The Senate amendment contained no comparable provision.

Conference substitute

Section 10 of the conference substitute provides for changing the name of the Federal Water Pollution Control Administration to that of the Federal Water Quality Administration.

REIMBURSEMENT

Senate amendment

Section 106 of the Senate amendment amends section 8(c) of the Federal Water Pollution Control Act to specifically include in the provision relating to the reallotment of unused allocations language indicating that these can be used for the purpose of making reimbursements pursuant to the sixth and seventh sentences of section 8(c).

House bill

The House bill contains no comparable provision.

Conference substitute

Section 111 of the conference substitute amends section 8(c) of the Federal Water Pollution Control Act to include for the purpose of making reimbursement, those States having projects eligible for reimbursement pursuant to the sixth and seventh sentences of subsection (c) of section 8.

The conferees agreed that this is merely a clarifying amendment and the authority for these reimbursements is contained in existing law. However, for clarification purposes, the specific words are added to the law.

NAVIGATION

Senate amendment

Section 108 of the Senate amendment amends the second sentence of section 10(c)(3) of the Federal Water Pollution Control Act to add the word "navigation" after the word "industrial,", thus making consideration of the value and use of water for navigation a factor to be taken into account in the establishment of water quality standards.

House bill

The House bill contains no comparable provision.

Conference substitute

Section 112 of the conference substitute adds a new sentence to section 10(c)(3) of the Federal Water Pollution Control Act. The intent and purpose of this sentence is the same as that of the Senate amendment, that is to ensure that "navigation" will be considered in the same manner and to the same extent as the other enumerated classes in the establishment of standards. The conference substitute differs from the Senate amendment only in technique in order to avoid any possible misinterpretation of this provision.

ENVIRONMENTAL QUALITY

Senate amendment

Title II of the Senate amendment, consisting of five sections, relates to environmental quality.

Section 201 would cite this title as the Environmental Quality Improvement Act of 1969 and make certain congressional findings relative to the national policy set forth in specific statutes for the enhancement of environmental quality.

Section 202 would require each Federal agency conducting or supporting public works activity which affect the quality of the environment to implement the policies established by the President under this Act.

Section 203 would establish in the Executive Office of the President an Office of Environmental Quality.

Section 204 would direct that an advisory committee be established having a broad range of concern of population growth and environmental quality and planning for the future.

Section 205 would authorize appropriations to carry out the purposes of this title.

House bill

The House bill contains no comparable provision.

Conference substitute

Title II of the conference substitute relates to environmental quality.

Section 201 cites the title as the "Environmental Quality Improvement Act of 1970".

Section 201 makes certain congressional findings relating to the national policy set forth in existing statutes relating to environmental pollution, control, water, and land resources, transportation, and economic and regional development. It also finds that the primary responsibility for implementing this national policy rests with the State and local governments, and encourages the implementation of the policy through regional organizations.

The section declares that the purposes of the title are to assure that existing Federal departments and agencies conducting or supporting public works activities affecting the environment shall implement the policies established under existing law and to authorize an Office of Environmental Quality.

Section 203 establishes in the Executive Office of the President an Office of Environmental Quality. The Chairman of the Council on Environmental Quality is to be the Director of this Office. A Deputy Director is authorized to be appointed by the President by and with the advice and consent of the Senate, and his compensation is provided for. The Director is authorized to employ necessary personnel. These personnel would be employed in accordance with the general classification laws and paid in accordance with the General Schedule, except that authority is granted for the employment of not to exceed ten specialists and experts without regard to the provisions of law governing appointment and payment in the competitive service, with the further condition that no such specialist or expert shall be paid at a rate above that of the maximum for GS–18. The conferees expect a report to the Public Works Committee from the Council on Environmental Quality within 90 days after the date of enactment of this Act on their staff needs, in terms of numbers, grades, and functions of temporary and permanent staff personnel.

In carrying out his functions, the Director shall assist and advise the President on policies and programs of the Federal Government affecting environmental quality by—

(1) providing the professional and administrative staff and support for the Council on Environmental Quality;

(2) assisting the Federal agencies and departments in appraising the effectiveness of existing and proposed facilities, programs, policies, and activities of the Federal Government which affect environmental quality as well as those specific major projects designated by the President which do not require individual project authorization by Congress and which affect environmental quality;

(3) reviewing the adequacy of existing systems for monitoring and predicting environmental changes in order to achieve effective coverage and efficient use of research facilities and other resources;

(4) promoting the advancement of scientific knowledge of the effects of actions and technology on the environment and encourage the development of the means to prevent or reduce adverse effects that endanger the health and well-being of man;

(5) assisting in coordinating among the Federal departments and agencies those programs and activities which affect, protect, and improve environmental quality;

(6) assisting the Federal departments and agencies in the development and interrelationship of environmental quality criteria and standards established through the Federal Government;

(7) collecting, collating, analyzing, and

interpreting data and information on environmental quality, ecological research and evaluation.

The Director in carrying out his functions is authorized to contract with public or private agencies, institutions, and organizations and individuals.

Section 204 provides for referral of the Environmental Quality Report to each standing committee of Congress having jurisdiction over any part of its subject matter.

Section 205 authorizes $500,000 for fiscal year 1970, $750,000 for fiscal year 1971, $1,250,000 for fiscal year 1972, and $1,500,000 for fiscal year 1973, in addition to the existing authorizations.

JOHN A. BLATNIK,
ROBERT E. JONES,
JIM WRIGHT,
GEORGE H. FALLON,
WILLIAM C. CRAMER,
WILLIAM HARSHA,
JAMES R. GROVER, Jr.,
Managers on the Part of the House.

APPENDIX A

CHANGES IN THE FEDERAL WATER POLLUTION CONTROL ACT PROPOSED TO BE MADE BY THE CONFERENCE SUBSTITUTE FOR H.R. 4148

For the information of the Members of the House of Representatives, changes in the Federal Water Pollution Control Act proposed to be made by the conference substitute for H.R. 4148, are known as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

FEDERAL WATER POLLUTION CONTROL ACT

AN ACT To provide for water pollution control activities in the Public Health Service of the Department of Health, Education, and Welfare, and for other purposes.

DECLARATION OF POLICY

SECTION 1. (a) The purpose of this Act is to enhance the quality and value of our water resources and to establish a national policy for the prevention, control, and abatement of water pollution.

(b) In connection with the exercise of jurisdiction over the waterways of the Nation and in consequence of the benefits resulting to the public health and welfare by the prevention and control of water pollution, it is hereby declared to be the policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of the States in preventing and controlling water pollution, to support and aid technical research relating to the prevention and control of water pollution, and to provide Federal technical services and financial aid to State and interstate agencies and to municipalities in connection with the prevention and control of water pollution. The Secretary of Health, Education, and Welfare (hereinafter in this Act called "Secretary") shall administer this Act through the Administration created by section 2 of this Act, and with the assistance of an Assistant Secretary of Health, Education, and Welfare designated by him, shall supervise and direct (1) the head of such Administration in administering this Act and (2) the administration of all other functions of the Department of Health, Education, and Welfare related to water pollution. Such Assistant Secretary shall perform such additional functions as the Secretary may prescribe.

(c) Nothing in this Act shall be construed as impairing or in any manner affecting any right or jurisdiction of the States with respect to the waters (including boundary waters) of such States.

FEDERAL WATER POLLUTION CONTROL ADMINISTRATION

SEC. 2. Effective ninety days after the date of enactment of this section there is created within the Department of Health, Education, and Welfare a [Federal Water Pollution Control Administration] *Federal Water Quality Administration* (hereinafter in this Act referred to as the "Administration"). The head of the Administration shall be appointed, and his compensation fixed, by the Secretary. The head of the Administration may, in addition to regular staff of the Administration, which shall be initially provided from the personnel of the Department, obtain, from within the Department or otherwise as authorized by law, such professional, technical, and clerical assistance as may be necessary to discharge the Administration's functions and may for that purpose use funds available for carrying out such functions; and he may delegate any of his functions to, or otherwise authorize their performance by, an officer or employee of, or assigned or detailed to the Administration.

COMPREHENSIVE PROGRAMS FOR WATER POLLUTION CONTROL

SEC. 3. (a) The Secretary shall, after careful investigation, and in cooperation with other Federal agencies, with State water pollution control agencies and interstate agencies, and with the municipalities and industries involved, prepare or develop comprehensive programs for eliminating or reducing the pollution of interstate waters and tributaries thereof and improving the sanitary conditions of surface and underground waters. In the development of such comprehensive programs due regard shall be given to the improvements which are necessary to conserve such waters for public water supplies, propagation of fish and aquatic life and wildlife, recreational purposes, and agricultural, industrial, and other legitimate uses. For the purpose of this section, the Secretary is authorized to make joint investigations with any such agencies of the condition of any waters in any State or States, and of the discharges of any sewage, industrial wastes, or substance which may adversely affect such waters.

(b)(1) In the survey or planning of any reservoir by the Corps of Engineers, Bureau of Reclamation, or other Federal agency, consideration shall be given to inclusion of storage for regulation of streamflow for the purpose of water quality control, except that any such storage and water releases shall not be provided as a substitute for adequate treatment or other methods of controlling waste at the source.

(2) The need for and the value of storage for this purpose shall be determined by these agencies, with the advice of the Secretary, and his views on these matters shall be set forth in any report or presentation to the Congress proposing authorization or construction of any reservoir including such storage.

(3) The value of such storage shall be taken into account in determining the economic value of the entire project of which it is a part, and costs shall be allocated to the purpose of water quality control in a manner which will insure that all project purposes share equitably in the benefits of multiple-purpose construction.

(4) Costs of water quality control features incorporated in any Federal reservoir or other impoundment under the provisions of this Act shall be determined and the beneficiaries identified and if the benefits are widespread or national in scope, the costs of such features shall be nonreimbursable.

(c)(1) The Secretary shall, at the request of the Governor of a State, or a majority of the governors when more than one State is involved, make a grant to pay not to exceed 50 per centum of the administrative expenses of a planning agency for a period not to exceed 3 years, if such agency provides for adequate representation of appropriate State, interstate, local, or (when appropriate) international, interests in the basin or portion thereof involved and is capable of developing an effective comprehensive water quality control and abatement plan for a basin.

(2) Each planning agency receiving a grant under this subsection shall develop a comprehensive pollution control and abatement plan for the basin which—

(A) is consistent with any applicable water quality standards estabilshed pursuant to current law within the basin;

(B) recommends such treatment works and sewer systems as will provide the most effective and economical means of collection, storage, treatment, and purification of wastes and recommends means to encourage both municipal and industrial use of such works and systems; and

(C) recommends maintenance and improvement of water quality standards within the basin or portion thereof and recommends methods of adequately financing those facilities as may be necessary to implement the plan.

(3) For the purposes of this subsection the term "basin" includes but is not limited to, rivers and their tributaries, streams, coastal waters, sounds, estuaries, bays, lakes, and portions thereof, as well as the lands drained thereby.

INTERSTATE COOPERATION AND UNIFORM LAWS

SEC. 4. (a) The Secretary shall encourage cooperative activities by the States for the prevention and control of water pollution; encourage the enactment of improved and, so far as practicable, uniform State laws relating to the prevention and control of water pollution; and encourage compacts between States for the prevention and control of water pollution.

(b) The consent of the Congress is hereby given to two or more States to negotiate and enter into agreements or compacts, not in conflict with any law or treaty of the United States, for (1) cooperative effort and mutual assistance for the prevention and control of water pollution and the enforcement of their respective laws relating thereto, and (2) the establishment of such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts. No such agreement or compact shall be binding or obligatory upon any State a party thereto unless and until it has been approved by the Congress.

RESEARCH, INVESTIGATIONS, TRAINING, AND INFORMATION

SEC. 5. (a) The Secretary shall conduct in the Department of Health, Education, and Welfare and encourage, cooperate with, and render assistance to other appropriate public (whether Federal, State, interstate, or local) authorities, agencies, and institutions, private agencies and institutions, and individuals in the conduct of, and promote the coordination of, research, investigations, experiments, demonstrations, and studies relating to the causes, control, and prevention of water pollution. In carrying out the foregoing, the Secretary is authorized to—

(1) collect and make available, through publications and other appropriate means, the results of and other information as to research, investigations, and demonstrations relating to the prevention and control of water pollution, including appropriate recommendations in connection therewith;

(2) make grants-in-aid to public or private agencies and institutions and to individuals for research or training projects and for demonstrations, and provide for the conduct or research, training, and demonstrations by contract with public or private agencies and institutions and with individuals without regard to sections 3648 and 3709 of the Revised Statutes;

(3) secure, from time to time and for such periods as he deems advisable, the assistance and advice of experts, scholars, and consultants as authorized by section 15 of

the Administrative Expenses Act of 1946 (5 U.S.C. 55a);

(4) establish and maintain research fellowships in the Department of Health, Education, and Welfare with such stipends and allowances, including traveling and subsistence expenses, as he may deem necessary to procure the assistance of the most promising research fellowships: *Provided*, That the Secretary shall report annually to the appropriate committees of Congress on his operations under this paragraph; and

(5) provide training in technical matters relating to the causes, prevention, and control of water pollution to personnel of public agencies and other persons with suitable qualifications.

(b) The Secretary may, upon request of any State water pollution control agency, or interstate agency, conduct investigations and research and make surveys concerning any specific problem of water pollution confronting any State, interstate agency, community, municipality, or industrial plant, with a view of recommending a solution of such problem.

(c) The Secretary shall, in cooperation with other Federal, State, and local agencies having related responsibilities, collect and disseminate basic data on chemical, physical, and biological water quality and other information insofar as such data or other information relate to water pollution and the prevention and control thereof.

(d) In carrying out the provisions of this section the Secretary shall develop and demonstrate under varied conditions (including conducting such basic and applied research, studies, and experiments as may be necessary):

(A) practicable means of treating municipal sewage and other waterborne wastes to remove the maximum possible amounts of physical, chemical, and biological pollutants in order to restore and maintain the maximum amount of the Nation's water at a quality suitable for repeated reuse;

(B) improved methods and procedures to identify and measure the effects of pollutants on water uses, including those pollutants created by new technological developments; and

(C) methods and procedures for evaluating the effects on water quality and water uses of augmented streamflows to control water pollution not susceptible to other means of abatement.

(e) The Secretary shall establish, equip, and maintain field laboratory and research facilities, including, but not limited to, one to be located in the northeastern area of the United States, one in the Middle Atlantic area, one in the southeastern area, one in the midwestern area, one in the southwestern area, one in the Pacific Northwest, and one in the State of Alaska, for the conduct of research, investigations, experiments, field demonstrations and studies, and training relating to the prevention and control of water pollution. Insofar as practicable, each such facility shall be loacted near institutions of higher learning in which graduate training in such research might be carried out.

(f) (The Secretary shall conduct research and technical development work, and make studies, with respect to the quality of the waters of the Great Lakes, including an analysis of the present and projected future water quality of the Great Lakes under varying conditions of waste treatment and disposal, and evaluation of the water quality needs of those to be served by such waters, and evaluations of municipal, industrial, and vessel waste treatment and disposal practices with respect to such waters, and a study of alternate means of solving water pollution problems (including additional waste treatment measures) with respect to such waters.

(g)(1) For the purpose of providing an adequate supply of trained personnel to operate and maintain existing and future treatment works and related activities, and for the purpose of enhancing substantially the proficiency of those engaged in such activities, the Secretary shall finance a pilot program, in cooperation with State and interstate agencies, municipalities, educational institutions, and other organizations and individuals, of manpower development and training and retraining of persons in; or entering into, the field of operation and maintenance of treatment works and related activities. Such program and any funds expended for such a program shall supplement, not supplant, other manpower and training programs and funds available for the purposes of this paragraph. The Secretary is authorized, under such terms and conditions as he deems appropriate, to enter into agreements with one or more States, acting jointly or severally, or with other public or private agencies or institutions for the development and implementation of such a program.

(2) The Secretary is authorized to enter into agreements with public and private agencies and institutions, and individuals to develop and maintain an effective system for forecasting the supply of, and demand for, various professional and other occupational categories needed for the prevention, control, and abatement of water pollution in each region, State, or area of the United States and, from time to time, to publish the results of such forecasts.

(3) In furtherance of the purposes of this Act, the Secretary is authorized to—

(A) make grants to public or private agencies and institutions and to individuals for training projects, and provide for the conduct of training by contract with public or private agencies and institutions and with individuals without regard to sections 3648 and 3709 of the Revised Statutes;

(B) establish and maintain research fellowships in the Department of the Interior with such stipends and allowances, including traveling and subsistence expenses, as he may deem necessary to procure the assistance of the most promising research fellowships; and

(C) provide, in addition to the program established under paragraph (1) of this subsection, training in technical matters relating to the causes, prevention, and control of water pollution for personnel of public agencies and other persons with suitable qualifications.

(4) The Secretary shall submit, through the President, a report to the Congress within eighteen months from the date of enactment of this subsection, summarizing the actions taken under this subsection and the effectiveness of such actions, and setting forth the number of persons trained, the occupational categories for which training was provided, the effectiveness of other Federal, State, and local training programs in this field, together with estimates of future needs, recommendations on improving training programs, and such other information and recommendations, including legislative recommendations, as he deems appropriate.

(h) The Secretary is authorized to enter into contracts with, or make grants to, public or private agencies and organizations and individuals for (A) the purpose of developing and demonstrating new or improved methods for the prevention, removal, and control of natural or mandate pollution in lakes, including the undesirable effects of nutrients and vegetation, and (B) the construction of publicly owned research facilities for such purpose.

(i) The Secretary shall—

(A) engage in such research, studies, experiments, and demonstrations as he deems appropriate, relative to the removal of oil from any waters and to the prevention and control of oil pollution;

(B) publish from time to time the results of such activities; and

(C) from time to time, develop and publish in the Federal Register specifications and other technical information on the various chemical compounds used as dispersants or emulsifiers in the control of oil spills.

In carrying out this subsection, the Secretary may enter into contracts with, or make grants to, public or private agencies and organizations and individuals.

(j) The Secretary shall engage in such research, studies, experiments, and demonstrations as he deems appropriate relative to equipment which is to be installed on board a vessel and is designed to receive, retain, treat, or discharge human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes with particular emphasis on equipment to be installed on small recreational vessels. The Secretary shall report to Congress the results of such research, studies, experiments, and demonstrations prior to the effective date of any standards established under section 13 of this Act. In carrying out this subsection the Secretary may enter into contracts with, or make grants to, public or private organizations and individuals.

(k) In carrying out the provisions of this section relating to the conduct by the Secretary of demonstration projects and the development of field laboratories and research facilities, the Secretary may acquire land and interests therein by purchase, with appropriated or donated funds, by donation, or by exchange for acquired or public lands under his jurisdiction which he classifies as suitable for disposition. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal, the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

(l)(1) The Secretary shall, after consultation with appropriate local, State, and Federal agencies, public and private organizations, and interested individuals, as soon as practicable but not later than two years after the effective date of this subsection, develop and issue to the States for the purpose of adopting standards pursuant to section 10(c) the latest scientific knowledge available in indicating the kind and extent of effects on health and welfare which may be expected from the presence of pesticides in the water in varying quantities. He shall revise and add to such information whenever necessary to reflect developing scientific knowledge.

(2) For the purpose of assuring effective implementation of standards adopted pursuant to paragraph (1) the President shall, in consultation with appropriate local, State, and Federal agencies, public and private organizations, and interested individuals, conduct a study and investigation of methods to control the release of pesticides into the environment, which study shall include examination of the persistency of pesticides in the water environment and alternatives thereto. The President shall submit a report on such investigation to Congress together with his recommendations for any necessary legislation within two years after the effective date of this subsection.

[(g)](*m*)(1) The Secretary shall, in cooperation with the Secretary of the Army, the Secretary of Agriculture, the Water Resources Council, and with other appropriate Federal, State, interstate, or local public bodies and private organizations, institutions, and individuals, conduct and promote, and encourage contributions to, a comprehensive study of the effects of pollution, including sedimentation, in the estuaries and estuarine zones of the United States on fish and wildlife, on sport and commercial fishing, on recreation, on water supply and water power, and on other beneficial purposes. Such study shall also consider the effect of demographic trends, the exploitation of mineral resources and fossil fuels, land and industrial development, navigation, flood and erosion control,

and other uses of estuaries and estuarine zones upon the pollution of the waters therein.

(2) In conducting the above study, the Secretary shall assemble, coordinate, and organize all existing pertinent information on the Nation's estuaries and estuarine zones, carry out a program of investigations and surveys to supplement existing information in representative estuaries and estuarine zones and identify the problems and areas where further research and study are required.

(3) The Secretary shall submit to the Congress a final report of the study authorized by this subsection not later than three years after the date of enactment of this subsection. Copies of the report shall be made available to all interested parties, public and private. The report shall include, but not be limited to—

(A) an analysis of the importance of estuaries to the economic and social well-being of the people of the United States and of the effects of pollution upon the use and enjoyment of such estuaries;

(B) a discussion of the major economic, social, and ecological trends occurring in the estuarine zones of the Nation;

(C) recommendations for a comprehensive national program for the preservation, study, use, and development of estuaries of the Nation, and the respective responsibilities which should be assumed by Federal, State, and local governments and by public and private interests.

(4) There is authorized to be appropriated the sum of $1,000,000 per fiscal year for the fiscal years ending June 30, 1967, June 30, 1968, [and June 30, 1969,], *June 30, 1969, June 30, 1970, and June 30, 1971,* to carry out the purposes of this subsection.

(5) For the purpose of this subsection, the term "estuarine Zones" means an environmental system consisting of an estuary and those transitional areas which are consistently influenced or affected by water from any estuary such as, but not limited to, salt marshes, coastal and intertidal areas, bays, harbors, lagoons, inshore waters, and channels, and the term "estuary" means all or part of the mouth of a navigable or interstate river or stream or other body of water having unimpaired natural connection with open sea and within which the sea water is measurably diluted with fresh water derived from land drainage.

[h] *(n)* There is authorized to be appropriated to carry out this section, other than subsection [(g), not to exceed $60,000,000 for the fiscal year ending June 30, 1968, and $65,000,000 for the fiscal year ending June 30, 1969] *(g) (1) and (2), not to exceed $65,000,000 per fiscal year for each of the fiscal years ending June 30, 1969, June 30, 1970, and June 30, 1971. There is authorized to be appropriated to carry out subsection (g)(1) of this section $5,000,000 for the fiscal year ending June 30, 1970, and $7,500,000 for the fiscal year ending June 30, 1971. There is authorized to be appropriated to carry out subsection (g)(2) of this section $2,500,000 per fiscal year for each of the fiscal years ending June 30, 1970, and June 30, 1971.* Sums so appropriated shall remain available until expended.

GRANTS FOR RESEARCH AND DEVELOPMENT

SEC. 6. (a) The Secretary is authorized to make grants to any State, municipality, or intermunicipal or interstate agency for the purpose of—

(1) assisting in the development of any project which will demonstrate a new or improved method of controlling the discharge into any waters of untreated or inadequately treated sewage or other wastes from sewers which carry storm water or both storm water and sewage or other wastes, or

(2) assisting in the development of any project which will demonstrate advanced waste treatment and water purification methods (including the temporary use of new or improved chemical additives which provide substantial immediate improvement to existing treatment processes) or new or improved methods of joint treatment systems for municipal and industrial wastes, and for the purpose of reports, plans, and specifications in connection therewith.

(b) The Secretary is authorized to make grants to persons for research and demonstration projects for prevention of pollution of waters by industry including, but not limited to, treatment of industrial waste.

(c) Federal grants under subsection (a) of this section shall be subject to the following limitations:

(1) No grant shall be made for any project pursuant to this section unless such project shall have been approved by the appropriate State water pollution control agency or agencies and by the Secretary;

(2) No grant shall be made for any project in an amount exceeding 75 per centum of the estimated reasonable cost thereof as determined by the Secretary; and

(3) No grant shall be made for any project under this section unless the Secretary determines that such project will serve as a useful demonstration for the purpose set forth in clause (1) or (2) of subsection (a).

(d) Federal grants under subsection (b) of this section shall be subject to the following limitations:

(1) No grant shall be made under this section in excess of $1,000,000;

(2) No grant shall be made for more than 70 per centum of the cost of the project; and

(3) No grant shall be made for any project unless the Secretary determines that such project will serve a useful purpose in the development or demonstration of a new or improved method of treating industrial wastes or otherwise preventing pollution of waters by industry, which method shall have industry-wide application.

(e) For the purposes of this section there are authorized to be appropriated—

(1) for the fiscal year ending June 30, 1966, and for each of the next [three] *five* succeeding fiscal years, the sum of $20,000,000 per fiscal year for the purposes set forth in subsections (a) and (b) of this section, including contracts pursuant to such subsections for such purposes;

(2) for the fiscal year ending June 30, 1967, and for each of the next [two] *four* succeeding fiscal years, the sum of $20,000,000 per fiscal year for the purpose set forth in clause (2) of subsection (a); and

(3) for the fiscal year ending June 30, 1967, and for each of the next [two] *four* succeeding fiscal years, the sum of $20,000,000 per fiscal year for the purpose set forth in subsection (b).

Grants for Water Pollution Control Programs

SEC. 7. (a) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1957, and for each succeeding fiscal year to and including the fiscal year ending June 30, 1961, $3,000,000, for each succeeding fiscal year to and including the fiscal year ending June 30, 1967, $5,000,000, and for each succeeding fiscal year to and including the fiscal year ending June 30, 1971, $10,000,000 for grants to States and to interstate agencies to assist them in meeting the costs of establishing and maintaining adequate measures for the prevention and control of water pollution, including the training of personnel of public agencies.

(b) The portion of the sums appropriated pursuant to subsection (a) for a fiscal year which shall be available for grants to interstate agencies and the portion thereof which shall be available for grants to States shall be specified in the Act appropriating such sums.

(c) From the sums available therefor for any fiscal year the Secretary shall from time to time make allotments to the several States, in accordance with regulations, on the basis of (1) the population, (2) the extent of the water pollution problem, and (3) the financial need of the respective States.

(d) From each State's allotment under subsection (c) for any fiscal year the Secretary shall pay to such State an amount equal to its Federal share (as determined under subsection (h)) of the cost of carrying out its State plan approved under subsection (f), including the cost of training personnel for State and local water pollution control work and including the cost of administering the State plan.

(e) From the sums available therefor for any fiscal year the Secretary shall from time to time make allotments to interstate agencies, in accordance with regulations, on such basis as the Secretary finds reasonable and equitable. He shall from time to time pay to each such agency, from its allotment, an amount equal to such portion of the cost of carrying out its plan approved under subsection (f) as may be determined in accordance with regulations, including the cost of training personnel for water pollution control work and including the cost of administering the interstate agency's plan. The regulations relating to the portion of the cost of carrying out the interstate agency's plan which shall be borne by the United States shall be designed to place such agencies, so far as practicable, on a basis similar to that of the States.

(f) The Secretary shall approve any plan for the prevention and control of water pollution which is submitted by the State water pollution control agency or, in the case of an interstate agency, by such agency, if such plan—

(1) provides for administration or for the supervision of administration of the plan by the State water pollution control agency or, in the case of a plan submitted by an interstate agency, by such interstate agency;

(2) provides that such agency will make such reports, in such form and containing such information, as the Secretary may from time to time reasonably require to carry out his functions under this Act;

(3) sets forth the plans, policies, and methods to be followed in carrying out the State (or interstate) plan and in its administration;

(4) provides for extension or improvement of the State or interstate program for prevention and control of water pollution;

(5) provides such accounting, budgeting, and other fiscal methods and procedures as are necessary for the proper and efficient administration of the plan; and

(6) sets forth the criteria used by the State in determining priority of projects as provided in section 8(b)(4).

The Secretary shall not disapprove any plan without first giving reasonable notice and opportunity for hearing to the State water pollution control agency or interstate agency which has submitted such plan.

(g)(1) Whenever the Secretary, after reasonable notice and opportunity for hearing to a State water pollution control agency or interstate agency finds that—

(A) the plan submitted by such agency and approved under this section has been so changed that it no longer complies with a requirement of subsection (f) of this section; or

(B) in the administration of the plan there is a failure to comply substantially with such a requirement,

the Secretary shall notify such agency that no further payments will be made to the State or to the interstate agency, as the case may be, under this section (or in his discretion that further payments will not be made to the State, or to the interstate agency, for projects under or parts of the plan affected by such failure) until he is

satisfied that there will no longer be any such failure. Until he is so satisfied, the Secretary shall make no further payments to such State, or to such interstate agency, as the case may be, under this section (or shall limit payments to projects under or parts of the plan in which there is no such failure).

(2) If any State or any interstate agency is dissatisfied with the Secretary's action with respect to it under this subsection, it may appeal to the United States court of appeals for the circuit in which such State (or any of the members States, in the case of an interstate agency) is located. The summons and notice of appeal may be served at any place in the United States. The findings of fact by the Secretary, unless contrary to the weight of the evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action. Such new or modified findings of fact shall likewise be conclusive unless contrary to the weight of the evidence. The court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in title 28, United States Code, section 1254.

(h)(1) The "Federal share" for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the United States, except that (A) the Federal share shall in no case be more than 66⅔ per centum or less than 33⅓ per centum, and (B) the Federal share for Puerto Rico and the Virgin Islands shall be 66⅔ per centum.

(2) The "Federal shares" shall be promulgated by the Secretary between July 1 and September 30 of each even-numbered year, on the basis of the average of the per capita incomes of the States and of the continental United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce.

(3) As used in this subsection, the term "United States" means the fifty States and the District of Columbia.

(4) Promulgations made before satisfactory data are available from the Department of Commerce for a full year on the per capita income of Alaska shall prescribe a Federal share for Alaska of 50 per centum and, for purposes of such promulgations, Alaska shall not be included as part of the "United States". Promulgations made thereafter but before per capita income data for Alaska for a full three-year period are available for the Department of Commerce shall be based on satisfactory data available therefrom for Alaska for such one full year or, when such data are available for a two-year period, for such two years.

(i) The population of the several States shall be determined on the basis of the latest figures furnished by the Department of Commerce.

(j) The method of computing and paying amounts pursuant to subsection (d) or (e) shall be as follows:

(1) The Secretary shall, prior to the beginning of each calendar quarter or other period prescribed by him, estimate the amount to be paid to each State (or to each interstate agency in the case of subsection (e) under the provisions of such subsection for such period, such estimate to be based on such records of the State (or the interstate agency) and information furnished by it, and such other investigation, as the Secretary may find necessary.

(2) The Secretary shall pay to the State (or to the interstate agency), from the allotment available therefor, the amount so estimated by him for any period, reduced or increased, as the case may be, by any sum (not previously adjusted under this paragraph) by which he finds that his estimate of the amount to be paid such State (or such interstate agency) for any prior period under such subsection was greater or less than the amount which should have been paid to such State (or such agency) for such prior period under such subsection. Such payments shall be made through the disbursing facilities of the Treasury Department, in such installments as the Secretary may determine.

GRANTS FOR CONSTRUCTION

SEC. 8. (a) The Secretary is authorized to make grants to any State, municipality, or intermunicipal or interstate agency for the construction of necessary treatment works to prevent the discharge of untreated or inadequately treated sewage or other waste into any waters and for the purpose of reports, plans, and specifications in connection therewith.

(b) Federal grants under this section shall be subject to the following limitations: (1) No grant shall be made for any project pursuant to this section unless such project shall have been approved by the appropriate State water pollution control agency or agencies and by the Secretary and unless such project is included in a comprehensive program developed pursuant to this Act; (2) no grant shall be made for any project in an amount exceeding 30 per centum of the estimated reasonable cost thereof as determined by the Secretary; (3) no grant shall be made unless the grantee agrees to pay the remaining cost; (4) no grant shall be made for any project under this section until the applicant has made provision satisfactory to the Secretary for assuring proper and efficient operation and maintenance of the treatment works after completion of the construction thereof; and (5) no grant shall be made for any project under this section unless such project is in conformity with the State water pollution control plan submitted pursuant to the provisions of section 7 and has been certified by the appropriate State water pollution control agency as entitled to priority over other eligible projects on the basis of financial as well as water pollution control needs; (6) the percentage limitation of 30 per centum imposed by clause (2) of this subsection shall be increased to a maximum of 40 per centum in the case of grants made under this section from funds allocated for a fiscal year to a State under subsection (c) of this section if the State agrees to pay not less than 30 per centum of the estimated reasonable cost (as determined by the Secretary) of all projects for which Federal grants are to be made under this section from such allocation; (7) the percentage limitations imposed by clause (2) of this subsection shall be increased to a maximum of 50 per centum in the case of grants made under the section from funds allocated for a fiscal year to a State under subsection (c) of this section if the State agrees to pay not less than 25 per centum of the estimated reasonable costs (as determined by the Secretary) of all projects for which Federal grants are to be made under this section from such allocation and if enforceable water quality standards have been established for the waters into which the project discharges, in accordance with section 10(c) of this Act in the case of interstate waters, and under State law in the case of intrastate waters.

(c) In determining the desirability of projects for treatment works and of approving Federal financial aid in connection therewith, consideration shall be given by the Secretary to the public benefits to be derived by the construction and the propriety of Federal aid in such construction, the relation of the ultimate cost of constructing and maintaining the works to the public interest and to the public necessity for the works, and the adequacy of the provisions made or proposed by the applicant for such Federal financial aid for assuring proper and efficient operation and maintenance of the treatment works after completion of the construction thereof. The sums appropriated pursuant to subsection (d) for each fiscal year ending on or before June 30, 1965, and the first $100,000,000 appropriated pursuant to subsection (d) for each fiscal year beginning on or after July 1, 1965, shall be allotted by the Secretary from time to time, in accordance with regulations, as follows: (1) 50 per centum of such sums in the ratio that the population of each State bears to the population of all the States, and (2) 50 per centum of such sums in the ratio that the quotient obtained by dividing the per capita income of the United States by the per capita income of each State bears to the sum of such quotients for all the States. All sums in excess of $100,000,000 appropriated pursuant to subsection (d) for each fiscal year beginning on or after July 1, 1965, shall be allotted by the Secretary from time to time, in accordance with regulations, in the ratio that the population of each State bears to the population of all States. Sums allotted to a State under the two preceding sentences which are not obligated within six months following the end of the fiscal year for which they were allotted because of a lack of projects which have been approved by the State water pollution control agency under subsection (b)(1) of this section and certified as entitled to priority under subsection (b)(4) of this section, shall be reallotted by the Secretary, on such basis as he determines to be reasonable and equitable and in accordance with regulations promulgated by him, to States having projects approved under this section for which grants have not been made because of lack of funds *including States having projects eligible for reimbursement pursuant to the sixth and seventh sentences of this subsection: Provided, however,* That whenever a State has funds subject to reallocation and the Secretary finds that the need for a project in a community in such State is due in part to any Federal institution or Federal construction activity, he may, prior to such reallocation, make an additional grant with respect to such project which will in his judgment reflect an equitable contribution for the need caused by such Federal institution or activity. Any sum made available to a State reallotment under the preceding sentence shall be in addition to any funds otherwise allotted to such State under this Act. The allotments of a State under the second, third, and fourth sentences of this subsection shall be available, in accordance with the provisions of this section, for payments with respect to projects in such State which have been approved under this section, except that in the case of any project on which construction was initiated in such State after June 30, 1966, which was approved by the appropriate State water pollution control agency and which the Secretary finds meets the requirements of this section but was constructed without such assistance, such allotments for any fiscal year ending prior to July 1, 1971, shall also be available for payments in reimbursement of State or local funds used for such project prior to July 1, 1971, to the extent that assistance could have been provided under this section if such project had been approved pursuant to this section and adequate funds had been available. In the case of any project on which construction was initiated in such State after June 30, 1966, and which was constructed with assistance pursuant to this section but the amount of such assistance was a lesser per centum of the cost of construction than was allowable pursuant to this section, such allotment shall also be

available for payments in reimbursement of State or local funds used for such project prior to July 1, 1971, to the extent that assistance could have been provided under this section if adequate funds had been available. Neither a finding by the Secretary that a project meets the requirements of this subsection, nor any other provision of this subsection, shall be construed to constitute a commitment or obligation of the United States to provide funds to make or pay any grant for such project. For purposes of this section, population shall be determined on the basis of the latest decennial census for which figures are available, as certified by the Secretary of Commerce, and per capita income for each State and for the United States shall be determined on the basis of the average of the per capita incomes of the States and of the continental United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce.

(d) There are hereby authorized to be appropriated for each fiscal year through and including the fiscal year ending June 30, 1961, the sum of $50,000,000 per fiscal year for the purpose of making grants under this section. There are hereby authorized to be appropriated, for the purpose of making grants under this section, $80,000,000 for the fiscal year ending June 30, 1962, $90,000,000 for the fiscal year ending June 30, 1963, $100,000,000 for the fiscal year ending June 30, 1964, $100,000,000 for the fiscal year ending June 30, 1965, $150,000,000 for the fiscal year ending June 30, 1966, $150,000,000 for the fiscal year ending June 30, 1967; $450,000,000 for the fiscal year ending June 30, 1968; $700,000,000 for the fiscal year ending June 30, 1969; $1,000,000,000 for the fiscal year ending June 30, 1970; and $1,250,000,000 for the fiscal year ending June 30, 1971. Sums so appropriated shall remain available until expended. At least 50 per centum of the funds so appropriated for each fiscal year ending on or before June 30, 1965, and at least 50 per centum of the first $100,000,000 so appropriated for each fiscal year beginning on or after July 1, 1965, shall be used for grants for the construction of treatment works servicing municipalities of one hundred and twenty-five thousand population or under.

(e) The Secretary shall make payments under this section through the disbursing facilities of the Department of the Treasury. Funds so paid shall be used exclusively to meet the cost of construction of the project for which the amount was paid. As used in this section the term "construction" includes preliminary planning to determine the economic and engineering feasibility of treatment works, the engineering, architectural, legal, fiscal, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other action necessary to the construction of treatment works; and the erection, building, acquisition, alteration, remodeling, improvement, or extension of treatment works; and the inspection and supervision of the construction of treatment works.

(f) Notwithstanding any other provisions of this section, the Secretary may increase the amount of a grant made under subsection (b) of this section by an additional 10 per centum of the amount of such grant for any project which has been certified to him by an official State, metropolitan, or regional planning agency empowered under State or local laws or interstate compact to perform metropolitan or regional planning for a metropolitan area within which the assistance is to be used, or other agency or instrumentality designated for such purposes by the Governor (or Governors in the case of interstate planning) as being in conformity with the comprehensive plan developed or in process of development for such metropolitan area. For the purposes of this subsection, the term "metropolitan area" means either (1) a standard metropolitan statistical area as defined by the Bureau of the Budget, except as may be determined by the President as not being appropriate for the purposes hereof, or (2) any urban area, including those surrounding areas that form an economic and socially related region, taking into consideration such factors as present and future population trends and patterns of urban growth, location of transportation facilities and systems, and distribution of industrial, commercial, residential, governmental, institutional, and other activities, which in the opinion of the President lends itself as being appropriate for the purposes hereof.

(g) The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on projects for which grants are made under this section shall be paid wages at rates not less than those prevailing for the same type of work on similar construction in the immediate locality, as determined by the Secretary of Labor, in accordance with the Act of March 3, 1931, as amended, known as the Davis-Bacon Act (46 Stat. 1494; 40 U.S.C., secs 276a through 276a–5). The Secretary of Labor shall have, with respect to the labor standards specified in this subsection, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c).

WATER POLLUTION CONTROL ADVISORY BOARD

SEC. 9. (a) (1) There is hereby established in the Department of Health, Education, and Welfare, a Water Pollution Control Advisory Board, composed of the Secretary or his designee, who shall be chairman, and nine members appointed by the President, none of whom shall be Federal officers or employees. The appointed members, having due regard for the purposes of this Act, shall be selected from among representatives of various State, interstate and local governmental agencies, of public or private interests contributing to, affected by, or concerned with water pollution, and of other public and private agencies, organizations, or groups demonstrating an active interest in the field of water pollution prevention and control, as well as other individuals who are expert in this field.

(2) (A) Each member appointed by the President shall hold office for a term of three years, except that (i) 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 (ii) the terms of office of the members first taking office after June 30, 1956, shall expire as follows: three at the end of one year after such date, three at the end of two years after such date, and three at the end of three years after such date, as designated by the President at the time of appointment, and (iii) the term of any member under the preceding provisions shall be extended until the date on which his successor's appointment is effective. None of the members appointed by the President shall be eligible for reappointment within one year after the end of his preceding term but terms commencing prior to the enactment of the Water Pollution Control Act Amendments of 1956 shall not be deemed "preceding terms" for purposes of this sentence.

(B) The members of the Board who are not officers or employees of the United States, while attending conferences or meetings of the Board or while otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $50 per diem, including travel time, and while 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 law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(b) The Board shall advise, consult with, and make recommendations to the Secretary on matters of policy relating to the activities and functions of the Secretary under this Act.

(c) Such clerical and technical assistance as may be necessary to discharge the duties of the Board shall be provided from the personnel of the Department of Health, Education, and Welfare.

ENFORCEMENT MEASURES AGAINST POLLUTION OF INTERSTATE OR NAVIGABLE WATERS

SEC. 10. (a) The pollution of interstate or navigable waters in or adjacent to any State or States (whether the matter causing or contributing to such pollution is discharged directly into such waters or reaches such waters after discharge into a tributory of such waters), which endangers the health or welfare of any persons, shall be subject to abatement as provided in this Act.

(b) Consistent with the policy declaration of this Act, State and interstate action to abate pollution of interstate or navigable waters shall be encouraged and shall not, except as otherwise provided by or pursuant to court order under subsection (h) be displaced by Federal enforcement action.

(c) (1) If the Governor of a State or a State water pollution control agency files, within one year after the date of enactment of this subsection, a letter of intent that such State, after public hearings, will before June 30, 1967, adopt (A) water quality criteria applicable to interstate waters or portions thereof within such State, and (B) a plan for the implementation and enforcement of the water quality criteria adopted, and if such criteria and plan are established in accordance with the letter of intent, and if the Secretary determines that such State criteria and plan are consistent with paragraph (3) of this subsection, such State criteria and plan shall thereafter be the water quality standards applicable to such interstate waters or portions thereof.

(2) If a State does not (A) file a letter of intent or (B) establish water quality standards in accordance with paragraphs (1) of this subsection, or of the Secretary or the Governor of any State affected by water quality standards established pursuant to this subsection desires a revision in such standards, the Secretary may, after reasonable notice and a conference of representatives of appropriate Federal departments and agencies, interstate agencies, States, municipalities and industries involved, prepare regulations setting forth standards of water quality to be applicable to interstate waters or portions thereof. If, within six months from the date the Secretary publishes such regulations, the State has not adopted water quality standards found by the Secretary to be consistent with paragraph (3) of this subsection, or a petition for public hearing has not been filed under paragraph (4) of this subsection, the Secretary shall promulgate such standards.

(3) Standards of quality established pursuant to this subsection shall be such as to protect the public health or welfare, enhance the quality of water and serve the purposes of this Act. In establishing such standards the Secretary, the Hearing Board, or the appropriate State authority shall take into consideration their use and value for public water supplies, propagation of fish and wildlife, recreational purposes, and agricultural, industrial, and other legitimate uses. *In establishing such standards the Secretary, the hearing board, or the appropriate State*

authority shall take into consideration their use and value for navigation.

(4) If at any time prior to 30 days after standards have been promulgated under paragraph (2) of this subsection, the Governor of any State affected by such standards petitions the Secretary for a hearing, the Secretary shall call a public hearing, to be held in or near one or more of the places where the water quality standards will take effect before a Hearing Board of five or more persons appointed by the Secretary. Each State which would be affected by such standards shall be given an opportunity to select one member of the Hearing Board. The Department of Commerce and other affected Federal departments and agencies shall each be given an opportunity to select a member of the Hearing Board and not less than a majority of the Hearing Board shall be persons other than officers or employees of the Department of Health, Education, and Welfare. The members of the Board who are not officers or employees of the United States, while participating in the hearing conducted by such Hearing Board or otherwise engaged on the work of such Hearing Board, shall be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including travel time, and while 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 law (5 U.S.C. 73b–2), for persons in the Government service employed intermittently. Notice of such hearing shall be published in the Federal Register and given to the State water pollution control agencies interstate agencies and municipalities involved at least 30 days prior to the date of such hearing. On the basis of the evidence presented at such hearing, the Hearing Board shall make findings as to whether the standards published or promulgated by the Secretary should be approved or modified and transmit its findings to the Secretary. If the Hearing Board approves the standards as published or promulgated by the Secretary, the standards shall take effect of receipt by the Secretary of the Hearing Board's recommendations. If the Hearing Board recommends modifications in the standards as published or promulgated, by the Secretary, the Secretary shall promulgate revised regulations setting forth standards of water quality in accordance with the Hearing Board's recommendations which will become effective immediately upon promulgation.

(5) The discharge of matter into such interstate waters or portions thereof, which reduces the quality of such waters below the water quality standards established under this subsection (whether the matter causing or contributing to such reduction is discharged directly into such waters or reaches such waters after discharge into tributaries of such waters), is subject to abatement in accordance with the provisions of paragraph (1) or (2) of subsection (g) of this section, except that at least 180 days before any abatement action is initiated under either paragraph (1) or (2) of subsection (g) as authorized by this subsection, the Secretary shall notify the violators and other interested parties of the violation of such standards. In any suit brought under the provisions of this subsection the court shall receive in evidence a transcript of the proceedings of the conference and hearing provided for in this subsection, together with the recommendations of the conference and Hearing Board and the recommendations and standards promulgated by the Secretary, and such additional evidence, including that relating to the alleged violations of the standards, as it deems necessary to a complete review of the standards and to a determination of all other issues relating to the alleged violation. The court giving due consideration to the practicability and to the physical and economic feasibility of complying with such standards, shall have jurisdiction to enter such judgment and orders enforcing such judgment as the public interest and the equities of the case may require.

(6) Nothing in this subsection shall (A) prevent the application of this section to any case to which subsection (a) of this section would otherwise be applicable, or (B) extend Federal jurisdiction over water not otherwise authorized by this Act.

(7) In connection with any holdings under this section no witness or any other person shall be required to divulge trade secrets or secret processes.

(d)(1) Whenever requested by the Governor of any State or a State water pollution control agency, or (with the concurrence of the Governor and of the State water pollution control agency for the State in which the municipality is situated) the governing body of any municipality, the Secretary shall, if such request refers to pollution of waters which is endangering the health or welfare of persons in a State other than that in which the discharge or discharges (causing or contributing to such pollution) originates, give formal notification thereof to the water pollution control agency and interstate agency, if any, of the State or States where such discharge or discharges originate and shall call promptly a conference of such agency or agencies and of the State water pollution control agency and interstate agency, if any, of the State or States, if any, which may be adversely affected by such pollution. Whenever requested by the Governor of any State, the Secretary shall, if such request refers to pollution of interstate or navigable waters which is endangering the health or welfare of persons only in the requesting State in which the discharge or discharges (causing or contributing to such pollution) originate, give formal notification thereof to the water pollution control agency and interstate agency, if any, of such State and shall promptly call a conference of such agency or agencies, unless, in the judgment of the Secretary, the effect of such pollution on the legitimate uses of the waters is not of sufficient significance to warrant exercise of Federal jurisdiction under this section. The Secrtary shall also call such a conference whenever, on the basis of reports, surveys, or studies, he has reason to believe that any pollution referred to in subsection (a) and endangering the health or welfare of persons in a State other than that in which the discharge or discharges originate is occurring; or he finds that substantial economic injury results from the inability to market shellfish or shellfish products in interstate commerce because of pollution referred to in subsection (a) and action of Federal, State, or local authorities.

(2) Whenever the Secretary, upon receipt of reports, surveys, or studies from any duly constituted international agency, has reason to believe that any pollution referred to in subsection (a) of this section which endangers the health or welfare of persons in a foreign country is occurring, and the Secretary of State requests him to abate such pollution, he shall give formal notification thereof to the State water pollution control agency of the State in which such discharge or discharges originate and to the interstate water pollution control agency, if any, and shall call promptly a conference of such agency or agencies, if he believes that such pollution is occurring in sufficient quantity to warrant such action. The Secretary, through the Secretary of State, shall invite the foreign country which may be adversely affected by the pollution to attend and participate in the conference, and the representative of such country shall, for the purpose of the conference and any further proceeding resulting from such conference, have all the rights of a State water pollution control agency. This paragraph shall apply only to a foreign country which the Secretary determines has given the United States essentially the same rights with respect to the prevention and control of water pollution occurring in that country as is given that country by this paragraph. Nothing in this paragraph shall be construed to modify, amend, repeal, or otherwise affect the provisions of the 1909 Boundary Waters Treaty between Canada and the United States or the Water Utilization Treaty of 1944 between Mexico and the United States (59 Stat. 1219), relative to the control and abatement of water pollution in waters covered by those treaties.

(3) The agencies called to attend such conference may bring such persons as they desire to the conference. In addition, it shall be the responsibility of the chairman of the conference to give every person contributing to the alleged pollution or affected by it an opportunity to make a full statement of his views to the conference. Not less than three weeks' prior notice of the conference date shall be given to such agencies.

(4) Following this conference, the Secretary shall prepare and forward to all the water pollution control agencies attending the conference a summary of conference discussions including (A) occurrence of pollution of interstate or navigable waters subject to abatement under this Act; (B) adequacy of measures taken toward abatement of the pollution; and (C) nature of delays, if any, being encountered in abating the pollution.

(e) If the Secretary believes, upon the conclusion of the conference or thereafter, that effective progress toward abatement of such pollution is not being made and that the health or welfare of any persons is being endangered, he shall recommend to the appropriate State water pollution control agency that it take necessary remedial action. The Secretary shall allow at least six months from the date he makes such recommendations for the taking of such recommended action.

(f)(1) If, at the conclusion of the period so allowed, such remedial action has not been taken or action which in the judgment of the Secretary is reasonably calculated to secure abatement of such pollution has not been taken, the Secretary shall call a public hearing, to be held in or near one or more of the places where the discharge or discharges causing or contributing to such pollution originated, before a Hearing Board of five or more persons appointed by the Secretary. Each State in which any discharge causing or contributing to such pollution originates and each State claiming to be adversely affected by such pollution shall be given an opportunity to select one member of the Hearing Board and at least one member shall be a representative of the Department of Commerce, and not less than a majority of the Hearing Board shall be persons other than officers or employees of the Department of Health, Education, and Welfare. At least three weeks' prior notice of such hearing shall be given to the State water pollution control agencies and interstate agencies, if any, called to attend the aforesaid hearing and the alleged polluter or polluters. It shall be the responsibility of the Hearing Board to give every person contributing to the alleged pollution or affected by it an opportunity to make a full statement of his views to the Hearing Board. On the basis of the evidence presented at such hearings, the Hearing Board shall make findings as to whether pollution referred to in subsection (a) is occurring and whether effective progress toward abatement thereof is being made. If the Hearing Board finds such pollution is occurring and effective progress toward abate-

ment thereof is not being made it shall make recommendations to the Secretary concerning the measures, if any, which it finds to be reasonable and equitable to secure abatement of such pollution. The Secretary shall send such findings and recommendations to the person or persons discharging any matter causing or contributing to such pollution, together with a notice specifying a reasonable time (not less than six months) to secure abatement of such pollution, and shall also send such findings and recommendations and such notice to the State water pollution control agency and to the interstate agency, if any, of the State or States where such discharge or discharges originate.

(2) In connection with any hearing called under this section the Secretary is authorized to require any person whose alleged activities result in discharges causing or contributing to water pollution to file with him, in such form as he may prescribe, a report based on existing data, furnishing such information as may reasonably be required as to the character, kind, and quantity of such discharges and the use of facilities or other means to prevent or reduce such discharges by the person filing such a report. Such report shall be made under oath or otherwise, as the Secretary may prescribe, and shall be filed with the Secretary within such reasonable period as the Secretary may prescribe, unless additional time be granted by the Secretary. No person shall be required in such report to divulge trade secrets or secret processes, and all information reported shall be considered confidential for the purposes of section 1905 of title 18 of the United States Code.

(3) If any person required to file any report under paragraph (2) of this subsection shall fail to do so within the time fixed by the Secretary for filing the same, and such failure shall continue for thirty days after notice of such default, such person shall forfeit to the United States the sum of $100 for each and every day of the continuance of such failure, which forfeiture shall be payable into the Treasury of the United States, and shall be recoverable in a civil suit in the name of the United States brought in the district where such person has his principal office or in any district in which he does business. The Secretary may upon application therefor remit or mitigate any forfeiture provided for under this paragraph and he shall have authority to determine the facts upon all such applications.

(4) It shall be the duty of the various United States attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of such forfeitures.

(g) If action reasonably calculated to secure abatement of the pollution within the time specified in the notice following the public hearing is not taken, the Secretary—

(1) in the case of pollution of waters which is endangering the health or welfare of persons in a State other than that in which the discharge or discharges (causing or contributing to such pollution) originate, may request the Attorney General to bring a suit on behalf of the United States to secure abatement of pollution, and

(2) in the case of pollution of waters which is endangering the health or welfare of persons only in the State in which the discharge or discharges (causing or contributing to such pollution) originate, may, with the written consent of the Governor of such State, request the Attorney General to bring a suit on behalf of the United States to secure abatement of the pollution.

(h) The court shall receive in evidence in any such suit a transcript of the proceedings before the Board and a copy of the Board's recommendations and shall receive such further evidence as the court in its discretion deems proper. The court, giving due consideration to the practicability and to the physical and economic feasibility of securing abatement of any pollution proved, shall have jurisdiction to enter such judgment, and orders enforcing such judgment, as to the public interest and the equities of the case may require.

(i) Members of any Hearing Board appointed pursuant to subsection (f) who are not regular full-time officers or employees of the United States shall, while participating in the hearing conducted by such Board or otherwise engaged on the work of such Board, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including travel time, and while 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 law (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

(j) used in this section the term—

(1) "person" includes an individual, corporation, partnership, association, State, municipality, and political subdivision of a State, and

(2) "municipality" means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law.

(k) (1) At the request of a majority of the conferees in any conference called under this section the Secretary is authorized to request any person whose alleged activities result in discharges causing or contributing to water pollution, to file with him a report (in such form as may be prescribed in regulations promulgated by him) based on existing data, furnishing such information as may reasonably be requested as to the character, kind, and quantity of such discharges and the use of facilities or other means to prevent or reduce such discharges by the person filing such a report. No person shall be required in such report to divulge trade secrets or secret processes, and all information reported shall be considered confidential for the purposes of section 1905 of title 18 of the United States Code.

(2) If any person required to file any report under this subsection shall fail to do so within the time fixed by regulations for filing the same, and such failure shall continue for thirty days after notice of such default, such person may, by order of a majority of the conferees, be subject to a forfeiture of $100 for each and every day of the continuance of such failure which forfeiture shall be payable into the Treasury of the United States and shall be recoverable in a civil suit in the name of the United States brought in the district where such person has his principal office or in any district in which he does business. The Secretary may upon application therefor remit or mitigate any forfeiture provided for under this subsection and he shall have authority to determine the facts upon all such applications.

(3) It shall be the duty of the various United States attorneys, under the direction of the Attorney General of the United States to prosecute for the recovery of such forfeitures.

Control of Pollution by Oil

Sec. 11. (a) For the purpose of this section, the term—

(1) "oil" means oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil;

(2) "discharge" includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying or dumping;

(3) "vessel" means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water other than a public vessel;

(4) "public vessel" means a vessel owned or bare-boat chartered and operated by the United States, or by a State or political subdivision thereof, or by a foreign nation, except when such vessel is engaged in commerce;

(5) "United States" means the States, the District of Columbia, the Commonwealth of Puerto Rico, the Canal Zone, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

(6) "owner or operator" means (A) in the case of a vessel, any person owning, operating, or chartering by demise, such vessel, and (B) in the case of an onshore facility, and an offshore facility, any person owning or operating such onshore facility or offshore facility, and (C) in the case of any abandoned offshore facility, the person who owned or operated such facility immediately prior to such abandonment;

(7) "person" includes an individual, firm, corporation, association, and a partnership;

(8) "remove," or "removal" refers to removal of the oil from the water and shorelines or the taking of such other actions as may be necessary to minimize or mitigate damage to the public health or welfare, including, but not limited to, fish, shellfish, wildlife, and public and private property, shorelines, and beaches;

(9) "contiguous zone" means the entire zone established or to be established by the United States under article 24 of the Convention on the Territorial Sea and the Contiguous Zone;

(10) "onshore facility" means any facility (including, but not limited to, motor vehicles and rolling stock) of any kind located in, on, or under, any land within the United States other than submerged land;

(11) "offshore facility" means any facility of any kind located in, on, or under, any of the navigable waters of the United States other than a vessel or a public vessel;

(12) "act of God" means an act occasioned by an unanticipated grave natural disaster;

(13) "barrel" means 42 United States gallons at 60 degrees Fahrenheit.

(b) (1) The Congress hereby declares that it is the policy of the United States that there should be no discharges of oil into or upon the navigable waters of the United States, adjoining shorelines, or into or upon the waters of the contiguous zone.

(2) The discharge of oil into or upon the navigable waters of the United States, adjoining shorelines, or into or upon the waters of the contiguous zone in harmful quantities as determined by the President under paragraph (3) of this section, is prohibited, except (A) in the case of such discharges into the waters of the contiguous zone, where permitted under article IV of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, as amended, and (B) where permitted in quantities and at times and locations or under such circumstances or conditions as the President may, by regulation, determine not to be harmful. Any regulations issued under this subsection shall be consistent with maritime safety and with marine and navigation laws and regulations and applicable water quality standards.

(3) The President shall by regulation, to be issued as soon as possible after the date of enactment of this paragraph, determine for the purposes of this section, those quantities of oil the discharge of which, at such times, locations, circumstances, and conditions, will be harmful to the public health or welfare of the United States, including, but not limited to, fish, shellfish, wildlife, and public and private property, shorelines, and beaches except that in the case of the discharge of oil into or upon the waters of the contiguous zone, only those discharges which threaten the fishery resources of the contiguous zone or threaten to pollute or contribute to the pollution of the territory or the territorial sea of the United States may be determined to be harmful.

(4) Any person in charge of a vessel or of an onshore facility or an offshore facility shall, as soon as he has knowledge of any discharge of oil from such vessel or facility in violation of paragraph (2) of this subsection, immediately notify the appropriate agency of the United States Government of such discharge. Any such person who fails to notify immediately such agency of such discharge shall, upon conviction, be fined not more than $10,000, or imprisoned for not more than one year, or both. Notification received pursuant to this paragraph or information obtained by the exploitation of such notification shall not be used against any such person in any criminal case, except a prosecution for perjury or for giving a false statement.

(5) Any owner or operator of any vessel, onshore facility, or offshore facility from which oil is knowingly discharged in violation of paragraph (2) of this subsection shall be assessed a civil penalty by the Secretary of the department in which the Coast Guard is operating of not more than $10,000 for each offense. No penalty shall be assessed unless the owner or operator charged shall have been given notice and opportunity for a hearing on such charge. Each violation is a separate offense. Any such civil penalty may be compromised by such Secretary. In determining the amount of the penalty, or the amount agreed upon in compromise, the appropriateness of such penalty to the size of the business of the owner or operator charged, the effect on the owner or operator's ability to continue in business, and the gravity of the violation, shall be considered by such Secretary. The Secretary of the Treasury shall withhold at the request of such Secretary of the clearance required by section 4197 of the Revised Statutes of the United States, as amended (46 U.S.C. 91), of any vessel the owner or operator of which is subject to the foregoing penalty. Clearance may be granted in such cases upon the filing of a bond or other surety satisfactory to such Secretary.

(c)(1) Whenever any oil is discharged, into or upon the navigable waters of the United States, adjoining shorelines, or into or upon the waters of the contiguous zone, the President is authorized to act to remove or arrange for the removal of such oil at any time, unless he determines such removal will be done properly by the owner or operator of the vessel, onshore facility, or offshore facility from which the discharge occurs.

(2) Within sixty days after the effective date of this section, the President shall prepare and publish a National Contingency Plan for removal of oil pursuant to this subsection. Such National Contingency Plan shall provide for efficient, coordinated, and effective action to minimize damage from oil discharges, including containment, dispersal, and removal of oil, and shall include, but not be limited to—

(A) assignment of duties and responsibilities among Federal departments and agencies in coordination with State and local agencies, including, but not limited to, water pollution control, conservation, and port authorities;

(B) identification, procurement, maintenance, and storage of equipment and supplies;

(C) establishment or designation of a strike force consisting of personnel who shall be trained, prepared, and available to provide necessary services to carry out the Plan, including the establishment at major ports, to be determined by the President, of emergency task forces of trained personnel, adequate oil pollution control equipment and material, and a detailed oil pollution prevention and removal plan;

(D) a system of surveillance and notice designed to insure earliest possible notice of discharges of oil to the appropriate Federal agency;

(E) establishment of a national center to provide coordination and direction for operations in carrying out the Plan;

(F) procedures and techniques to be employed in identifying, containing, dispersing, and removing oil; and

(G) a schedule, prepared in cooperation with the States, identifying (i) dispersants and other chemicals, if any, that may be used in carrying out the Plan, (ii) the waters in which such dispersants and chemicals may be used, and (iii) the quantities of such dispersant or chemical which can be used safely in such waters, which schedule shall provide in the case of any dispersant, chemical, or waters not specifically identified in such schedule that the President, or his delegate, may, on a case-by-case basis, identify the dispersants and other chemicals which may be used, the waters in which they may be used, and the quantities which can be used safely in such waters.

The President may, from time to time, as he deems advisable, revise or otherwise amend the National Contingency Plan. After publication of the National Contingency Plan, the removal of oil and actions to minimize damage from oil discharges shall, to the greatest extent possible, be in accordance with the National Contingency Plan.

(d) Whenever a marine disaster in or upon the navigable waters of the United States has created a substantial threat of a pollution hazard to the public health or welfare of the United States, including, but not limited to fish, shellfish, and wildlife and the public and private shorelines and beaches of the United States, because of a discharge, or an imminent discharge, of large quantities of oil from a vessel the United States may (A) coordinate and direct all public and private efforts directed at the removal or elimination of such threat; and (B) summarily remove, and, if necessary, destroy such vessel by whatever means are available without regard to any provsiion of law governing the employment of personnel or the expenditures of appropriated funds. Any expense incurred under this subsection shall be a cost incurred by the United States Government for the purposes of subsection (f) in the removal of oil.

(e) In addition to any other action taken by a State or local government, when the President determines there is an imminent and substantial threat to the public health or welfare of the United States, including, but not limited to, fish, shellfish, and wildlife and public and private property, shorelines, and beaches within the United States, because of an actual or threatened discharge of oil into or upon the navigable waters of the United States from an onshore or offshore facility, the President may require the United States attorney of the district in which the threat occurs to secure such relief as may be necessary to abate such threat, and the district courts of the United States shall have jurisdiction to grant such relief as the public interest and the equities of the case may require.

(f)(1) Except where an owner or operator can prove that a discharge was caused solely by (A) an act of God, (B) an act of war, (C) negligence on the part of the United States Government, or (D) an act or omission of a third party without regard to whether any such act or omission was or was not negligent, or any combination of the foregoing clauses, such owner or operator of any vessel from which oil is discharged in violation of subsection (b)(2) of this section shall, notwithstanding any other provision of law, be liable to the United States Government for the actual costs incurred under subsection (c) for the removal of such oil by the United States Government in an amount not to exceed $100 per gross ton of such vessel or $14,000,000, whichever is lesser, except that where the United States can show that such discharge was the result of willful negligence or willful misconduct within the privity and knowledge of the owner, such owner or operator shall be liable to the United States Government for the full amount of such costs. Such costs shall constitute a maritime lien on such vessel which may be recovered in an action in rem in the district court of the United States for any district within which any vessel may be found. The United States may also bring an action against the owner or operator of such vessel in any court of competent jurisdiction to recover such costs.

(2) Except where an owner or operator of an onshore facility can prove that a discharge was caused solely by (A) an act of God, (B) an act of war, (C) negligence on the part of the United States Government, or (D) an act or omission of a third party without regard to whether any such act or omission was or was not negligent, or any combination of the foregoing clauses, such owner or operator of any such facility from which oil is discharged in violation of subsection (b)(2) of this section shall be liable to the United States Government for the actual costs incurred under subsection (c) for the removal of such oil by the United States Government in an amount not to exceed $8,000,000, except that where the United States can show that such discharge was the result of willful negligence or willful misconduct within the privity and knowledge of the owner, such owner or operator shall be liable to the United States Government for the full amount of such costs. The United States may bring an action against the owner or operator of such facility in any court of competent jurisdiction to recover such costs. The Secretary is authorized, by regulation, after consultation with the Secretary of Commerce and the Small Business Administration, to establish reasonable and equitable classifications of those onshore facilities having a total fixed storage capacity of 1,000 barrels or less which he determines because of size, type, and location do not present a substantial risk of the discharge of oil in violation of subsection (b)(2) of this section, and apply with respect to such classifications differing limits of liability which may be less than the amount contained in this paragraph.

(3) Except where an owner or operator of an offshore facility can prove that a discharge was caused solely by (A) an act of God, (B) an act of war, (C) negligence on the part of the United States Government, or (D) an act or omission of a third party without regard to whether any such act or omission was or was not negligent, or any combination of the foregoing clauses, such owner or operator of any such facility from which oil is discharged in violation of subsection (b)(2) of this section shall, notwithstanding any other provision of law, be liable to the United States Government for the actual costs incurred under subsection (c) for the removal of such oil by the United States Government in an amount not to exceed $8,000,000, except that where the United States can show that such discharge was the result of willful negligence or willful misconduct within the privity and knowledge of the owner, such owner or operator shall be liable to the United States Government for the full amount of such costs. The United States may bring an action against the owner or operator of such a facility in any court of competent jurisdiction to recover such costs.

(g) In any case where an owner or operator of a vessel, of an onshore facility, or of an offshore facility, from which oil is discharged in violation of subsection (b)(2) of this section proves that such discharge of oil was caused solely by an act or omission of a third party, or was caused solely by such an act or omission in combination with an act of God, an act of war, or negligence on the part of the

United States Government, such third party shall, notwithstanding any other provision of law, be liable to the United States Government for the actual costs incurred under subsection (c) for removal of such oil by the United States Government, except where such third party can prove that such discharge was caused solely by (A) an act of God, (B) an act of war, (C) negligence on the part of the United States Government, or (D) an act or omission of another party without regard to whether such act or omission was or was not negligent, or any combination of the foregoing clauses. If such third party was the owner or operator of a vessel which caused the discharge of oil in violation of subsection (b)(2) of this section, the liability of such third party under this subsection shall not exceed $100 per gross ton of such vessel or $14,000,000, whichever is the lesser. In any other case the liability of such third party shall not exceed the limitation which would have been applicable to the owner or operator of the vessel or the onshore or offshore facility from which the discharge actually occurred, if such owner or operator were liable. If the United States can show that the discharge of oil in violation of subsection (b)(2) of this section was the result of willful negligence or willful misconduct within the privity and knowledge of such third party, such third party shall be liable to the United States Government for the full amount of such removal costs. The United States may bring an action against the third party in any court of competent jurisdiction to recover such removal costs.

(h) The liabilities established by this section shall in no way affect any rights which (1) the owner or operator of a vessel or of an onshore facility or an offshore facility may have against any third party whose acts may in any way have caused or contributed to such discharge, or (2) the United States Government may have against any third party whose actions may in any way have caused or contributed to the discharge of oil.

(i)(1) In any case where an owner or operator of a vessel or an onshore facility or an offshore facility from which oil is discharged in violation of subsection (b)(2) of this section acts to remove such oil in accordance with regulations promulgated pursuant to this section, such owner or operator shall be entitled to recover the reasonable costs incurred in such removal upon establishing, in a suit which may be brought against the United States Government in the United States Court of Claims, that such discharge was caused solely by (A) an act of God, (B) an act of war, (C) negligence on the part of the United States Government, or (D) an act or omission of a third party without regard to whether such act or omission was or was not negligent, or of any combination of the foregoing causes.

(2) The provisions of this subsection shall not apply in any case where liability is established pursuant to the Outer Continental Shelf Lands Act.

(3) Any amount paid in accordance with a judgment of the United States Court of Claims pursuant to this section shall be paid from the fund established pursuant to subsection (k).

(j)(1) Consistent with the National Contingency Plan required by subsection (c)(2) of this section, as soon as practicable after the effective date of this section, and from time to time thereafter, the President shall issue regulations consistent with maritime safety and with marine and navigation laws (A) establishing methods and procedures for removal of discharged oil, (B) establishing criteria for the development and implementation of local and regional oil removal contingency plans, (C) establishing procedures, methods, and requirements for equipment to prevent discharges of oil from vessels and from onshore facilities and offshore facilities, and (D) governing the inspection of vessels carrying cargoes of oil and the inspection of such cargoes in order to reduce the likelihood of discharges of oil from such vessels in violation of this section.

(2) Any owner or operator of a vessel or an onshore facility or an offshore facility and any other person subject to any regulation issued under paragraph (1) of this subsection who fails or refuses to comply with the provisions of any such regulation, shall be liable to a civil penalty of not more than $5,000 for each such violation. Each violation shall be a separate offense. The President may assess and compromise such penalty. No penalty shall be assessed until the owner, operator, or other person charged shall have been given notice and an opportunity for a hearing on such charge. In determining the amount of the penalty, or the amount agreed upon in compromise, the gravity of the violation, and the demonstrated good faith of the owner, operator, or other person charged in attempting to achieve rapid compliance, after notification of a violation, shall be considered by the President.

(k) There is hereby authorized to be appropriated to a revolving fund to be established in the Treasury not to exceed $35,000,000 to carry out the provisions of subsection (c), (i), and (l) of this section and section 12 of this Act. Any other funds received by the United States under this section shall also be deposited in said fund for such purposes. All sums appropriated to, or deposited in, said fund shall remain available until expended.

(l) The President is authorized to delegate the administration of this section to the heads of those Federal departments, agencies, and instrumentalities which he determines to be appropriate. Any moneys in the fund established by subsection (k) of this section shall be available to such Federal departments, agencies, and instrumentalities to carry out the provisions of subsections (c) and (i) of this section and section 12 of this Act. Each such department, agency, and instrumentality, in order to avoid duplication of effort, shall, whenever appropriate, utilize the personnel, services, and facilities of other Federal departments, agencies, and instrumentalities.

(m) Anyone authorized by the President to enforce the provisions of this section may, except as to public vessels, (A) board and inspect any vessel upon the navigable waters of the United States or the waters of the contiguous zone, (B) with or without a warrant arrest any person who violates the provisions of this section or any regulation issued thereunder in his presence or view, and (C) execute any warrant or other process issued by an officer or court of competent jurisdiction.

(n) The several district courts of the United States are invested with jurisdiction for any actions, other than actions pursuant to subsection (i)(1), arising under this section. In the case of Guam, such actions may be brought in the district court of Guam, and in the case of the Virgin Islands such actions may be brought in the district court of the Virgin Islands. In the case of American Samoa and the Trust Territory of the Pacific Islands, such actions may be brought in the District Court of the United States for the District of Hawaii and such court shall have jurisdiction of such actions. In the case of the Canal Zone, such actions may be brought in the United States District Court for the District of the Canal Zone.

(o)(1) Nothing in this section shall affect or modify in any way the obligations of any owner or operator of any vessel, or of any owner or operator of any onshore facility or offshore facility to any person or agency under any provision of law for damages to and publicly-owned or privately-owned property resulting from a discharge of any oil or from the removal of any such oil.

(2) Nothing in this section shall be construed as preempting any State or political subdivision thereof from imposing any requirement or liability with respect to the discharge of oil into any waters within such State.

(3) Nothing in this section shall be construed as affecting or modifying any other existing authority of any Federal department, agency, or instrumentality, relative to onshore or offshore facilities under this Act or any other provision of law, or to affect any State or local law not in conflict with this section.

(p)(1) Any vessel over three hundred gross tons, including any barge of equivalent size, using any port or place in the United States or the navigable waters of the United States for any purpose shall establish and maintain under regulations to be prescribed from time to time by the President, evidence of financial responsibility of $100 per gross ton, or $14,000,000 whichever is the lesser, to meet the liability to the United States which such vessel could be subjected under this section. In cases where an owner or operator owns, operates, or charters more than one such vessel, financial responsibility need only be established to meet the maximum liability to which the largest of such vessels could be subjected. Financial responsibility may be established by any one of, or a combination of, the following methods acceptable to the President: (A) evidence of insurance, (B) surety bonds, (C) qualification as a self-insurer, or (D) other evidence of financial responsibility. Any bond filed shall be issued by a bonding company authorized to do business in the United States.

(2) The provisions of paragraph (1) of this subsection shall be effective one year after the effective date of this section. The President shall delegate the responsibility to carry out the provisions of this subsection to the appropriate agency head within sixty days after the date of enactment of this section. Regulations necessary to implement this subsection shall be issued within six months after the date of enactment of this section.

(3) Any claim for costs incurred by such vessel may be brought directly against the insurer or any other person providing evidence of financial responsibility as required under this subsection. In the case of any action pursuant to this subsection such insurer or other person shall be entitled to invoke all rights and defenses which would have been available to the owner or operator if an action had been brought against him by the claimant, and which would have been available to him if an action had been brought against him by the owner or operator.

(4) The Secretary of Transportation, in consultation with the Secretaries of Interior, State, Commerce, and other interested Federal agencies, representatives of the merchant marine, oil companies, insurance companies, and other interested individuals and organizations, and taking into account the results of the application of paragraph (1) of this subsection, shall conduct a study of the need for and, to the extent determined necessary—

(A) other measures to provide financial responsibility and limitation of liability with respect to vessels using the navigable waters of the United States;

(B) measures to provide financial responsibility for all onshore and offshore facilities; and

(C) other measures for limitation of liability of such facilities; for the cost of removing discharged oil and paying all damages resulting from the discharge of such oil. The Secretary of Transportation shall submit a report, together with any legislative recommendations, to Congress and the President by January 1, 1971.

Control of Hazardous Polluting Substances

Sec. 12. (a) The President shall, in accordance with subsection (b) of this section, develop, promulgate, and revise as may be appropriate, regulations (1) designating as hazardous substances, other than oil as defined in section 11 of this Act, such elements and compounds which, when discharged in any quantity into or upon the navigable waters of the United States or adjoining shorelines or the waters of the contiguous zone, present an imminent and substantial danger to the public health or welfare, including, but not limited to, fish, shellfish, wildlife, shorelines, and beaches; and (2) establishing, if appropriate, recommended methods and means for the removed of such substances.

(b) Sections 551 through 559, inclusive (other than section 553(c)), and 701 through 706, inclusive, of title 5, United States Code, shall apply to regulations issued under authority of this section.

(c) In order to facilitate the removal, if appropriate, of any hazardous substance any person in charge of a vessel or of an onshore or offshore facility of any kind shall, as soon as he has knowledge of any discharge of such substance from such vessel or facility, immediatetly notify the appropriate agency of the United States of such discharge.

(d) Whenever any hazardous substance is discharged into or upon the navigable waters of the United States or adjoining shorelines or the waters of the contiguous zone, unless removal is immediately undertaken by the owner or operator of the vessel or onshore or offshore facility from which the discharge occurs or which caused the discharge, pursuant to the regulations promulgated under this section, the President, if appropriate, shall remove or arrange for the removal thereof in accordance with such regulations. Nothing in this subsection shall be construed to restrict the authority of the President to act to remove or arrange for the removal of such hazardous substance at any time.

(e) Nothing in this section shall affect or modify in any way the obligations of any owner or operator of any vessel, onshore or offshore facility to any person or agency under any provision of law for damages to any publicly- or privately-owned property resulting from a discharge of any hazardous substance or from the removal of any such substance.

(f) (1) For the purpose of this section the definitions in subsection (a) of section 11 of this Act shall be applicable to the provisions of this section, except as provided in paragraph (2) of this subsection:

(2) For the purpose of this section, the term—

(A) "remove" or "removal" refers to removal of the hazardous substances from the water and shorelines or the taking of such other actions as may be necessary to minimize or mitigate damage to the public health or welfare, including, but not limited to, fish, shellfish, wildlife, and public and private property, shorelines, and beaches;

(B) "owner or operator" means any person owning, operating, chartering by demise, or otherwise controlling the operations of, a vessel, or any person owning, operating, or otherwise controlling the operations of an onshore or offshore facility; and

(C) "offshore or onshore facility" means any facility of any kind and related appurtenances thereto which is located in, on, or under the surface of any land, or permanently or temporarily affixed to any land, including lands beneath the navigable waters of the United States and which is used or capable of use for the purpose of processing, transporting, producing, storing, or transferring for commercial purposes any hazardous substance designed under this section.

(g) The President shall submit a report to the Congress, together with his recommendations, not later than November 1, 1970, on the need for, and desirability of, enacting legislation to impose liability for the cost of removal of hazardous substances discharged from vessels and onshore and offshore facilities subject to this section including financial responsibility requirements. In preparing this report, the President shall conduct an accelerated study which shall include, but not be limited to, the method and measures for controlling hazardous substances to prevent this discharge, and the most appropriate measures for (1) enforcement (including the imposition of civil and criminal penalties for discharges and for failure to notify) and (2) recovery of costs incurred by the United States if removal is undertaken by the United States. In carrying out this study, the President shall consult with the interested representatives of the various public and private groups that would be affected by such legislation as well as other interested persons.

(h) Any moneys in the funds established by section 11 of this Act shall be available to the President to carry out the purposes of this section. In carrying out this section the President shall utilize the personnel, services, and facilities of Federal departments, agencies, and instrumentalities in such manner as will avoid duplication of effort.

Control of Sewage from Vessels

Sect. 13. (a) For the purpose of this section, the term—

(1) "new vessel" includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on the navigable waters of the United States, the construction of which is initiated after promulgation of standards and regulations under this section;

(2) "existing vessel" includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on the navigable waters of the United States, the construction of which is initiated before promulgation of standards and regulations under this section;

(3) "public vessel" means a vessel owned or bareboat chartered and operated by the United States, by a State or political subdivision thereof, or by a foreign nation, except when such vessel is engaged in commerce;

(4) "United States" includes the States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Canal Zone, and the Trust Territory of the Pacific Islands;

(5) "marine sanitation device" includes any equipment for installation on board a vessel which is designed to receive, retain, treat, or discharge sewage, and any process to treat such sewage;

(6) "sewage" means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes;

(7) "manufacturer" means any pesron engaged in the manufacturing, assembling, or importation of marine sanitation devices or of vessels subject to standards and regulations promulgated under this section;

(8) "person" means an individual, partnership, firm, corporation, or association, but does not include an individual on board a public vessel;

(9) "discharge" includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(b) (1) As soon as possible, after the enactment of this section and subject to the provisions of section 5(j) of this Act, the Secretary, after consultation with the Secretary of the department in which the Coast Guard is operating, after giving appropriate consideration to the economic costs involved, and within the limits of available technology, shall promulgate Federal standards of performance for marine sanitation devices (hereafter in this section referred to as "standards") which shall be designed to prevent the discharge of untreated or inadequately treated sewage into or upon the navigable waters of the United States from new vessels and existing vessels, except vessels not equipped with installed toilet facilities. Such standards shall be consistent with maritime safety and the marine and navigation laws and regulations and shall be coordinated with the regulations issued under this subsection by the Secretary of the department in which the Coast Guard is operating. The Secretary of the department in which the Coast Guard is operating shall promulgate regulations, which are consistent with standards promulgated under this subsection and with maritime safety and the marine and navigation laws and regulations, governing the design, construction, installation, and operation of any marine sanitation device on board such vessels.

(2) Any existing vessel equipped with a marine sanitation device on the date of promulgation of initial standards and regulations under this section, which device is in compliance with such initial standards and regulations, shall be deemed in compliance with this section until such time as the device is replaced or is found not to be in compliance with such initial standards and regulations.

(c) (1) Initial standards and regulations under this section shall become effective for new vessels two years after promulgation; and for existing vessels five years after promulgation. Revisions of standards and regulations shall be effective upon promulgation, unless another effective date is specified except that no revision shall take effect before the effective date of the standard or regulation being revised.

(2) The Secretary of the department in which the Coast Guard is operating with regard to his regulatory authority established by this section, after consultation with the Secretary, may distinguish among classes, types, and sizes of vessels as well as between new and existing vessels and may waive applicability of standards and regulations as necessary or appropriate for such classes, types, and sizes of vessels (including existing vessels equipped with marine sanitation devices on the date of promulgation of the initial standards required by this section), and, upon application, for individual vessels.

(d) The provisions of this section and the standards and regulations promulgated hereunder apply to vessels owned and operated by the United States unless the Secretary of Defense finds that compliance would not be in the interest of national security. With respect to vessels owned and operated by the Department of Defense, regulations under the last sentence of subsection (b) (1) and certifications under subsection (g) (2) of this section shall be promulgated and issued by the Secretary of Defense.

(e) Before the standards and regulations under this section are promulgated, the Secretary and the Secretary of the department in which the Coast Guard is operating shall consult with the Secretary of State; the Secretary of Health, Education, and Welfare; the Secretary of Defense; the Secretary of the Treasury; the Secretary of Commerce; other interested Federal agencies; and the States and industries interested; and otherwise comply with the requirements of section 553 of title 5 of the United States Code.

(f) After the effective date of the initial standards and regulations promulgated under this section, no State or political subdivision thereof shall adopt or enforce any statute or regulation of such State or political subdivision with respect to the design, manufacture, or installation or use of any marine sanitation device on any vessel subject to the provisions of this section. Upon application by a State, and where the Secretary determines that any applicable water quality standards require such a prohibition,

he shall by regulation completely prohibit the discharge from a vessel of any sewage (whether treated or not) into those waters of such State which are the subject of the application and to which such standards apply.

(g)(1) No manufacturer of a marine sanitation device shall sell, offer for sale, or introduce or deliver for introduction in interstate commerce, or import into the United States for sale or resale any marine sanitation device manufactured after the effective date of the standards and regulations promulgated under this section unless such device is in all material respects substantially the same as a test device certified under this subsection.

(2) Upon application of the manufacturer, the Secretary of the department in which the Coast Guard is operating shall so certify a marine sanitation device if he determines, in accordance with the provisions of this paragraph, that it meets the appropriate standards and regulations promulgated under this section. The Secretary of the department in which the Coast Guard is operating shall test or require such testing of the device in accordance with procedures set forth by the Secretary as to standards of performance and for such other purposes as may be appropriate. If the Secretary of the department in which the Coast Guard is operating determines that the device is satisfactory from the standpoint of safety and any other requirements of maritime law or regulation, and after consideration of the design, installation, operation, material, or other appropriate factors, he shall certify the device. Any device manufactured by such manufacturer which is in all material respects substantially the same as the certified test device shall be deemed to be in conformity with the appropriate standards and regulations established under this section.

(3) Every manufacturer shall establish and maintain such records, make such reports, and provide such information as the Secretary or the Secretary of the department in which the Coast Guard is operating may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this section and regulations issued thereunder and shall, upon request of an officer or employee duly designated by the Secretary or the Secretary of the department in which the Coast Guard is operating, permit such officer or employee at reasonable times to have access to and copy such records. All information reported to or otherwise obtained by, the Secretary or the Secretary of the department in which the Coast Guard is operating on their representatives pursuant to this subsection which contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers or employees concerned with carrying out this section. This paragraph shall not apply in the case of the construction of a vessel by an individual for his own use.

(h) After the effective date of standards and regulations promulgated under this section, it shall be unlawful—

(1) for the manufacturer of any vessel subject to such standards and regulations to manufacture for sale, to sell or offer for sale, or to distribute for sale or resale any such vessel unless it is equipped with a marine sanitation device which is in all material respects substantially the same as the appropriate test device certified pursuant to this section;

(2) for any person, prior to the sale or delivery of a vessel subject to such standards and regulations to the ultimate purchaser, wrongfully to remove or render inoperative any certified marine sanitation device or element of design of such device installed in such vessel;

(3) for any person to fail or refuse to permit access to or copying of records or to fail to make reports or provide information required under this section; and

(4) for a vessel subject to such standards and regulations to operate on the navigable waters of the United States, if such vessel is not equipped with an operable marine sanitation device certified pursuant to this section.

(i) The district courts of the United States shall have jurisdictions to restrain violations of subsection (g)(1) and subsections (h)(1) through (3) of this section. Actions to restrain such violations shall be brought by, and in, the name of the United States. In case of contumacy or refusal to obey a subpena served upon any person under this subsection, the district court of the United States for any district in which such person is found or resides or transacts business, upon application by the United States and after notice to such person, shall have jurisdiction to issue an order requiring such person to appear and give testimony or to appear and produce documents, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(j) Any person who violates subsection (g)(1) or clause (1) or (2) of subsection (h) of this section shall be liable to a civil penalty of not more than $5,000 for each violation. Any person who violates clause (4) of subsection (h) of this section or any regulation issued pursuant to this section shall be liable to a civil penalty of not more than $2,000 for each violation. Each violation shall be a separate offense. The Secretary of the department in which the Coast Guard is operating may assess and compromise any such penalty. No penalty shall be assessed until the person charged shall have been given notice and an opportunity for a hearing on such charge. In determining the amount of the penalty, or the amount agreed upon in compromise, the gravity of the violation, and the demonstrated good faith of the person charged in attempting to achieve rapid compliance, after notification of a violation, shall be considered by said Secretary.

(k) The provisions of this section shall be enforced by the Secretary of the department in which the Coast Guard is operating and he may utilize by agreement, with or without reimbursement, law enforcement officers or other personnel and facilities of the Secretary, other Federal agencies, or the States to carry out the provisions of this section.

(l) Anyone authorized by the Secretary of the department in which the Coast Guard is operating to enforce the provisions of this section may, except as to public vessels, (1) board and inspect any vessel upon the navigable waters of the United States and (2) execute any warrant or other process issued by an officer or court of competent jurisdiction.

(m) In the case of Guam, actions arising under this section may be brought in the district court of Guam, and in the case of the Virgin Islands such actions may be brought in the district court of the Virgin Islands. In the case of American Samoa and the Trust Territory of the Pacific Islands, such actions may be brought in the District Court of the United States for the District of Hawaii and such court shall have jurisdiction of such actions. In the case of the Canal Zone, such actions may be brought in the District Court for the District of the Canal Zone.

Area Acid and Other Mine Water Pollution Control Demonstrations

Sec. 14. (a) The Secretary in cooperation with other Federal departments, agencies, and instrumentalities is authorized to enter into agreements with any State or interstate agency to carry out one or more projects to demonstrate methods for the elimination or control, within all or part of a watershed, of acid or other mine water pollution resulting from active or abandoned mines. Such projects shall demonstrate the engineering and economic feasibility and practicality of various abatement techniques which will contribute substantially to effective and practical methods of acid or other mine water pollution elimination or control.

(b) The Secretary, in selecting watersheds for the purposes of this section, shall (1) require such feasibility studies as he deems appropriate, (2) give preference to areas which have the greatest present or potential value for public use for recreation, fish and wildlife, water supply, and other public uses, and (3) be satisfied that the project area will not be affected adversely by the influx of acid or other mine water pollution from nearby sources.

(c) Federal participation in such projects shall be subject to the conditions—

(1) that the State or interstate agency shall pay not less than 25 per centum of the actual project costs which payment may be in any form, including, but not limited to, land or interests therein that is needed for the project, or personal property or services, the value of which shall be determined by the Secretary; and

(2) that the State or interstate agency shall provide legal and practical protection to the project area to insure against any activities which will cause future acid or other mine water pollution.

(d) There is authorized to be appropriated $15,000,000 to carry out the provisions of this section, which sum shall be available until expended. No more than 25 per centum of the total funds available under this section in any one year shall be granted to any one State.

Pollution Control in Great Lakes

Sec. 15. (a) The Secretary, in cooperation with other Federal departments, agencies, and instrumentalities is authorized to enter into agreements with any State, political subdivision, interstate agency, or other public agency, or combination thereof, to carry out one or more projects to demonstrate new methods and techniques and to develop preliminary plans for the elimination or control of pollution, within all or any part of the watersheds of the Great Lakes. Such projects shall demonstrate the engineering and economic feasibility and practicality of removal of pollutants and prevention of any polluting matter from entering into the Great Lakes in the future and other abatement and remedial techniques which will contribute substantially to effective and practical methods of water pollution elimination or control.

(b) Federal participation in such projects shall be subject to the condition that the State, political subdivision, interstate agency, or other public agency, or combination thereof, shall pay not less than 25 per centum of the actual project costs, which payment may be in any form, including, but not limited to, land or interests therein that is needed for the project, and personal property or services the value of which shall be determined by the Secretary.

(c) There is authorized to be appropriated $20,000,000 to carry out the provisions of this section, which sum shall be available until expended.

Training Grants and Contracts

Sec. 16. The Secretary is authorized to make grants to or contracts with institutions of higher education, or combinations of such institutions, to assist them in planning, developing, strengthening, improving, or carrying out programs or projects for the preparation of undergraduate students to enter an occupation which involves the design, operation, and maintenance of treatment works, and other facilities whose purpose is

water quality control. Such grants or contracts may include payment of all or part of the cost of programs or projects such as—

(A) planning for the development or expansion of programs or projects for training persons in the operation and maintenance of treatment works;

(B) training and retraining of faculty members;

(C) conduct of short-term or regular session institutes for study by persons engaged in, or preparing to engage in, the preparation of students preparing to enter an occupation involving the operation and maintenance of treatment works;

(D) carrying out innovative and experimental programs of cooperative education involving alternate periods of full-time or part-time academic study at the institution and periods of full-time or part-time employment involving the operation and maintenance of treatment works; and

(E) research into, and development of, methods of training students or faculty, including the preparation of teaching materials and the planning of curriculum.

Application for training grant or contract; allocation of grants or contracts

Sec. 17. (1) A grant or contract authorized by section 16 may be made only upon application to the Secretary at such time or times and containing such information as he may prescribe, except that no such application shall be approved unless it—

(A) sets forth programs, activities, research, or development for which a grant is authorized under section 16, and describes the relation to any program set forth by the applicant in an application, if any, submitted pursuant to section 18.

(B) provides such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section; and

(C) provides for making such reports, in such form and containing such information, as the Secretary may require to carry out his functions under this section, and for keeping such records and for functions under this section, and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

(2) The Secretary shall allocate grants or contracts under section 16 in such manner as will most nearly provide an equitable distribution of the grants or contracts throughout the United States among institutions of higher education which show promise of being able to use funds effectively for the purposes of this section.

(3)(A) Payment under this section may be used in accordance with regulations of the Secretary, and subject to the terms and conditions set forth in an application approved under subsection (a), to pay part of the compensation of students employed in connection with the operation and maintenance of treatment works, other than as an employee in connection with the operation and maintenance of treatment works or as an employee in any branch of the Government of the United States, as part of a program for which a grant has been approved pursuant to this section.

(B) Departments and agencies of the United States are encouraged, to the extent consistent with efficient administration, to enter into arrangements with institutions of higher education for the full-time, part-time, or temporary employment, whether in the competitive or excepted service, of students enrolled in programs set forth in applications approved under subsection (a).

AWARD OF SCHOLARSHIPS

Sec. 18. (1) The Secretary is authorized to award scholarships in accordance with the provisions of this section for undergraduate study by persons who plan to enter an occupation involving the operation and maintenance of treatment works. Such scholarships shall be awarded for such periods as the Secretary may determine but not to exceed four academic years.

(2) The Secretary shall allocate scholarships under this section among institutions of higher education with programs approved under the provisions of this section for the use of individuals accepted into such programs, in such manner and according to such plan as will insofar as practicable—

(A) provide an equitable distribution of such scholarships throughout the United States; and

(B) attract recent graduates of secondary schools to enter an occupation involving the operation and maintenance of treatment works.

(3) The Secretary shall approve a program of an institution of higher education for the purposes of this section only upon application by the institution and only upon his finding—

(A) that such program has as a principal objective the education and training of persons in the operation and maintenance of treatment works;

(B) that such program is in effect and of high quality, or can be readily put into effect and may reasonably be expected to be of high quality;

(C) that the application describes the relation of such program to any program, activity, research, or development set forth by the applicant in an application, if any, submitted pursuant to section 16 of this Act; and

(D) that the application contains satisfactory assurances that (i) the institution will recommend to the Secretary for the award of scholarships under this section, for study in such program, only persons who have demonstrated to the satisfaction of the institution a serious intent, upon completing the program, to enter an occupation involving the operation and maintenance of treatment works, and (ii) the institution will make reasonable continuing efforts to encourage recipients of scholarships under this section, enrolled in such program, to enter occupations involving the operation and maintenance of treatment works upon completing the program.

(4)(A) The Secretary shall pay to persons awarded scholarships under this section such stipends (including such allowances for subsistence and other expenses for such persons and their dependents) as he may determine to be consistent with prevailing practices under comparable federally supported programs.

(B) The Secretary shall (in addition to the stipends paid to persons under subsection (a)) pay to the institution of higher education at which such person is pursuing his course of study such amount as he may determine to be consistent with prevailing practices under comparable federally supported programs.

(5) A person awarded a scholarship under the provisions of this section shall continue to receive the payments provided in this section only during such periods as the Secretary finds that he is maintaining satisfactory proficiency and devoting full time to study or research in the field in which such scholarship was awarded in an institution of higher education, and is not engaging in gainful employment other than employment approved by the Secretary by or pursuant to regulation.

(6) The Secretary shall by regulation provide that any person awarded a scholarship under this section shall agree in writing to enter and remain in an occupation involving the design, operation, or maintenance of treatment works for such period after completion of his course of studies as the Secretary determines appropriate.

Definitions and authorization

Sec. 19. (1) As used in section 16 through 19 of this Act—

(A) The term "State" includes the District of Columbia, Puerto Rico, the Canal Zone, Guam, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands.

(B) The term "institution of higher education" means an educational institution described in the first sentence of section 1201 of the Higher Education Act of 1965 (other than an institution of any agency of the United States) which is accredited by a nationally recognized accrediting agency or association approved by the Secretary for this purpose. For purposes of this subsection, the Secretary shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

(C) The term "academic year" means an academic year or its equivalent, as determined by the Secretary.

(2) The Secretary shall annually report his activities under sections 16 through 19 of this Act, including recommendations for needed revisions in the provisions thereof.

(3) There are authorized to be appropriated $12,000,000 for the fiscal year ending June 30, 1970, $25,000,000 for the fiscal year ending June 30, 1971, and $25,000,000 for the fiscal year ending June 30, 1972, to carry out section 16 through 19 of this Act (and planning and related activities in the initial fiscal year for such purposes). Funds appropriated for the fiscal year ending June 30, 1970, under authority of this subsection shall be available for obligation pursuant to the provisions of section 16 through 19 of this Act during that year and the succeeding fiscal year.

ALASKA VILLAGE DEMONSTRATION PROJECTS

Sec. 20. (a) The Secretary is authorized to enter into agreements with the State of Alaska to carry out one or more projects to demonstrate methods to provide for central community facilities for safe water and the elimination or control of water pollution in those native villages of Alaska without such facilities. Such project shall include provisions for community safe water supply systems, toilets, bathing and laundry facilities, sewage disposal faciilties, and other similar facilities, and educational and informational facilities and programs relating to health and hygiene. Such demonstration projects shall be for the further purpose of developing preliminary plans for providing such safe water and such elimination or control of water pollution for all native villages in such State.

(b) In carrying out this section the Secretary shall cooperate with the Secretary of Health, Education, and Welfare for the purpose of utilizing such of the personnel and facilities of that Department as may be appropriate.

(c) The Secretary shall report to Congress not later than January 31, 1973, the results of the demonstration projects authorized by this section together with his recommendations, including any necessary legislation, relating to the establishment of a statewide program.

(d) There is authorized to be appropriated not to exceed $1,000,000 to carry out this section.

[COOPERATION TO CONTROL POLLUTION FROM FEDERAL INSTALLATIONS

[SEC. 11. It is hereby declared to be the intent of the Congress that any Federal department or agency having jurisdiction over any building, installation, or other property shall, insofar as practicable and consistent with the interests of the United States and within any available appropriation, cooperate with the Department of Health, Education, and Wel-

fare, and with any State or interstate agency or municipality having jurisdiction over waters into which any matter is discharged from such property, in preventing or controlling the pollution of such waters. In his summary of any conference pursuant to section 10(d)(3) of this Act, the Secretary shall include references to any discharges allegedly contributing to pollution from any Federal property. Notice of any hearing pursuant to section 10(f) involving any pollution alleged to be affected by any such discharges shall also be given to the Federal agency having jurisdiction over the property involved and the findings and recommendations of the Hearing Board conducting such hearing shall also include references to any such discharges which are contributing to the pollution found by such Hearing Board.]

COOPERATION BY ALL FEDERAL AGENCIES IN THE CONTROL OF POLLUTION

Sec. 21. (a) Each Federal agency (which term is used in this section includes Federal departments, agencies, and instrumentalities) having jurisdiction over any real property or facility, or engaged in any Federal public works activity of any kind, shall, consistent with the paramount interest of the United States as determined by the President, insure compliance with applicable water quality standards and the purposes of this Act in the administration of such property, facility, or activity. In his summary of any conference pursuant to section 10(d)(4) of this Act, the Secretary shall include references to any discharges allegedly contributing to pollution from any such Federal property, facility, or activity, and shall transmit a copy of such summary to the head of the Federal agency having jurisdiction of such property, facility, or activity. Notice of any hearing pursuant to section 10(f) of this Act involving any pollution alleged to be effected by any such discharges shall also be given to the Federal agency having jurisdiction over the property, facility, or activity involved, and the findings and recommendations of the hearing board conducting such hearing shall include references to any such discharges which are contributing to the pollution found by such board.

(b)(1) Any applicant for a Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters of the United States, shall provide the licensing or permitting agency a certification from the State in which the discharge originates or will originate, or, if appropriate, from the interstate water pollution control agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate, that there is reasonable assurance, as determined by the State or interstate agency that such activity will be conducted in a manner which will not violate applicable water quality standards. Such State or interstate agency shall establish procedures for public notice in the case of all applications for certification by it, and to the extent it deems appropriate, procedures for public hearings in connection with specific applications. In any case where such standards have been promulgated by the Secretary pursuant to section 10(c) of this Act, or where a State or interstate agency has no authority to give such a certification, such certification shall be from the Secretary. If the State, interstate agency, or Secretary, as the case may be, fails or refuses to act on a request for certification, within a reasonable period of time (which shall not exceed one year) after receipt of such request, the certification requirements of this subsection shall be waived with respect to such Federal application. No license or permit shall be granted until the certification required by this section has been obtained or has been waived as provided in the preceding sentence. No license or permit shall be granted if certification has been denied by the State, interstate agency, or the Secretary, as the case may be.

(2) Upon receipt of such application and certification the licensing or permitting agency shall immediately notify the Secretary of such application and certification. Whenever such a discharge may affect, as determined by the Secretary, the quality of the waters of any other State, the Secretary within thirty days of the date of notice of application for such Federal license or permit shall so notify such other State, the licensing or permitting agency, and the applicant. If, within sixty days after receipt of such notification, such other State determines that such discharge will affect the quality of its waters so as to violate its water quality standards, and within such sixty-day period notifies the Secretary and the licensing or permitting agency in writing of its objection to the issuance of such license or permit and requests a public hearing on such objection, the licensing or permitting agency shall hold such a hearing. The Secretary shall at such hearing submit his evaluation and recommendations with respect to any such objection to the licensing or permitting agency. Such agency, based upon the recommendations of such State, the Secretary, and upon any additional evidence, if any, presented to the agency at the hearing, shall condition such license or permit in such manner as may be necessary to insure compliance with applicable water quality standards. If the imposition of conditions cannot insure such compliance such agency shall not issue such license or permit.

(3) The certification obtained pursuant to paragraph (1) of this subsection with respect to the construction of any facility shall fulfill the requirements of this subsection with respect to certification in connection with any other Federal license or permit required for the operation of such facility unless, after notice to the certifying State agency, or Secretary, as the case may be, which shall be given by the Federal agency to whom application is made for such operating license or permit, the State, or if appropriate, the interstate agency or the Secretary, notifies such agency within sixty days after receipt of such notice that there is no longer reasonable assurance that there will be compliance with applicable water quality standards because of changes since the construction license or construction or operation of the facility, (B) permit certification was issued in (A) the the characteristics of the waters into which such discharge is made, or (C) the water quality standards applicable to such waters. This paragraph shall be inapplicable in any case where the applicant for such operating license or permit has failed to provide the certifying State, or if appropriate, the interstate agency or the Secretary, with notice of any proposed changes in the construction or operation of the facility with respect to which a construction license or permit has been granted which changes may result in violation of applicable water quality standards.

(4) Prior to the initial operation of any federally licensed or permitted facility or activity which may result in any discharge into the navigable waters of the United States and with respect to which a certification has been obtained pursuant to paragraph (1) of this subsection, which facility or activity is not subject to a Federal operating license or permit, the licensee or permittee shall provide an opportunity for such certifying State, or if appropriate, the interstate agency or the Secretary to review the manner in which the facility or activity shall be operated or conducted for the purposes of assuring that applicable water quality standards will not be violated. Upon notification by the certifying State, or if appropriate, the interstate agency or the Secretary that the operation of any such federally licensed or permitted facility or activity will violate applicable water quality standards, such Federal agency may, after public hearing, suspend such license or permit. If such license or permit is suspended, it shall remain suspended until notification is received from the certifying State, agency, or Secretary, as the case may be, that there is reasonable assurance that such facility or activity will not violate applicable water quality standards.

(5) Any Federal license or permit with respect to which a certification has been obtained under paragraph (1) of this subsection may be suspended or revoked by the Federal agency issuing such license or permit upon the entering of a judgment under section 10(h) of this Act that such facility or activity has been operated in violation of applicable water quality standards.

(6) No Federal agency shall be deemed to be an applicant for the purposes of this subsection.

(7) In any case where actual construction of a facility has been lawfully commenced prior to the date of enactment of the Water Quality Improvement Act of 1970, no certification shall be required under this subsection for a license or permit issued after the date of enactment of such Act of 1970 to operate such facility, except that any such license or permit issued without certification shall terminate at the end of the three-year period beginning on the date of enactment of such Act of 1970 unless prior to such termination date the person having such license or permit submits to the Federal agency which issued such license or permit a certification and otherwise meets the requirements of this subsection.

(8) Except as provided in paragraph (7), any application for a license or permit (A) that is pending on the date of enactment of the Water Quality Improvement Act of 1970 and (B) that is issued within one year following such date of enactment shall not require certification pursuant to this subsection for one year following the issuance of such license or permit, except that any such license or permit issued shall terminate at the end of one year unless prior to that time the licensee or permittee submits to the Federal agency that issued such license or permit a certification and otherwise meets the requirements of this subsection.

(9)(A) In the case of any activity which will affect water quality but for which there are no applicable water quality standards, no certification shall be required under this subsection, except that the licensing or permitting agency shall impose, as a condition of any license or permit, a requirement that the licensee or permittee shall comply with the purposes of this Act.

(B) Upon notice from the State in which the discharge originates or, as appropriate, the interstate agency or the Secretary, that such licensee or permittee has been notified of the adoption of water quality standards applicable to such activity and has failed, after reasonable notice, of not less than six months, to comply with such standards, the license or permit shall be suspended until notification is received from such State or interstate agency or the Secretary that there is reasonable assurance that such activity will comply with applicable water quality standards.

(C) Nothing in this section shall be construed to limit the authority to any department or agency pursuant to any other provision of law to require compliance with applicable water quality standards. The Secretary shall, upon the request of any Federal department or agency, or State or interstate agency, or applicant, provide, for the purpose of this section, any relevant information on applicable water quality standards, and shall, when requested by any such department or agency or State or interstate agency, or applicant, comment on any methods to comply with such standards.

(d) In order to implement the provisions of this section, the Secretary of the Army, acting through the Chief of Engineers, is authorized, if he deems it to be in the public interest, to permit the use of spoil disposal areas under his jurisdiction by Federal licensees or permittees, and to make an appropriate charge for such use. Moneys received from such licensees or permittees shall be deposited in the Treasury as miscellaneous receipts.

ADMINISTRATION

SEC. [12] 22. (a) The Secretary is authorized to prescribe such regulations as are necessary to carry out his functions under this Act.

(b) The Secretary, with the consent of the head of any other agency of the United States, may utilize such officers and employees of such agency as may be found necessary to assist in carrying out the purposes of this Act.

(c) There are hereby authorized to be appropriated to the Department of Health, Education, and Welfare such sums as may be necessary to enable it to carry out its functions under this Act.

(d) Each recipient of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(a) The Secretary of Health, Education, and Welfare and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipients that are pertinent to the grants received under this Act.

(f) (1) It is the purpose of this subsection to authorize a program which will provide official recognition by the United States Government to those industrial organizations and political subdivisions of States which during the preceding year demonstrated an outstanding technological achievement or an innovative process, method or device in their waste treatment and pollution abatement programs. The Secretary shall, in consultation with the appropriate State water pollution control agency, establish regulations under which such recognition may be applied for and granted, except that no applicant shall be eligible for an award under this subsection if such applicant is not in total compliance with all applicable water quality standards under this Act, and otherwise does not have a satisfactory record with respect to environmental quality.

(2) The Secretary shall award a certificate or plaque of suitable design to each industrial organization or political subdivision which qualifies for such recognition under regulations established by this subsection.

(3) The President of the United States, the Governor of the appropriate State, the Speaker of the House of Representatives, and the President pro tempore of the Senate shall be notified of the award by the Secretary, and the awarding of such recognition shall be published in the Federal Register.

DEFINITIONS

SEC. [13] 33. When used in this Act:

(a) The term "State water pollution control agency" means the State health authority, except that, in the case of any State in which there is a single State agency, other than the State health authority, charged with responsibility for enforcing State laws relating to the abatement of water pollution, it means such other State agency.

(b) The term "interstate agency" means an agency of two or more States established by or pursuant to an agreement or compact approved by the Congress, or any other agency of two or more States, having substantial powers or duties pertaining to the control of pollution of waters.

(c) The term "treatment works" means the various devices used in the treatment of sewage or industrial wastes of a liquid nature, including the necessary intercepting sewers, outfall sewers, pumping, power, and other equipment, and their appurtenances, and includes any extensions, improvements, remodeling, additions, and alterations thereof.

(d) The term "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam.

(e) The term "interstate waters" means all rivers, lakes, and other waters that flow across or form a part of State boundaries, including coastal waters.

(f) The term "municipality" means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes, and an Indian tribe or an authorized Indian tribal organization.

OTHER AUTHORITY NOT AFFECTED

SEC. [14] 24. This Act shall not be construed as (1) superseding or limiting the functions, under any other law, of the Surgeon General or of the Public Health Service, or of any other officer or agency of the United States, relating to water pollution, or (2) affecting or impairing the provisions of [the Oil Pollution Act, 1924, or] sections 13 through 17 of the Act entitled "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors and for other purposes", approved March 3, 1899, as amended, or (3) affecting or impairing the provisions of any treaty of the United States.

SEPARABILITY

SEC. [15] 25. If any provision of this Act, or the application of any provision of this Act to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this Act, shall not be affected thereby.

SEC. [16] 26. (a) In order to provide the basis for evaluating programs authorized by this Act, the development of new programs, and to furnish the Congress with the information necessary for authorization of appropriation for fiscal years beginning after June 30, 1968, the Secretary, in cooperation with State water pollution control agencies and other water pollution control planning agencies, shall make a detailed estimate of the cost of carrying out the provisions of this Act; a comprehensive study of the economic impact on affected units of government of the cost of installation of treatment facilities; and a comprehensive analysis of the national requirements for and the cost of treating municipal, industrial, and other effluent to attain such water quality standards as established pursuant to this Act or applicable State law. The Secretary shall submit such detailed estimate and such comprehensive study of such cost for the five-year period beginning July 1, 1968, to the Congress no later than January 10, 1968, such study to be updated each year thereafter.

(b) The Secretary shall also make a complete investigation and study to determine (1) the need for additional trained State and local personnel to carry out programs assisted pursuant to this Act and other programs for the same purpose as this Act, and (2) means of using existing Federal training programs to train such personnel. He shall report the result of such investigation and study to the President and the Congress not later than July 1, 1967.

[SEC. 17. The Secretary of the Interior shall, in consultation with the Secretary of the Army, the Secretary of the department in which the Coast Guard is operating, the Secretary of Health, Education, and Welfare, and the Secretary of Commerce, conduct a full and complete investigation and study of the extent of the pollution of all navigable waters of the United States from litter and sewage discharged, dumped, or otherwise deposited into such waters from watercraft using such waters, and methods of abating either in whole or in part such pollution. The Secretary shall submit a report of such investigation to Congress, together with his recommendations for any necessary legislation, not later than July 1, 1967.

[SEC. 18. The Secretary of the Interior shall conduct a full and complete investigation and study of methods for providing incentives designed to assist in the construction of facilities and works by industry designed to reduce or abate water pollution. Such study shall include, but not be limited to, the possible use of tax incentives as well as other methods of financial assistance. In carrying out this study the Secretary shall consult with the Secretary of the Treasury as well as the head of any other appropriate department or agency of the Federal Government. The Secretary shall report the results of such investigation and study, together with his recommendations, to the Congress not later than January 30, 1968.]

SHORT TITLE

SEC. [19] 27. This Act may be cited as the "Federal Water Pollution Control Act".

AMENDING THE FOREIGN MILITARY SALES ACT

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 879 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 879

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. 15628) to amend the Foreign Military Sales Act. 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 Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Texas (Mr. YOUNG) is recognized for 1 hour.

Mr. YOUNG. Mr. Speaker, I yield to the distinguished gentleman from Ohio (Mr. LATTA) 30 minutes, pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 879 provides an open rule with 1 hour of general debate for consideration of H.R. 15628 to amend the Foreign Military Sales Act.

The Foreign Military Sales Act of 1968 authorizes sales of defense articles and services by the United States to friendly foreign countries and international organizations.

Funds authorized by H.R. 15628 are to finance credit sales or guarantees, all of which are repayable in dollars. Interest is normally charged at the same rate the United States must pay on money it borrows.

Most military sales are made for cash to the developed countries of Western Europe and Japan.

The bill amends the act by deleting obsolete authorization and aggregate ceiling figures and substituting an authorization of $275 million of new obligational authority and an aggregate ceiling of $350 million for 1970; $272,500,000 obligational and $385 million aggregate for each of fiscal years 1971 and 1972.

The act is amended as to illegal seizure of American fishing vessels to make it clear that an unlawful seizure will make the seizing country ineligible for further contracts of credits or guaranty as well as for further contracts for sale.

The President is authorized to waive the restriction when he receives reasonable assurances that further violations will not occur.

Mr. Speaker, I urge the adoption of House Resolution 879 in order that H.R. 15628 may be considered.

The SPEAKER. The Chair recognizes the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I agree with the statement just made by my colleague, the gentleman from Texas (Mr. YOUNG).

I would hasten to point out and emphasize the fact that all of these sales and guarantees are repayable in dollars and at interest rates equal to what the United States must pay on money it borrows.

This is something new and I think it should be followed on all of our loans.

The purpose of the bill is to extend for 2 years—fiscal 1971 and 1972—the program of credit sales of U.S. military equipment.

Most sales to Western Europe and Japan are made for cash and are not affected by this legislation.

Foreign military sales to selected countries are in the national security interests of the United States and are an important instrument of U.S. foreign policy.

The bill authorizes $275,000,000 in new spending with an aggregate ceiling on all loans and guarantees of $350,000,000 for fiscal 1970. For both fiscal 1971 and 1972, the bill authorizes appropriations of $272,500,000 with a ceiling of $385,000,000. These figures are those requested by the Department of State for fiscal 1971. The committee believes the same figures should also be applied to 1972.

The bill continues certain restrictions now in the law and extends them through fiscal 1972. These include a ceiling of $75,000,000 of total credit sales to all Latin American countries in each fiscal year, and a ceiling of $40,000,000 for all African countries.

It is estimated that total military sales in fiscal 1971 will reach $1,974,500,000, of which $385,000,000 will be credit sales covered by this bill; $416,000,000 will be sold through commercial sales and $1,173,000,000 will be cash sales.

Section 5 of the bill expresses the sense of Congress that the President should negotiate with Russia and other interested parties, an arms shipments limitation agreement for the Middle East. The section also expresses support for the President's position that Israel and other friendly countries in the area should continue to be supplied with arms to insure their security and independence.

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

Mr. LATTA. I am happy to yield to the gentleman.

Mr. GROSS. What does the gentleman say is the total commitment under this bill?

Mr. LATTA. The total authorization of the bill is $275,000,000 in new spending, which brings the aggregate guarantee to $350,000,000 for the fiscal year 1970.

The bill authorizes appropriations of $272,500,000 for fiscal years 1971 and 1972, with a ceiling of $385,000,000.

Mr. GROSS. That is $272,500,000 for 2 years. Is that a commitment for $545,000,000?

Mr. LATTA. You have to take into consideration the ceiling of $385,000,000 which cannot be exceeded. We cannot lose sight of the fact that these sales are for dollars and they go into the U.S. Treasury and the interest rates charged are the same that the United States is paying for money that it borrows. I think the gentleman should agree with this policy.

Mr. GROSS. Well, what do we do if a country refuses to pay? These are credit sales. What happens if a country for some reason or another refuses to pay?

Mr. LATTA. I think probably, as we have in the past, Uncle Sam carries the debt and hopes that at some time in the future we will be paid.

Mr. GROSS. That is, they are sold on terms of repayment in dollars I guess, and there is the commitment to pay. But the question I want someone to answer is what happens if they refuse to pay? Do we go in with armed forces and try to collect—or what is the story?

Mr. LATTA. I do not think anything was brought up before the Committee on Rules as to what we would do in such an event. It was pointed out that this has been one of the most successful programs that we have insofar as repayment is concerned.

Mr. GROSS. I thank the gentleman.

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

Mr. LATTA. I am glad to yield to the gentleman from Indiana, the ranking Republican member of the Committee on Foreign Affairs.

Mr. ADAIR. Mr. Speaker, the answer to the question of the gentleman from Iowa is that up to this time the record of repayment has been very good indeed, and there has been no need for any such activity as that suggested. We would hope, and I think it is reasonable to expect that the present rate of repayment would continue.

Mr. LATTA. I thank the gentleman. I have no further requests for time.

Mr. YOUNG. Mr. Speaker, I have no further requests for time.

I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MORGAN. 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. 15628) to amend the Foreign Military Sales Act.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE HOUSE

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. 15628, with Mr. BROOKS 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. The gentleman from Pennsylvania (Mr. MORGAN) will be recognized for 30 minutes, and the gentleman from Indiana (Mr. ADAIR) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I rise in support of H.R. 15628, a bill to amend the Foreign Military Sales Act.

The bill authorizes an appropriation of $275 million for fiscal year 1970 and $272.5 million for each of the fiscal years 1971 and 1972. The authorization for fiscal year 1969 was $296 million.

This money will be used to finance credit sales of defense articles and services to friendly foreign countries and international organizations. All proceeds from such sales are repayable in dollars and will be paid into the U.S. Treasury. Prior to enactment of the Foreign Military Sales Act in October 1968, payments from such sales were paid into a revolving fund and reused to finance additional credit sales. This revolving fund was terminated on June 30, 1968, as a result of an amendment to the Foreign Assistance Act of 1967.

The bill also sets a ceiling on the face amount of credit sales that can be made in each of the 3 years—$350 million in fiscal year 1970, and $385 million in each of the fiscal years 1971 and 1972. There are no ceilings on cash sales.

These ceilings are based upon Department of Defense estimates of what credit sales might be made. Since the decision to buy rests with the foreign government making the purchase, subject to approval by the United States, such sales forecasts are not precise. Therefore, total credit sales may be less than the aggregate ceiling. By law, however, such credit sales cannot exceed the authorized ceilings.

In the past, most of the military re-

quirements of these countries were provided as grant military assistance under the military assistance program. Now there is an increasing number of countries whose economic condition enables them to purchase some if not all of their defense requirements. Some, on the other hand, cannot make the immediate cash outlays necessary to buy needed military equipment, and they cannot obtain the necessary credit unless it is provided or guaranteed by the U.S. Government. This bill will enable the Department of Defense under the supervision of the Department of State to make Government-to-Government sales of defense articles and services to selected less developed countries on credit terms or to guarantee purchases made through private commercial channels.

Most sales of defense articles and services are made for cash either by the Department of Defense or through private commercial channels. For example, it is estimated that cash sales by the Department of Defense or through private commercial sales will be approximately $1.5 billion in fiscal year 1970. The estimate for fiscal year 1971 is that cash sales will be about $1.6 billion. There are no estimates for fiscal year 1972 but it is anticipated that cash sales will be about the same or perhaps a little higher. Thus credit sales account for a relatively small percentage of U.S. military exports. In this connection, I would like to point out that sales made through commercial channels are licensed by the State Department but do not go through the Defense Department. This bill, therefore, places no legislative restrictions or ceilings on the commercial sale of defense articles and services.

The shift from military grant aid to foreign military sales has been one of the most encouraging aspects of our foreign assistance programs. For example, it is estimated that total military sales for the current fiscal year ending June 30 will be $1,898,200,000. By comparison, the total military assistance authorization and appropriation for fiscal year 1970 is $350 million, which is less than one-fifth of the total military sales figures. During the 1950's the United States was spending about $2 billion on military assistance, and sales were less than 20 percent of the grants.

This is a short bill. In detail it does not alter the authority contained in existing law. The authorization in this bill relates only to credit sales of defense articles and services which are very important to the security interests of the countries making such purchases.

Mr. Chairman, foreign military sales to selected countries on a controlled basis are also in the national security interests of the United States and are an important instrument of U.S. foreign policy.

In enacting the Foreign Military Sales Act, the Congress declared that the ultimate goal of the United States continues to be a world which is free from the scourge of war and the dangers and burdens of armaments. It was further stated that U.S. policy is to encourage regional arms control and disarmament agreements and to discourage arms races.

The Congress, however, recognized that some nations have legitimate defense needs in order to deter aggression and to provide the internal security necessary for the orderly development of democratic political, economical, and social institutions. This bill will enable the United States to make carefully selected and controlled sales of defense articles and services to those friendly foreign countries and allies that are capable of assuming a larger burden of their own defense.

One of the foreign policy objectives as announced by the President is to encourage the countries of the free world to make a greater contribution in providing for their own security. As Deputy Secretary of Defense David Packard told the committee:

> The best hope of reducing U.S. overseas involvement and expenditures lies in getting allied and friendly nations to do even more than they are now doing in their own defense. To realize that hope, however, requires that we must continue, if requested, to give or sell them the tools they need for the bigger load we are urging them to assume.

Mr. Chairman, I share that hope. I look forward to the day when it will be possible to return American servicemen from overeas bases. A sound, adequate, and coordinated military assistance and sales program may help hasten the time when the free nations of the world will be able to defend themselves without the presence of U.S. forces.

I believe that it is in the national interests to have a foreign military sales program. On the other hand, I do not believe that the U.S. should go around the world selling arms for the sake of selling arms. This is neither the intent nor the purpose of the Foreign Military Sales Act.

I was, therefore, gratified to learn that the Secretary of Defense in outlining U.S. sales policies wrote:

> We will sell equipment to our friends and allies where and when and only to the extent needed; we will urge no friend or ally to purchase U.S. equipment when it is not needed, when there are better alternatives or when there are higher priority social and economic claims against limited funds.

In my opinion, this is a moderate and realistic approach to the arms sales programs and one which the Congress should support.

There has been a great deal of speculation that if the United States should stop selling arms, it would have the effect of reducing the quantity of military equipment being distributed around the world.

Mr. Chairman, this is not a realistic assumption. Other countries do sell arms and are increasing the quantities that they will sell. Unfortunately, it appears that the idea is to get as much business as is possible without regard for the economic conditions of a country, without regard for its ability to pay, and without regard for the legitimate defense requirements of the country making the purchase.

This is one of the dilemmas facing the United States in its arms sales program. While U.S. policy is to hold down on the sale of defense articles and services, either through legislative restrictions or through sales policy, other countries are able to sell without such legislative or policy restrictions.

Mr. Chairman, each nation has continuing defense requirements and many of them have either been recipients of U.S. military grant assistance or have purchased items of military equipment from the United States. They want and need U.S. defense articles and services to sustain their logistics support systems and equipment obtained from the United States. If the United States were to discontinue the sale of defense articles and services, the alternatives would be either to increase the grant aid program or cause these countries to seek defense articles and services from some other source.

Thus, failure on the part of the United States to make credit financing available would seriously disrupt the very programs that we have urged them to undertake. It would result in considerable logistics difficulties for countries which have predominantly American equipment and in increased costs.

Passage of this bill will enable the United States to make these requirements available to those friends and allies who are in need of defense articles and services.

In conclusion, I would like to speak on the situation in the Middle East.

One amendment that the committee added deals with the question of arms sales in this volatile area of the world. I shall read that amendment:

> SEC. 5. It is the sense of Congress that (1) the President should continue to press forward urgently with his efforts to negotiate with the Soviet Union and other powers a limitation on arms shipments to the Middle East, (2) the President should be supported in his position that arms will be made available and credits provided to Israel and other friendly states, to the extent that the President determines such assistance to be needed in order to meet threats to the security and independence of such states, and (3) if the authorization provided in the Foreign Military Sales Act, as amended, should prove to be insufficient to effectuate this stated policy, the President should promptly submit to the Congress requests for an appropriate supplementary authorization and appropriation.

The committee devoted a great deal of time to consideration of this amendment. The situation in the Middle East is serious. Israel, which depends upon the United States for a great part of her defense needs, must have the necessary equipment to maintain her independence and to insure her territorial integrity. We believe that if Israel needs such defense articles and services that the President should sell them what he deems adequate to provide for their own security.

On the other hand, there are other friendly countries in the area such as Jordan and Lebanon who also need defense articles and services to provide for their internal security.

It would not be in the national interests, or in the interest of peace in the Middle East if the governments of such countries were overthrown, to be replaced by anti-United States elements. Neither would it be in the national interests if

such friendly countries were forced to rely upon the Soviet Union, or others, for needed defense articles and services.

The committee did not authorize any additional funds as a result of this amendment at this time. The authority for the President to make such credit sales as provided in the Foreign Military Sales Act will continue to exist providing that this bill is passed. If, however, these funds should not prove adequate, the committee will consider a request for a supplemental authorization.

Mr. Chairman, I urge passage of H.R. 15628.

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

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

Mr. KOCH. I thank the distinguished chairman for yielding for a question. Mr. Chairman, I would like to know from the chairman of the Committee on Foreign Affairs whether there is a difference now in the policy we will employ with respect to selling arms to dictatorships as opposed to giving arms in foreign aid. The gentleman will recall yesterday this body refused to bar an extension of the lease on the submarine that Greece has leased from us, and it was the distinguished chairman of the Armed Services Committee who made the point that we were going to continue to furnish arms to Greece and it was in the interest of our national defense and the defense of NATO to do so.

Last year we also included some aid to Greece in our foreign aid program. I notice in the committee's report, under section 4, the statement of policy—and I commend the committee for doing this—the committee has increased the effectiveness of the language, so that now we say, if this bill is passed, that there shall not be approved—that is, the sale of arms—when that would have the effect of arming military dictatorships who are—and this is new language—"denying the growth of fundamental rights or social progress to their own people."

If we accept the fact that Greece is a dictatorship, that the NATO Committee has described Greece as a police state, that the Council of Europe has said it has tortured its own people as a matter of Government policy, then will the chairman explain to me why we will give military arms aid to the dictatorship doing this but we will not under the proposed amendment sell such arms to them? We will give them arms but not sell them arms. Can the chairman distinguish the difference between the two approaches for me?

Mr. MORGAN. Of course the gentleman knows that under the military assistance program Greece has been allotted grant assistance funds for a good many years because Greece is a member of NATO. Since the change in government of that country the shipment of major military items under the grant military assistance has been suspended. We are not supporting the so-called dictatorship, as the gentleman said, we are continuing limited assistance to a NATO ally.

The language here is a modification of the language already in existing law and was offered by the gentleman from Minnesota. It relates only to the sales program. It has nothing to do with the bill which was on the floor yesterday dealing with the loan of naval vessels. It has nothing to do with grant military assistance.

Mr. KOCH. Mr. Chairman, will the gentleman yield further on that point?

Mr. MORGAN. I yield.

Mr. KOCH. Will the gentleman agree with me that there is not a really significant difference between giving or lending a submarine or tank or any other form of armament to the Greek junta and that of selling it to them. That is to say, if under this new language we would be barred from selling to the Greek junta because it does deny the growth of fundamental rights or social progress to its own people, should we not also be precluded in the future from giving such arms aid?

Mr. MORGAN. What the gentleman is reading is an expression of the sense of Congress. It does not bind these executives. It does not bar the President from taking action or bar making a sale.

The CHAIRMAN. The gentleman from Pennsylvania has consumed 10 minutes.

Mr. MORGAN. Mr. Chairman, I yield myself 3 additional minutes.

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

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

Mr. PUCINSKI. I congratulate the distinguished chairman of the Committee on Foreign Affairs, Mr. MORGAN, for including in this legislation a sense of Congress resolution urging the President to continue his efforts to negotiate with the Soviet Union and other powers a limitation on arms shipments to the Middle East. There should be no question in the mind of anyone that the turmoil in the Middle East today has been created by the fact that the Soviet Union continues methodically to rearm each one of the Arab States.

If Israel has to engage in raids on Arab territories, it is only to prevent any sort of buildup of Arab offensive capability.

The Soviet Union must assume full responsibility for the turmoil in the Middle East today.

I congratulate the gentleman for the inclusion of this appeal.

I also congratulate the gentleman and his committee for including the language that the President should be supported in his position that arms will be made available and credits provided to Israel and other friendly states, to the extent that the President determines such assistance to be needed in order to meet threats to the security and independence of such states.

This again reaffirms the U.S. position that Israel is indeed our ally and it is in the highest interests of the United States and freedom to see that Israel is given the equipment she needs to defend herself.

I might point out, grateful as we all are for the $100 million additional credit made available to Israel by the United States yesterday, we can all agree that none of this money will be used for military purposes. That is why the resolution before us today is of greatest importance. It does guarantee Israel not only arms but also credits for the acquisition of these arms if her security is threatened. Mr. Chairman, this is a far-reaching resolution. It commits the United States to assist Israel with arms and credits.

In my judgment, this resolution can be an instrument to bring some meaningful peace to the Middle East. I congratulate the gentleman from Pennsylvania for his foresight and urge adoption of the resolution.

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

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

Mr. FARBSTEIN. I thank the gentleman.

I want to join my friend from Illinois in his statement for the RECORD in connection with the situation concerning the denial of arms, of airplanes, to Israel.

Were it not for the presence of Israel in the Middle East that entire area would be taken over by the Soviets.

Let it also be remembered that the Soviets do not want peace in that area; they seek only unrest. They will continue to furnish arms to the Arab countries so long as the Arabs accept arms from them.

I think it behooves our Nation to see to it that there is truly a balance in that area—not just a conversational balance but an actual balance of arms. There is no question that the Arab countries have a greater quantity both of assorted tanks and other armaments besides about three times the number of supersonic planes that are in the possession of Israel.

Mr. Chairman, I noted with dismay the statement by the President and the Secretary of State that the United States would not make additional jet aircraft available to Israel at this time.

This decision comes at a critical time in Israeli history, and, in my opinion, is unwise. Worse than that, it is not in the national interest of the United States. For if Israel is destroyed, the Soviet Union will have won the Middle East.

Israel needs additional aircraft now in order to be able to maintain military equality with the Arab States. The Soviets have not stopped the shipment of aircraft and missiles to the Arabs. On the contrary, there are indications that the Soviets are increasing their assistance to the Arab States.

Mr. Chairman, 6 million Jews died because the world turned its back on the activities of the Nazis. If the United States turns its back on Israel, if we do not provide the defense articles and services required to offset Soviet-furnished assistance, we may be sentencing over 2 million Jews to genocidal destruction. For if the military balance is tilted in favor of the Arab States, the result will be the destruction of Israel.

As I said before, Israel needs aircraft. Neither pious words nor vague promises will help. Israel must be assured of continued U.S. help, and the Arabs must be convinced that the United States will not permit Israel to be destroyed.

The Secretary of State has said that the United States would keep this situa-

tion under review and that if Israel needed additional military assistance from the United States that it would be provided. But, Mr. Chairman, Israel needs the assurance of aircraft now. The lead time required in the production of aircraft makes it necessary to make the decision now if the delivery of aircraft is to continue after September 1971.

I hope that the President will consider these circumstances and reconsider what in my opinion was an unwise, unsound decision.

Mr. Chairman, I will support this bill, but I reserve the right to offer an amendment at some later date that would direct the President to provide aircraft if, in my opinion, the United States appears to be unsympathetic to the military needs of Israel.

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

Mr. Chairman, I rise to support H.R. 15628, the foreign military sales bill. I do so for a number of reasons. The Congress has supported each administration since 1945 in working with friends and allies to bring an acceptable degree of peace and order to our planet. There have been failures; we face today a world still restless, divided, and discontented, and our own land is troubled over foreign and domestic problems. But on the whole the United States has used its power and influence in a constructive manner, and we and our friends are in a better position today as a result. The question before us right now is this: at a time when the current administration is moving toward a lower key approach to foreign affairs as embodied in the Nixon doctrine, is it not wise to preserve the viability of an instrument that has already proved its worth and is particularly important in a period of transition?

The importance of our military sales program has become clear: it has a recognizable place in the panoply of instruments serving our defense and foreign policy requirements. Over the last 20 years, as a growing number of countries became able to assume a progressively larger share of their own defense costs, our grant military assistance has been reduced or terminated. I recall that in 1962, some 60 countries were receiving materiel on a grant basis under our military assistance program; today there are only 23 countries receiving such aid. As a result, there is a need for credit to compensate declining levels of grant aid. As the economies of our allies improve and enable them to afford to buy what we had in the past given, the transition from outright grants to outright commercial cash purchases needs be eased. Otherwise the shift will prove a sudden and onerous burden on their still fragile foreign exchange positions. Thus the credit facilities provided by this bill offer the means to make this shift without impairing our allies' economies.

There is another important consideration to arms exports—and this is bringing about some controls to this type of international trade.

Today there is an established pattern of arms procurement in which the United States plays a major role. Approximately one-third of the arms that move across international frontiers come from the United States; the remainder come primarily from Europe and the Soviet Union and its closest allies. In this situation, we would gain nothing if the United States were unable to export military equipment. The countries to which we would reduce or curtail sales would then feel compelled to expend their resources on building up their own arms industries, to buy arms from among the countries in Western Europe—probably at higher costs—or to turn to the Soviet Union. The United States now has influence and a measure of control over the arms trade. This influence and this control would be lost if we do not continue to have an instrument such as the Foreign Military Sales Act.

The Congress did well in 1968 to adopt the Foreign Military Sales Act, for it brought together in one place the criteria and general lines of authority and procedure which should be brought to bear on such sales. The executive branch has now had approximately a year and a half to put this act into operation, and during this time the Departments of State, Defense, and Treasury have fashioned new procedures designed to insure that these sales proceed in a manner consistent with the intent of Congress as expressed in the act, and consistent with our defense and foreign policy requirements. In my view, this trend should be encouraged, and this is done best by the continued close cooperation of the Congress and the executive branch to assure that we have a viable military sales program, responsive to the needs of this country, helpful to our friends and allies, and under close supervision of the Congress and the administration. That is what we now have, and that is what we should keep.

Mr. MORGAN. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. REUSS).

Mr. REUSS. Mr. Chairman, I thank the distinguished chairman of the Committee on Foreign Affairs for his generosity in yielding me this time.

A few weeks ago I found myself in France protesting to my friends in the French National Assembly against the then just-concluded French arms deal whereby they propose to send more than 100 Mirage jet fighters to Libya. The French deputies, while conceding the insanity of this move, pointed out that in days gone by the United States had supplied arms to both sides in the war between India and Pakistan, to both sides in the war between Israel and Jordan, and more recently to both sides in the war between Honduras and Salvador. And they asked me, rhetorically, how we could object to their madness in the light of our madness.

Mr. Chairman, the bill before us is to permit continued and expanded sales of arms on credit. There will be offered to it a sense of Congress amendment by the gentleman from Pennsylvania (Mr. COUGHLIN) which amendment I enthusiastically cosponsor. That amendment would express the sense of Congress that the administration assign the highest priority through every diplomatic channel and in every forum available to it to see that a parallel effort is made to limit the trade in arms on an internationally agreed basis. We need such an intensified effort because today 8 percent of the world's resources are going to arms and, more disturbing, the developing countries are increasing their military expenditures at twice the world's rate.

We learn from the Arms Control and Disarmament Agency that by the end of the 1970's if we continue our present trend, the world will be spending $300 billion a year on arms. In the past 6 years we, the nations of the world, have spent more than a trillion dollars for arms and armed forces.

The purpose of the amendment to be offered by the gentleman from Pennsylvania is to add a new sense of Congress section to the bill before us to encourage the use of every opportunity, multilateral negotiation, bilateral negotiation, the forum of the United Nations, the SALT talks at Vienna, the 18-nation disarmament conference at Geneva, to address ourselves with the greatest energy possible to the fundamental problem of turning back the arms spiral, and the competition for arms sales, particularly among the developing countries.

Mr. PHILBIN. Mr. Chairman, there is great need in certain parts of the world today where this Nation can act wisely and foresightedly to support friendly nations against potential and actual aggression and hostility and thus contribute to peace.

This program was initiated some time ago, and it has been very helpful in enabling our friends in the community of nations to ward off hostile forces and deter them from liquidating small, growing nations, seeking, by their own efforts and sacrifice, to establish and maintain governments and economic systems of their own free choosing.

In that sense, this program has been a great encourager and defender of peace. It has assisted these nations to protect themselves against predatory and ideological enemies seeking to invade, overthrow, and conquer them, and forcibly impose tyranny and dictatorship over them.

One of these nations was and is the brave, young nation of Israel, which has set up one of the most unusual and successful experiments in free government and the practice of democratic principles and procedures in world history.

Our own Nation was the first great nation to accord diplomatic recognition and material support to Israel. We did this by the common accord of the American people. We did it, because we were agreed and determined that this new nation, and its gallant people, whose kinsmen and women have played such a glowing part in the development, growth, prosperity, and defense of our own country, many of them so highly respected, admired, and endeared to us, are preeminently entitled to our support and help in maintaining its sovereignty, security, freedom, independence and self-determination in a hostile area, beset by aggressive enemies, and the schemes and evil designs of powerful, totalitarian dictators.

Surely, we cannot abandon them now,

when through their own noble efforts and bitter sacrifices, they have established a homeland state that is at once their pride and joy, and a vigorous, progressive, thriving, young government and economy that is a great, proud addition to the free, enterprising nations of the earth.

Let us continue to stand by Israel and its government and people. It is no time to reduce our support and weaken our loyalties to her cause.

Indeed, it is a time, above all, when we must reaffirm our faith and warm friendship, and hold out our willing hands to encourage and strengthen Israel's will and determination to defend and preserve its freedom and its homeland from aggression and injury.

Israel is standing on its own feet. Let us, in this bill, and in other ways that may be necessary, provide her with adequate aircraft and other equipment, weapons, materiel, and support to keep her nation secure and free, and make the peace for all in the Middle East a reality at the earliest possible time.

I commend the chairman, the able, distinguished gentleman from Pennsylvania, and the members of his great committee for the fine job they have done in preparing and presenting this very timely legislation.

As long as organized communism throughout the world continues to stir up revolt and revolution and support of wars of national liberation, it will be necessary for this country in its own defense and interest to maintain a limited military assistance program.

Without such a program, a number of weaker, less developed countries would be vulnerable, as the debate clearly shows, to overthrow and domination by well-armed, well-organized terrorist groups designed to produce disorder and chaos within weaker states. It is a sad fact that several Communist countries are supplying arms to insurgent and guerrilla groups, and this is deplorable.

If these strong Communist countries would only cease such conspiracies and aggressive action against weak and oppressed nations throughout the world, and would sit down with the United States and other free nations in an earnest, sincere effort to control nuclear energy, agree to arms limitations and negotiate a viable blueprint for maintaining world peace, all mankind could readily and soon be liberated from the fears and the deadly specters of war and destruction.

This program is not aimed to hurt any nation. Indeed, we are desirous of friendship and peace with all nations. By the same token, in the Middle East crisis which looms up before us, it is only natural that we should be concerned for the political independence, the internal security, and the territorial integrity of Israel and other free states and do our best to help them.

We must by all means continue and intensify to the extent this is possible, for our efforts for peace have been unceasing for many years, to beseech and plead with the Soviet Union, and all the other components and advocates of the radical, Marxist Communist superstate, to listen to our appeals in the name of humanity, and sit around the table with us and negotiate an enduring peace for all peoples.

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

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

The CHAIRMAN. 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 subsection (b) of section 3 of the Foreign Military Sales Act (22 U.S.C. 2753(b)) is amended to read as follows:

"(b) No sales, credits, or guaranties shall be made or extended under this Act to any country during a period of one year after such country seizes, or takes into custody, or fines an American fishing vessel for engaging in fishing more than twelve miles from the coast of that country. The President may waive the provisions of this subsection when he determines it to be important to the security of the United States or he receives reasonable assurances from the country involved that future violations will not occur, and promptly so reports to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate. The provisions of this subsection shall not be applicable in any case governed by an international agreement to which the United States is a party."

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

Mr. Chariman, I would like to get squared away on this bill.

Let me say at the outset that I am a member of the Committee on Foreign Affairs and ought to know more about this bill than I do. But I was caught up in that exercise in the Post Office and Civil Service Committee on "postal reform" and could not attend the sessions of the Foreign Affairs Committee when the bill was considered.

Now do I understand that this commits the United States over a 3-year period to credits of $1,120,000,000? I note 2 years, fiscal year 1971 and 1972, at $385,000,000 each year and fiscal year 1970, which is almost over, at $350,000,000.

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

Mr. GROSS. I yield to the gentleman.

Mr. ADAIR. Mr. Chairman, the actual amounts of Federal dollars involved for the current fiscal year $275,000,000, and for each of the succeeding 2 fiscal years, $272,500,000.

The larger figures to which the gentleman refers are the aggregate total of credits and the face amount of guaranties that can be issued under the terms of this bill. It is anticipated that $37.5 million could be used as a 25-percent guarantee reserve against an estimated $150 million sales requiring private commercial quantity in each of fiscal years 1971 and 1972. Thus the program credit ceiling is $385 million in each of the 2 years.

Mr. GROSS. A total of $385,000,000.

Mr. ADAIR. That is the ceiling. It is not the amount of dollars out of the Federal Treasury.

Mr. GROSS. So if in the end they buy arms, based upon the expanded credit, and then for some reason or another refuse to pay, we can be holding the sack for much more than the amounts provided in the bill as outright credits; is that correct?

Mr. ADAIR. It is presumed that the 25 percent which is reserved for this purpose would take care of such a contingency.

Mr. GROSS. Earlier in this debate the gentleman from Indiana spoke of the wonderful experience thus far with military sales credit, indicating that there have been no defaults or very few. I would like to be around—and yet perhaps I would not—about 30 years from now to remind the gentlemen on both sides of the aisle on the Foreign Affairs Committee of the defaults on these soft loans and credits. I am afraid if I could be around here 30 years from now when the defaults come in as a result of the hundreds of millions of soft loans, I would have apoplexy, and that would be the end.

At any rate, I think you who support all of this expanded credit and all these additions to the foreign handout program are really trusting souls if you think you are going to collect on the money that has been dished out for foreign aid and all the rest of these programs.

Having pumped out $172 billion of the taxpayers' money in so-called foreign aid—I call it the giveaway program—why should we now, if that money has done any good around the world—why we should have to continue a credit program for the sale of military hardware?

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

(By unanimous consent, Mr. GROSS was allowed to proceed for 5 additional minutes.)

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

Mr. GROSS. Yes, of course I yield to my friend from Indiana.

Mr. ADAIR. I can give the gentleman one bit of reassurance. He will not have to wait for 30 years. Under the law credit sales run for only 10 years, a much shorter period of time.

Mr. GROSS. I was referring particularly to those 40- and 50-year soft loans that have been made in great profusion in recent years. I just do not understand why we should have to put up any money at all as a credit for the sale of military hardware. Moreover, I have never been able to understand this business of spending about $10 million a year on the Arms Control and Disarmament Agency, at the same time selling around the world anywhere from $1,800,000,000 to $2 billion worth of arms a year. What kind of business is this? How incongruous can you get when you establish over in the Pentagon a superduper arms sales agency and then hold meetings around the world for the purported purpose of disarming? How contradictory, how paradoxical can you get?

I see no reason for this legislation.

A couple of other provisions in the bill intrigue me. First, referring to sales, provides that the President may waive the provisions of the penalty subsection when he determines it to be important to the security of the United States to

sell arms or armaments of one kind or another to a country that is seizing American fishing vessels on the high seas. You might as well forget that provision if you are going to give any President that discretion. When a President is given that discretion he has never been known to penalize a country for raiding our fishing fleets on the high seas.

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

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

Mr. MORGAN. As the gentleman knows, that language is in existing law. It was in the original bill passed in 1968. There is no change in substance here. The amendment makes minor changes for clarification. The Executive requested this revision, but the Presidential determination is already in the law. There has been no change.

Mr. GROSS. I am pleased to report to the gentleman I voted against that bill, and one of the reasons why is that window dressing. There is more window dressing in section 5 of the bill. Read it. It is utterly meaningless.

Mr. Chairman, I am opposed to this bill. I am opposed to the extension of several hundred million dollars, whatever the amount, for the credit for the sale of arms. Foreign countries are in a position now or they never will be to pay the United States for the arms we sell to them. I know of no reason why we should guarantee the sales of arms around the world—provide credit for and guarantee sales of arms around the world.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. Section 31 of such Act (22 U.S.C. 2771) is amended—

(1) by striking out of subsection (a) "not to exceed $296,000,000 for the fiscal year 1969" and inserting in lieu thereof "not to exceed $275,000,000 for the fiscal year 1970 and not to exceed $275,000,000 for the fiscal year 1971"; and

(2) by striking out of subsection (b) "during the fiscal year 1969 shall not exceed $296,000,000" and inserting in lieu thereof "during the fiscal year 1970 shall not exceed $350,000,000 and during the fiscal year 1971 shall not exceed $350,000,000".

COMMITTEE AMENDMENTS

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

The Clerk read as follows:

Committee amendment: Page 2, beginning in line 16, strike out "$275,000,000 for the fiscal year 1971" and insert in lieu thereof "$272,500,000 for each of the fiscal years 1971 and 1972".

The committee amendment was agreed to.

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

The Clerk read as follows:

Committee amendment: Page 2, beginning in line 22, strike out "the fiscal year 1971 shall not exceed $350,000,000" and insert in lieu thereof "each of the fiscal years 1971 and 1972 shall not exceed $385,000,000".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 3. Section 33 of such Act (22 U.S.C 2773) is amended—

(1) by striking out of subsection (a) "the fiscal year 1969" and inserting in lieu thereof "each fiscal year".

(2) by striking out of subsection (b) "the fiscal year 1969" and inserting in lieu thereof "each fiscal year".

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 3, after line 6, add the following:

"SEC. 4. The last paragraph of section 1 of such Act (22 U.S.C. 2751) is amended by striking out 'denying social progress' and inserting in lieu thereof 'denying the growth of fundamental rights or social progress'."

The committee amendment was agreed to.

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

The Clerk read as follows:

Committee amendment: Page 3, after line 10, add the following:

"SEC. 5. It is the sense of Congress that (1) the President should continue to press forward urgently with his efforts to negotiate with the Soviet Union and other powers a limitation on arms shipments to the Middle East, (2) the President should be supported in his position that arms will be made available and credits provided to Israel and other friendly states, to the extent that the President determines such assistance to be needed in order to meet threats to the security and independence of such states, and (3) if the authorization provided in the Foreign Military Sales Act, as amended, should prove to be insufficient to effectuate this stated policy, the President should promptly submit to the Congress requests for an appropriate supplementary authorization and appropriation."

The CHAIRMAN. Is there objection to the committee amendment?

Mr. HALL. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The question is on the committee amendment.

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. COUGHLIN

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

The Clerk read as follows:

Amendment offered by Mr. COUGHLIN: Page 3, after line 24, insert the following:

"SEC. 6. It is the sense of the Congress that—

"(1) the President should immediately institute a thorough and comprehensive review of the military aid programs of the United States, particularly with respect to the military assistance and sales operations of the Department of Defense, and

"(2) the President should take such actions as may be appropriate—

"(A) to initiate multilateral discussions among the United States, the Union of Soviet Socialist Republics, Great Britain, France, West Germany, Italy, and other countries on the control of the worldwide trade in armaments.

"(B) to commence a general debate in the United Nations with respect to the control of the conventional arms trade, and

"(C) to use the power and prestige of his office to signify the intention of the United States to work actively with all nations to check and control the international sales and distribution of conventional weapons of death and destruction."

Mr. COUGHLIN. Mr. Chairman, this amendment to H.R. 15628, the bill now under consideration, was discussed during the general debate by my colleague from Wisconsin (Mr. REUSS), who is joining in this effort.

The bill as written quite properly urges the President to negotiate with the Soviet Union to seek limitations on arms shipments to the Middle East. This is good.

The amendment which we propose urges the President also to undertake initiatives toward the solving of the broader problem of the international sale and supply of conventional arms.

It asks the President to seek talks with the major powers on the subject of controlling the conventional arms trade, and urges the initiation of a full-scale debate on this subject in the United Nations.

Our amendment in no way conflicts with the present language in the bill. It is in no way aimed at the supply of arms for self-defense to allies such as Israel and West Germany. Certainly we must assist our allies in acquiring the arms necessary for self-defense.

It is rather aimed at the oversupplying of arms, particularly to the developing nations. This oversupplying of arms can and has led to military adventures that could result in the outbreak of a serious war.

I understand that the amendment has been agreed to by the distinguished chairman of the committee and by the distinguished ranking minority member of the committee.

There have been 56 wars of significant size in the world since 1945, 54 of which have been fought in the underdeveloped areas of the world. The nations doing most of the fighting do not have the capacity to make their own arms. Thus, the weapons they use to fight these wars have been imported from the major industrial powers.

Fifteen years ago, the worldwide volume of the arms trade was $2.5 billion annually. Today, the trade has doubled to $5 billion a year. It is estimated that the trade will double again to $10 billion a year within the next decade. This trade is carried out largely unimpeded by international agreements or restraints.

The United States is the world's largest arms merchant, distributing in excess of $2 billion worth of weapons per year to some 70 countries. The Soviets sell approximately $1 billion per year, Britain and France sell another $1 billion between them, and some 20 other countries divide up the rest of the business.

What is the result of this arms trade? The best recent example I can give you is Libya.

Since the discovery of oil in 1966, the United States and Great Britain fed Libya approximately $500 million worth

of military equipment—a quantity of arms nearly 36 times Libya's entire 1966 defense budget. No one asked who was Libya's enemy or what was the threat. Much of the sophisticated equipment was of a type which Libyan personnel could not operate or service.

This enormous quantity of arms encouraged a military coup that threw out a pro-Western progressive government and the United States in the bargain. We were literally thrown out as a result of our own arms sales, and these arms are now being used against Israel.

The Pakistan-India war of 1965 saw Pakistanis in American Patton tanks fighting Indians in American Sherman tanks and Pakistanis were transported to the front in American C–130B Hercules aircraft to fight Indians who had been transported to the front in American C–119's and C–47's.

A recent report I obtained from the Department of Defense shows such surprising things as the fact that we are still selling arms to South Africa in contravention of our own arms embargo; that we are still selling arms to the United Arab Republic; that our arms aid to Greece in 1969 was 40 percent more than in the previous 6 years; and that arms aid to such countries as El Salvador, Chile, and Morocco was skyrocketing.

The recent "soccer war," incidentally, saw Honduras fighting El Salvador—both equipped with American weapons.

In recent years, a great deal of attention has been paid to limitations on strategic arms. Little attention has been paid to limitations on these conventional arms which could well trigger a major holocaust.

Our amendment seeks to pay some attention to this trade in conventional arms. It is a specifically worded and broadly based amendment which urges the President to press for arms limitations not only in the Middle East but also in other parts of the world.

I would urge your support.

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

Mr. COUGHLIN. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. What is this the forerunner to? What does this lead to—more spending for more bureaucrats who talk disarmament but accomplish nothing? What price tag has been put on it?

Mr. COUGHLIN. I believe this would lead to less spending, because the arms business in the world now is a business going up to the trillion-dollar level. We are trying to create less spending on arms and less international trade in arms.

Mr. GROSS. How inconsistent can one be with an amendment of this kind, when we are putting several hundred million dollars of credit for the sale of arms in the same bill? To me this is rank inconsistency.

Mr. COUGHLIN. We would hope that through our amendment some day this credit for sale of arms would not be necessary.

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

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

Mr. COLLIER. I thank the gentleman for yielding. I have only one question.

During the hearings on this bill did anyone from the Arms Control and Disarmament Agency testify on this bill?

Mr. MORGAN. Mr. Chairman, if the gentleman will yield, the answer is "No." We had separate testimony from the Arms Control and Disarmament Agency, during which they had an opportunity to comment on all current issues. This testimony was presented during the hearings on the authorization of funds for that Agency.

Mr. COLLIER. It just seems to me that when the Congress some years ago established the Arms Control and Disarmament Agency, an agency which has increased its personnel number and in cost, an agency whose sole purpose and function is to evaluate and engage in those activities that would control armaments, that when there is a bill of this kind coming to the floor of the House, with the very agency established for this purpose not even coming in to testify, and no one asking what their opinion is, that I just cannot understand what the function of that agency is if its function is not in fact to deal with a piece of legislation of this kind.

Mr. MORGAN. Of course, the gentleman is mistaken about the cost of the Arms Control Agency increasing. It is decreasing. The executive requested a smaller authorization for the next 2 years than for the last 2 years. And when we have the bill marked up in the committee we expect to come in this year asking for an authorization for the Arms Control Agency of a decreased amount.

Mr. COLLIER. I am sure my good friend from Pennsylvania is not telling me there was not an inconsistent increase from the inception of this program, because I presented figures on this floor showing how the cost of the Agency increased from the first year through the first 4 years. If this is a new twist and if there is a dissipation of interest—and understandably there is, based on the failure to accomplish anything—then at least in that respect we are moving in the right direction. But it is not in fact the pattern that developed after the establishment of the Arms Control and Disarmament Agency, as the figures in the record will indicate.

Mr. MORGAN. I am speaking for fiscal years 1971 and 1972, saying that there will be a decrease.

Mr. COLLIER. Let me say to my good friend that this is most interesting, because apparently with the aggravated conditions existing through the world and with their becoming greater than ever before, we find now we are reducing funds for the Arms Control and Disarmament Agency.

Mr. MORGAN. We expect to authorize the amount necessary for them to discharge their responsibilities.

(Mr. ANDERSON of Illinois, at the request of Mr. COUGHLIN, was granted permission to extend his remarks at this point in the RECORD.)

Mr. ANDERSON of Illinois. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Pennsylvania (Mr. COUGHLIN) and the gentleman from Wisconsin (Mr. RUESS). I was proud to join with the gentleman from Pennsylvania in December of last year in cosponsoring a resolution of nearly identical wording—House Resolution 735. That resolution recognized that there exists today a $5 billion annual trade in conventional arms, and that of that amount the U.S. Government sells $2 billion worth. It also recognized that since 1945 there have been 56 wars of consequence, 54 of which were fought in underdeveloped countries, and that these conflicts have been fueled by the large worldwide trade in conventional arms. In addition to the $2 billion in U.S. arms sales each year, another $3 billion worth are sold by 25 nations including such major powers as the Soviet Union, Great Britain, France, West Germany, and Italy.

In conjunction with this, I was rather shocked to read in yesterday's New York Times that more than a trillion dollars has been spent for arms and armed forces around the world over the last 6 years. That figure was part of a report released Sunday by the U.S. Arms Control and Disarmament Agency. The most startling fact, though, was that while expenditures in the developed countries have slowed somewhat in the last 2 years, the military budgets of the small, developing nations have been growing at a rate double the world total. And these are the countries which can least afford such a diversion of scarce resources in the face of problems of economic development, population pressures and food production. While conventional arms sales to these nations is a symptom rather than a source of the hostilities which exist in many parts of the world, I think it is fair to say that excessive arms shipments to these regions, beyond mere defense needs, tends to encourage acts of agression.

The amendment now under consideration is in no way binding upon the President, and simply expresses the sense of the House of Representatives that four steps should be taken to exert control over the world trade in conventional arms.

First, a thorough review should be made of U.S. military aid programs.

Second, multilateral discussions among the great powers on the control of the arms trade should be initiated.

Third, debate in the United Nations should be commenced on the control of the conventional arms trade.

And fourth, the President should use the power and prestige of his Office to signify U.S. intentions to work actively with all nations to check and control international sales and distribution of conventional arms.

This amendment, which would add a new section 6 to the Foreign Military Sales Act, is a logical extension of section

5, as added by the committee this year. Section 5, you will recall, urges the President to press forward on negotiations with the Soviet Union and other powers to limit arms shipments to the Middle East. At the same time, section 5 supports the President "in his position that arms will be made available and credits provided to Israel and other friendly states, to the extent that the President determines such assistance to be needed in order to meet threats to the security and independence of such states." At his Saturday press conference President Nixon said, and I quote:

It is our hope that in our negotiations with the Soviet Union, bilaterally, and in the four-power talks, we can convince all the major powers to stop escalating the arms race in the Mideast, to work together for a cease-fire, and to achieve, of course, a political settlement.

The President pointed out that while attempting to reduce the flow of arms to the Middle East, we would not allow the military balance to be upset. The interim decision announced yesterday by Secretary Rogers that we would not sell additional jet fighters to Israel at this time is a clear sign of our sincere interest in scaling down the arms flow to the Middle East. If the Soviet Union fails to reciprocate by curtailing its arms shipments to the Arab powers and thus threatens to upset the military balance, then we shall be forced to send additional arms to Israel. The President has taken a calculated risk for peace. Let us hope that the response is favorable.

Finally, Mr. Chairman, let me point out that a preliminary investigation of U.S. military aid policy, pursuant to the first part of this amendment, has already been conducted by the President's Task Force on International Development, under its chairman, Mr. Rudolph Peterson. Part three of that report, "U.S. Foreign Assistance in the 1970's: A New Approach," is devoted to "Security assistance." I think it would be appropriate for me at this time to summarize the three main conclusions of the task force as regards to U.S. foreign military assistance.

First, development programs and military programs should be authorized and administered separately. In the words of the task force:

Both types of programs are essential, but each serves a different purpose. Confusing them in concept and connecting them in administration detract from the effectiveness of both.

Second, all types of security assistance—military assistance grants, use of surplus military stocks, military credits, economic assistance in support of military and public safety programs, budget support for political purposes, and the contingency fund—should be covered in one legislative act, with the State Department exercising firm policy guidance over them.

Third, military programs will strengthen military security only to the degree that they promote greater self-reliance. Our programs must be geared to the resources which the receiving country will ultimately be able to provide for its own security. The report recognizes that the reduction in U.S. forces overseas may require temporary offsetting increases in such assistance, but that our ultimate goal should be the elimination of these grant programs.

I think the Peterson task force should be commended on laying the groundwork for a more detailed study of our military assistance programs as is called for in this amendment. It is evident that such a study must be made in light of the "Nixon doctrine" and our future role in safeguarding the security of the free world. We must be careful to provide the smaller nations of the free world with sufficient assistance to defend themselves, but avoid flooding the third world with excessive arms which may only exacerbate tensions and hostilities. This will require a very carefully designed and administered policy and the study proposed in this amendment is essential to its formulation.

Mr. Chairman, at this point in the RECORD I would like to include the New York Times article to which I referred earlier, and the excerpt from the Peterson task force report on "Security assistance." The items follow:

[From the New York Times, Mar. 23, 1970]

WORLD ARMS BILL: TRILLION SINCE 1964—REPORT SAYS SPENDING RISES SHARPLY IN SMALL NATIONS

(By Robert M. Smith)

WASHINGTON, March 22—More than a trillion dollars has been spent for arms and armed forces around the world over the last six years, the Arms Control and Disarmament Agency reports.

In a new study, the agency finds that the increase in arms expenditures of the big countries has slowed somewhat in the last two years while the amounts spent by the developing countries have increased sharply. The military budgets of the small countries seem to be growing at a rate twice as high as the world total.

The report also discloses that although the world's economic standard of living has improved little in real terms in the last six years, the per capita burden of military spending has increased.

The figures show that military spending last year averaged $56 for every person in the world. This breaks down to an average of $179 for every person in the developed countries and $10 for every person in the developing countries.

RATE OF INCREASE SLOWS

"The diversion of resources to military purposes had expanded in step with the world's capacity to produce" says the Arms Control Agency's fourth annual report on world military expenditure. The organization is an independent agency of the United States Government.

The one hopeful note in the 26-page report is that between 1965 and 1967, world military spending rose at the rate of 13 percent a year; in 1968 and 1969, it rose only 5 percent a year.

"If the pattern of the last two years continues," the report says, "it will mean some reduction in the ratio of military spending to world income."

"On the other hand," it continues, "it will take more than a diminished rate of increase to lessen significantly the heavy economic burden of world military expenditures. If recent spending patterns continue, the nations of the world by the end of the seventies will be devoting more than $300-billion a year to defense."

$200 BILLION SPENT IN 1969

The six-year total of world military spending took as much public money, according to the report, "as was spent by all governments on all forms of public education and health care."

Some $200-billion was spent on the world's arms and armies last year. The North Atlantic Treaty Organzation accounted for $108-billion of this total; the Warsaw Pact nations, $63-billion.

Each bloc spent some $3-billion more than in 1968. Given inflation, however, this represents no increase. In fact, the NATO outlays went down $2-billion if inflation is considered.

On the other hand, the military budgets of countries outside these blocs accounted for an increasing proportion of the money the world spent on arms.

"Military budgets of these countries appeared to be growing at a rate more than twice that of the world total," the report says. This reflects "an accelerated arms race among the developing countries," it says.

COUNTRIES LISTED

The study also points out that it took half of all the people in the world to produce a share of all the worlds' goods and services equal to that devoted to military outlays.

The study reports that the following countries spent more than 10 percent of their total output of goods and services, or gross national product, on their armed forces: Laos, United Arab Republic, North Vietnam, South Vietnam, Taiwan, Iraq, Jordan, North Korea, Syria, Saudi Arabia and Israel.

The following spent between 5 and 10 percent of their gross product: Burma, Somali Republic, Cambodia, Mainland China, Albania, Iran, Mongolia, Portugal, Cuba, Poland, Soviet Union, France, United Kingdom, Kuwait, and United States.

Spending less than 1 percent of their gross product were: Malawi, Nepal, Sierra Leone, Costa Rica, Peru, Jamaica, Mexico, Panama, Trinidad and Tobago, Japan and Iceland.

The data in the report came mostly from statistics prepared by the United States Agency for International Development and such international agencies as the United Nations Educational, Scientific and Cultural Organization and the World Health Organization.

[Excerpted from: "U.S. Foreign Assistance in the 1970's: A New Approach," a report to the President of the United States from the Task Force on International Development, Mar. 4, 1970]

III. SECURITY ASSISTANCE

Security assistance programs have been an integral part of U.S. foreign policy for more than two decades. In addition to military grant and sales activities, they include economic assistance in support of military and public safety programs, and budget support for political purposes.

Security assistance has strengthened the defenses of some forty nations. It has also helped nations to cope with pressing internal security problems and to deal with crisis situations. In serving these purposes, such assistance has played an important role in helping the United States to pursue the goal of a world order in which each nation, large or small, aligned or unaligned, can develop in its own way.

Military assistance today is going in large measure to Vietnam, Laos, and Thailand in support of the Vietnam war effort. All military equipment and supplies for these countries at present are funded and administred by the Department of Defense.

The remainder of the military assistance program is funded in the Foreign Assistance Act, comes under the policy guidance of the Department of State, and is administered in

the Department of Defense. It is provided on a grant basis and is concentrated largely in the Republics of Korea and China, Turkey, and Greece, where the United States has specific treaty obligations. Grants to these countries are designed to help U.S. allies maintain an adequate defense, and they serve as a substitute for the stationing of U.S. forces abroad. Small amounts are provided to forty-four other countries for internal defense and training purposes and to a few countries as payment for U.S. base rights.

Each sovereign nation must decide for itself what it is prepared to do—with the means at its disposal—to defend against the threat of external attack and to maintain internal order.

One clear goal of security assistance is to help countries move toward a greater degree of self-reliance in the area of security. To be fully effective, the principle of self-reliance must govern the behavior of both the United States and the developing countries. Decisions on U.S. military assistance should be based on the amount of resources that the receiving countries think proper and ultimately will be able to allocate for security. It is equally important that these countries themselves—not the United States—make the decisions on how to use their resources for security.

As the United States reduces its forces overseas, increased security assistance may be needed for a time to cushion the effect and to improve local security capabilities. The ultimate goal, however, should be to phase out these grant programs.

2. *Programming.* Military grants should be determined on a cost-benefit basis. The risks involved for the United States and the need for U.S. forces that would arise if funds were not provided should be specified.

The following factors should be considered in determining the amount, kind, and terms of security assistance:

First, assessments of force requirements in forward defense countries should be related to possible changes in the size of U.S. General Purpose Forces, to local financial capabilities, and to the availability of U.S. funds. Moreover, these assessments should be approved by the Secretaries of State and Defense, since they serve as the principal basis for estimating funding requirements for U.S. grants, as well as for evaluating the effectiveness of existing programs.

Second, the amount of military assistance allocated among countries should be related to a realistic assessment of needs, not to historical assistance levels. Furthermore, U.S. programs should assist receiving nations in adapting their military force structure, the risks permitting, to what ultimately will be within their own capacity to maintain.

Three-fourths of the grant assistance that the United States is giving (outside Southeast Asia) is used to finance the costs of operating and maintaining equipment and weapons already provided. In these circumstances, it does not seem possible that the receiving nation can both become self-reliant and modernize its forces. Unless these problems receive careful attention, the United States faces the prospect of continuing the programs indefinitely, without any assurance of improvement in local force capabilities.

This procedure could be penny-wise and pound-foolish. It may make more sense in some countries, for example, to eliminate units that are only marginally effective and to provide modern equipment to the ones that are retained. The initial costs may be higher, but the long-term results could be more effective at a lower recurring cost.

Third, military assistance and related supporting assistance should be considered together in planning security programs. In a few countries, supporting assistance under the economic program is being terminated while military assistance grants continue. It is possible that U.S. interests might be served better in some cases by continuing supporting assistance while scaling down military assistance. This could be particularly useful as a transitional device to help countries assume the operating and maintenance costs now financed with military grant aid.

These three factors highlight the need to plan and coordinate the use of all available security assistance instruments. Special studies addressing these problems are underway within the National Security Council system, but firm policy guidance is needed. These issues probably will take on added importance in the adjustment from war to peace in Southeast Asia.

3. *Encouraging Self-Reliance.* The United States now makes the basic determination of the amount and kind of military equipment the receiving countries need, and U.S. military missions do most of the detailed logistical planning and costing for them. These decisions necessarily affect the size of their defense budgets. More should be done to enable these receiving countries to estimate their own requirements, to relate them to their budgetary priorities, and to make their military decisions in the light of available resources.

Service training programs in the United States can play an important role in strengthening planning skills and capabilities in the developing countries. Greater emphasis in training should be placed on force structure and logistics planning, and on fiscal and budget programming.

Moving military assistance from a grant to a credit basis also will serve this purpose. Unlike military grants, military credits are subject to the budgetary discipline of the receiving country. The current legislative ceiling on military credits is inconsistent with such a policy. As grants decline, more credits should be made available. Military credits, however, should be used only to finance the purchase of weapons that the developing countries need for their defense and that are within their financial capacity to maintain and operate.

To avoid both an unnecessary arms escalation and a waste of resources needed for development, it is U.S. policy to discourage developing countries from obtaining sophisticated military equipment. Legislative restrictions on the use of U.S. military and economic assistance designed to avoid these problems, however, have not proven effective. In many cases, as the Rockefeller Report points out, the military equipment is purchased elsewhere, while the restrictions leave a residue of ill-feeling toward the United States. Removing them would put the United States in a better position to work out with these countries, on a mature partnership basis, military equipment expenditure policies that are consistent with their means.

Finally, the Task Force believes that large military assistance advisory groups and missions are no longer necessary in many developing countries. In the past, these countries needed the close involvement of U.S. military advisors to ensure the effective integration of U.S. arms and equipment into their forces. By now, however, military officials in most of these countries have achieved adequate levels of professional competence and facility with modern arms. The United States now can reduce its supervision and advice to a minimum, thus encouraging progress toward self-reliance. U.S. military missions and advisory groups should be consolidated with other elements in our overseas missions as soon as possible.

4. *Organization and Management.* Changes in the organization and management of U.S. security programs would contribute to their effectiveness, clarify their relationship to U.S. foreign policy, and make our objectives and rationale more understandable to the Congress and the American public.

The Task Force recommends:

That security assistance programs be combined in one piece of legislation—and International Security Cooperation Act—separate from international development assistance. This Act should cover foreign military sales and grants, surplus military stocks, supporting assistance, public safety programs, and the Contingency Fund;

That responsibility be assigned to the Department of State for setting policy and for directing and coordinating security assistance programs. In carrying out this responsibility, the State Department should relate security programs to U.S. foreign policy, to global strategies, to changing military technologies, and to the financial capabilities of receiving countries. Administration of military grant and credit sales programs should remain with the Department of Defense; supporting assistance, public safety programs, and the Contingency Fund should be administered by the Department of State.

MILITARY COMMITMENTS: U.S. OVERSEAS DEFENSE ACTIVITIES BEING SCRUTINIZED

The costs, casualties and frustrations of the war in Vietnam have led to a general reexamination of American defense commitments throughout the world. Critics of U.S. Vietnam policy have cited the war as an example of how the United States can virtually unknowingly become entangled in a conflict. They have warned that other U.S. commitments may be equally fraught with the possibility of costly, and perhaps unnecessary, military involvement.

The most striking expression of this concern in Congress was the adoption by the Senate June 25, 1969, of a "national commitments" resolution by a 70–16 rollcall vote. The purpose of the resolution was to correct what many Senators regarded as a constitutional imbalance resulting from continued denial of Congressional authority in foreign affairs. (*Weekly Report p. 1111*)

A more detailed and long-range Congressional investigation of the scope, costs and political and military ramifications of U.S. military commitments abroad was launched in February with the formation of a new Senate Foreign Relations Subcommittee under Stuart Symington (D. Mo.). The Subcommittee on U.S. Security Agreements and Commitments Abroad held closed hearings Sept. 30-Oct. 3 on U.S. commitments to the Philippines and began closed hearings Oct. 20 on the U.S. role in Laos. Eventually, the Subcommittee expects to investigate the full scope of U.S. military commitments. (*For details on Symington and the Subcommittee, see Fact Sheet on Laos, p. 2073.*)

Senate Majority Leader Mike Mansfield (D. Mont.) announced plans Oct. 19 to reintroduce a resolution, first presented in 1966 and again in 1967, to call for a substantial reduction in U.S. troops in Europe assigned to the North Atlantic Treaty Organization (NATO). Mansfield, who plans to introduce the resolution in November or December, maintains that changed military technology and reduced East-West tensions make a troop reduction possible without adversely affecting the U.S. capacity to fulfill its NATO commitments. (*See 1968 Almanac p. 547, 1967 Almanac p. 980, 1966 Almanac p. 75, 82, 430, 436.*)

Overseas Troop Deployment. The stationing of U.S. forces abroad is a clear indication of U.S. commitment to the defense of foreign nations. Senate Foreign Relations Committee Chairman J. W. Fulbright (D. Ark.) June 19, 1969, described American troops stationed abroad as a "*de facto* commitment to use those forces in the event of an outbreak of hostilities."

The United States in September 1969 had about 1.2 million military personnel stationed abroad (out of total U.S. armed forces of 3.46 million) in more than 33 countries and foreign possessions. In addition to U.S. military personnel abroad, some 26,000 U.S. civilians, 350,000 dependents and 255,000 foreign nationals were attached to U.S. overseas bases. (*See tables I and II.*)

TABLE I—*U.S. military forces abroad—As of September 1969*

Asia and Pacific:	
Korea	56,000
Okinawa	45,000
Japan	40,000
Philippines	30,000
South Vietnam	508,000
Thailand	49,000
Nationalist China	10,000
Total	738,000
Latin America:	
Panama, Canal Zone, Puerto Rico, and Guantanamo (Cuba)	23,000
Other	1,000
Total	24,000
North America: Canada, Greenland, Iceland	10,000
Western Europe:	
West Germany	228,000
Other NATO countries	82,000
Spain	10,000
Total	320,000
Middle East and Africa	10,000
U.S. Fleets:	
Western Pacific, Vietnam	95,000
Mediterranean	25,000
Total	120,000
Grand total	1,222,000

Source: Defense Department.

TABLE II.—MAJOR U.S. MILITARY INSTALLATIONS ABROAD (AS OF SEPTEMBER 1969)[1]

Location	Service	Number
Azores	Air Force	1
Bermuda	Navy	2
	Air Force	1
British West Indies	Navy	1
Canada	Air Force	1
Canal Zone	Army	7
	Navy	4
	Air Force	2
Crete	do	1
Cuba	Navy	2
Ethiopia	Army	1
Germany	do	124
	Air Force	8
Greece	Navy	1
	Air Force	1
Greenland	do	2
Iceland	Navy	1
Italy	Army	5
	Navy	3
	Air Force	1
Japan	Army	28
	Navy	6
	Air Force	6
South Korea	Army	52
	Air Force	2
Libya	do	1
Marianas	Navy	5
	Air Force	1
Marshall Island	Navy	2
Midway	do	1
Morocco	do	1
Netherlands	Air Force	1
Newfoundland	Navy	1
Pakistan	Air Force	1
Philippines	Navy	5
	Air Force	1
Puerto Rico	Army	2
	Navy	3
	Air Force	1
Ryukyus	Army	11
	Navy	3
	Air Force	2
Spain	Navy	5
	Air Force	3
Taiwan	do	3
Thailand	do	7
Turkey	do	3
United Kingdom	Navy	4
	Air Force	8
Virgin Islands	Navy	2
Total		340

[1] September figures from Defense Department do not include major bases in Vietnam. Figure commonly used for total bases in Vietnam is 59.

Source: Defense Department.

U.S. overseas military personnel strength has fluctuated since 1945. At the end of World War II, U.S. armed forces totaled over 12 million, a majority of which were stationed in the European and Asian theaters of the war. Strong pressure to "bring the boys home" quickly resulted in a reduction of total armed forces to 1.5 million for the years 1946–1949. The Korean war (1950–1953) sent U.S. forces to a post-World War II high of 3.6 million in 1952, with about 1.1 million men stationed overseas. After the war, the armed forces dropped to 2.5 million in 1960, with 660,000 stationed abroad. The growth of the Vietnam war pushed the armed forces from about 2.6 million (745,000 overseas) in 1965 to 3.46 million, with 1.2 million abroad, in 1969.

The United States in September 1969 maintained 2,270 military installations overseas (not including Vietnam), of which the Pentagon designated 340 as major installations. "Major" installations are defined by the Defense Department as bases "which are large in number of acres occupied or personnel accommodated, or which represent a high acquisition cost to the United States Government, or which are used in support of a principal U.S. military activity or mission." Major bases include large air bases, shipyards and fleet facilities, principal headquarters and command complexes, large communications installations and troop training and housing compounds. "Minor" installations include navigational aids, small communications facilities and small administrative buildings supporting incidental activities.

The largest overseas base (based on acreage alone) is Sondestrom Air Base in Greenland, covering 466,066 acres. Thule Air Base, also in Greenland, covers 338,884 acres. As an example of a minor base, the Defense Department cites a radio relay site in Donnersburg, Germany, covering one acre.

Prior to World War II, the United States maintained military bases only in its Pacific territories and in the Caribbean. The expansion of U.S. bases began in 1941 when Washington exchanged naval destroyers for lease rights in British territories in the Caribbean. Following World War II, the United States constructed military installations primarily in countries to which it was bound by defense treaties. A major reduction in U.S. overseas bases occurred in 1967, when the United States was required to close down over 200 military facilities in France following French President Charles de Gaulle's demand that NATO bases leave French territory.

Foreign Aid. Foreign aid, whether economic or military, has been regarded since the early postwar period as a bulwark to allied and friendly countries against potential enemies. As such, it has been an important element in the total picture of U.S. global commitments. President Truman, in calling for economic and military aid to Greece and Turkey in March 1947, said U.S. policy should "support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures." President Nixon, while emphasizing the humanitarian reasons for foreign aid, declared May 28, 1969, in his foreign aid message to Congress that aid helped "avert violence and upheaval that would be dangerous to peace." Military assistance to allies, Mr. Nixon added, "helps maintain a world in which we ourselves are more secure."

U.S. economic and military aid in the form of grants or loans totaled $133.5 billion for the period July 1, 1945, to June 30, 1968 (fiscal years 1946–68), according to statistics provided by the Agency for International Development (AID). AID was established in 1962 within the State Department under the Foreign Assistance Act of 1961 to administer U.S. foreign economic aid, primarily to underdeveloped countries.

More than 130 countries have received U.S. aid since 1945. (For list of nations which have received more than $1 billion in aid, see table III.)

The preponderance of U.S. aid has gone to U.S. treaty allies. The $89.8 billion in aid to allies amounts to about 67 percent of all U.S. aid since 1945. (See table IV.)

Of the $133.5 billion total, $94.7 billion went for economic aid—$55.9 billion in grants and $38.8 billion in loans. Military grants and loans totaled $38.8 billion, of which about $36 billion was in the form of grants. (For breakdown of foreign aid funds by programs and agencies, see table V.)

TABLE III—LEADING U.S. AID RECIPIENTS (ECONOMIC AND MILITARY GRANTS AND LOANS)

[In millions of dollars]

	Total 1946–68	Repayments, interests	Net total
United Kingdom	$9,597.8	$2,007.1	$7,590.7
France	9,415.9	2,401.6	7,014.3
India	7,806.1	834.2	6,971.9
Korea	7,455.9	17.7	7,438.2
Italy	6,072.8	729.9	5,342.9
Vietnam	5,554.5	71.5	5,483.0
Turkey	5,426.0	231.1	5,194.9
China, Nationalist	5,087.4	146.0	4,941.4
Germany, West	5,020.3	1,476.6	3,543.7
Japan	4,141.5	643.0	3,498.5
Greece	3,834.7	210.5	3,624.2
Brazil	3,760.6	1,096.1	2,664.5
Pakistan	3,630.9	226.9	3,404.0
Yugoslavia	2,864.0	286.1	2,577.9
Netherlands	2,470.3	419.8	2,050.5
Iran	2,207.1	284.0	1,923.1
Spain	2,179.1	276.4	1,902.7
Philippines	2,023.2	240.8	1,782.4
Belgium-Luxembourg	2,005.2	257.7	1,747.5
Chile	1,587.9	305.6	1,282.3
Austria	1,166.6	60.6	[1] 1,106.0
Thailand	1,157.7	53.7	1,104.0
Israel	1,155.0	370.3	[1] 784.7
Mexico	1,153.4	602.8	550.6
Colombia	1,081.9	259.4	822.5
United Arab Republic	1,022.8	121.9	[2] 900.9

[1] Figures do not include military assistance which is classified
[2] United Arab Republic received only economic aid.

Source: Agency for International Development.

TABLE IV.—U.S. AID TO TREATY ALLIES, 1946 THROUGH 1968

[In millions of dollars]

Treaty	Economic	Military	Total
Rio Pact-OAS	$11,239.6	$1,147.2	$12,386.8
NATO	27,940.5	18,760.2	46,879.0
SEATO	20,557.0	12,716.6	26,749.5
Australia and New Zealand	169.2	576.5	745.7
Republic of China	2,291.1	2,796.3	5,087.4
Japan	3,076.5	1,065.5	4,141.5
Korea	4,630.6	2,825.3	7,455.9
Philippines	1,487.3	535.9	2,023.2
Total [1]	56,635.8	33,218.6	89,854.4

[1] Figures take into consideration the fact that certain countries are members of more than 1 defense treaty.

Source: Agency for International Development.

TABLE V.—*Foreign aid, fiscal 1946–68*

[In billions of dollars]

ECONOMIC AID	
AID and Predecessor Agencies:	
Economic Cooperation Act (European Recovery Program — 1949–1952)	14.5
Mutual Security Act (Mutual Security Agency—1953–1961)	16.5
Foreign Assistance Act (Agency for International Development—1962–1968)	15.7
Total	46.7

Food for Freedom (disposal of U.S. agricultural surplus under PL 480 since 1954)	16.4
Export-Import Bank (long-term loans—1946–1968)	10.7
Other Economic Programs (Primarily postwar relief aid—1946–1952)	20.8
Total economic aid	[1] 94.7
MILITARY AID	
Military Assistance Program	35.6
Other Military grants	1.7
Export-Import Bank Military Loans	1.4
Total military aid	[1] 38.8
Grand Total	133.5

[1] Totals do not add due to rounding.

Source: Agency for International Development

Approximately $91.8 billion of the $133.5 billion was in the form of grants (economic and military) and $41.7 billion in the form of loans. Repayment of principal and interest on loans totaled $16.7 billion, thus leaving a net aid figure ($133.5 billion minus $16.7 billion) of $116.8 billion.

The distinction between economic and military assistance, according to an AID official, has sometimes been more apparent than real, from the viewpoint of the recipient country. A country turned down by the Defense Department, which administers the Military Assistance Program, for military aid possibly may obtain economic assistance from AID. The funds received for economic purposes may well release funds within that country for the purchase of the military equipment originally sought. If the United States is unwilling to sell this equipment to the country, the funds are released in any case for the purchase of military equipment from other sources.

Sometimes U.S. assistance has been labeled as economic aid but, in fact, has been primarily for military purposes. During the 1050s, for example, "economic" aid to Laos paid for the entire military budget in that country.

Of the $46.8 billion received by NATO allies, approximately $25 billion went to them during the years 1946–1952. During this period, the bulk of the aid was economic assistance to enable them to rebuild war-torn economies. After 1952, aid to the NATO countries shifted increasingly to military aid; and the total volume of aid to NATO countries per year dropped. The NATO countries received about $16 billion from 1953–1961 and about $5 billion since 1962. The drop in the rate of aid ($4 billion per year until 1952, $2 billion until 1961 and less than $1 billion since 1962) is a result of the success of postwar recovery and increasing prosperity in Western Europe. It has enabled the NATO countries to be the primary purchasers of U.S. military equipment since 1962.

The next largest treaty recipient of U.S. aid has been the Southeast Asia Treaty Organization (SEATO) with $26.7 billion in assistance. There is, however, considerable duplication with the NATO figures, since Britain and France are members of NATO and SEATO. The two countries are the two largest recipients of U.S. aid, with a combined total of about $19 billion. Other SEATO signatories—Pakistan, the Philippines, Thailand, Australia and New Zealand—have received about $7 billion. South Vietnam, a SEATO protocol state not included in the $26.7-billion SEATO figure, received $5.5 billion. Laos, also a SEATO protocol state, received $591 million in economic aid; military aid data on Laos has been classified since 1962; from 1955 to 1962, Laos received $128.5 million in military assistance.

Military Assistance and Sales. The Military Assistance Program (MAP) is part of U.S. foreign aid for which funds are appropriated each year by Congress. The Nixon Administration's request for $2.6 billion in foreign aid for fiscal 1970 included $375 million for military assistance.

MAP is administered by the Department of Defense, which also administers the U.S. Foreign Military Sales (FMS) program. MAP and FMS were run under separate offices within the Defense Department until 1969, when the Pentagon brought administration of the two programs under the same office under the Deputy Assistant Secretary of Defense for military assistance and sales, Air Force Lt. Gen. Robert H. Warren.

The Defense Department views both military assistance and sales as part of a combined program to help maintain the defense capability of foreign nations, since both programs provide U.S. military hardware and training throughout the world. In recent years, the sales program has been increasingly cited by the Pentagon for its contribution to the credit side of U.S. balance of payments.

Warren, in a speech March 26, 1969, described MAP and FMS as "twin instruments of . . . national policy. They complement each other as means by which the United States supports, strengthens and participates in free world collective security. . . . The armed forces we thus support represent an extension of our own defensive posture and a major deterrent to Communist aggression." Warren said that MAP and FMS were administered overseas by 7,100 personnel attached to U.S. military assistance advisory groups, military missions and embassies in 50 countries. Warren added that for budgetary reasons the number of personnel assigned to these functions would be reduced to 5,000 by June 1970.

Under MAP, 78 countries have received military assistance totaling more than $34.6 billion since 1950. MAP expenditures dropped from a high of almost $4 billion in fiscal 1953 to an estimated $550 million in fiscal 1969. (*See table VI.*)

The FMS program, started in 1962, has increasingly replaced MAP as the major way in which U.S. military equipment and training have been distributed to foreign nations. FMS totaled $5.9 billion for fiscal years 1962–1965, $1.8 billion for 1966, $1.9 billion for 1967, $1.8 billion for 1968 and $1.75 billion in 1969. MAP dropped from $1.7 billion in 1963 to $1 billion in 1966 and has been falling increasingly below the $1 billion figure since 1967. (*See table VI.*)

TABLE VI.—MAP EXPENDITURES

[In millions of dollars]

Fiscal year:	[1] Total
1950	51.7
1951	934.2
1952	2,385.9
1953	3,953.1
1954	3,629.5
1955	2,297.2
1956	2,612.7
1957	2,349.2
1958	2,145.8
1959	2,319.0
1960	1,605.5
1961	1,440.7
1962	1,381.6
1963	1,724.7
1964	1,449.8
1965	1,201.6
1966	1,033.0
1967	898.0
1968	625.6
1969 (est.)	550.0
Total	34,588.9

[1] Excludes military credit sales. Amounts may not add due to rounding.

SOURCE: Defense Department (International Security Affairs).

The principal reason cited by the Defense Department for the growth of FMS and the decline of MAP is that the postwar recovery of some countries, particularly in western Europe, enabled them to purchase U.S. arms rather than obtain arms in the form of grants under MAP. During fiscal 1962–68, about $8 billion of the total $11.5 billion in sales was made to western European nations. The major western European purchasers of U.S. military equipment were West Germany and Britain. In the Near East, the major unclassified arms purchaser has been Iran. In the Far East, the main purchasers of U.S. arms have been (in order) Australia, Japan, New Zealand and Nationalist China. (*See table VII.*)

TABLE VII.—U.S. FOREIGN MILITARY SALES[1]

Country and region	Fiscal years 1962–68	Fiscal year 1969
Europe and Canada:		
Austria	58.2	1.5
Belgium	172.7	10.8
Denmark	91.4	11.4
France	403.6	25.2
West Germany	3,601.8	525.3
Italy	525.0	73.8
Luxembourg	1.6	.1
NATO	156.5	32.5
Netherlands	235.1	8.4
Norway	170.5	27.8
Portugal	6.4	1.0
Spain	199.0	29.7
Sweden	141.7	3.1
Switzerland	195.6	27.0
United Kingdom	1,743.8	27.7
Yugoslavia	4.4	.6
Canada	385.0	36.0
Subtotal	8,092.3	841.0
Latin America:		
Argentina	55.0	19.0
Bahamas	2.4	----
Bolivia	.5	.1
Brazil	91.7	9.9
Chile	19.7	12.6
Colombia	6.1	1.9
Dominican Republic	.9	----
Ecuador	2.6	.3
El Salvador	1.3	1.1
Guatemala	2.7	.8
Honduras	.1	----
Mexico	5.9	2.4
Nicaragua	.6	.2
Panama	.2	----
Peru	19.2	1.1
Uruguay	.3	.4
Venezuela	59.8	1.6
Subtotal	269.0	51.4
Near East and South Asia:		
Greece	24.1	33.5
India	98.7	1.7
Iran	515.4	183.7
Iraq	19.8	.2
Turkey	10.6	.6
Subtotal	668.6	219.7
Africa:		
Congo	1.7	.1
Liberia	.1	----
Libya	48.9	2.7
Morocco	23.5	10.3
Nigeria	.4	.3
South Africa, Republic of	35.5	3.1
Sudan	2.0	----
Tunisia	.2	.2
United Arab Republic	1.4	.3
Subtotal	113.7	17.0
East Asia and Pacific:		
Australia	797.7	34.2
China, Republic of	91.5	37.5
Indonesia	18.4	----
Japan	365.9	81.4
Malaysia	18.4	.8
New Zealand	91.2	2.8
Philippines	1.5	.8
Singapore	14.9	6.9
Thailand	6.9	8.6
Vietnam	5.8	.4
Subtotal	1,413.2	173.4
Other	1.7	9.7
Classified countries	974.2	432.4
Total, worldwide	11,532.7	1,745.5

[1] Figures pertain to transactions under the foreign military sales program, which was started in 1962. U.S. military sales to foreign countries between the early 1950s and 1962 averaged less than $300,000,000 a year.

Source: Department of Defense.

Table VII indicates that arms sales to classified countries totaled $974.2 million from 1962–1968 and $432.4 million in 1969. The largest volume of classified sales has been to Israel. The most recent sale to Israel, announced in December 1968 by the Johnson Administration, involved 50 Phantom jet fighter-bombers at an estimated $200 million. During the U.S. visit of Israeli Prime Minister Golda Meir, Mrs. Meir presented to President Nixon her government's request for the sale of additional jet aircraft.

CONGRESSIONAL CONCERN ON ARMS SALES

Rep. R. Lawrence Coughlin (R-Pa.) Oct. 15 placed in the *Congressional Record*, the information contained in tables VII and VIII. Coughlin, who said the figures had just been made available by the Defense Department, pointed out that it was possible to determine "with reasonable accuracy where the 'classified countries' " are by comparing the regional subtotals of tables VII and VIII. Since the regional subtotals of tables VII and VIII are quite similar for Europe and Canada, Latin America, Africa, and East Asia and Pacific, Coughlin concluded there are few classified sales to these regions. But since the regional subtotals for the Near East and South Asia region in table VII are $668.6 million (1962–68) and $219.7 million (1969) and in table VIII they are $1,639.6 million (1962–68) and $603.3 million (1969), Coughlin concluded that the predominant share of the sales to classified countries falls in the Near East and South Asia region. He listed the following countries as recipients of classified amounts of arms under FMS: Pakistan, Jordon, Israel, Saudi Arabia, Abu Dhabi, Bahrain and Qatar. Iran, according to Coughlin, received classified amounts of weapons under FMS beyond what it received in unclassified weapons. Coughlin also questioned the absence of Ethiopia from table VII. "Nowhere," he said, "is there any indication of the huge volume of weaponry we have supplied to Ethiopia—a quantity of arms valued in excess of our military aid to all other African nations combined." Coughlin criticized the arms sales program. He said the United States "must avoid providing the less developed nations with expensive and useless armaments." He called for inclusion of the question of conventional arms on the agenda of strategic arms limitation talks (SALT).

TABLE VIII.—FOREIGN MILITARY SALES ORDERS—WORLD WIDE SUMMARY BY TYPE OF ORDER AND REGION

(In millions of dollars)

Type of order by regions	Actual orders, fiscal years 1962–68	Projected orders: Fiscal year 1969	Projected orders: Fiscal year 1970
Commercial:			
Europe and Canada	2,399.4	238.4	333.4
Near East and South Asia	383.7	54.0	131.8
East Asia and Pacific	283.5	40.1	70.3
Africa	41.3	5.0	
Latin America	53.6	18.5	26.0
Subtotal	3,161.5	356.2	561.5
Foreign military sales cash:			
Europe and Canada	4,588.2	793.7	440.8
Near East and South Asia	439.2	326.0	123.0
East Asia and Pacific	411.8	43.7	44.4
Africa	50.6	14.0	5.7
Latin America	49.1	14.5	18.0
Subtotal	5,538.9	1,191.9	631.9
Eximbank private credit:			
Europe and Canada	1,026.2	54.6	60.4
Near East and South Asia			
East Asia and Pacific	509.0	96.0	60.0
Africa			
Latin America			
Subtotal	1,535.2	150.6	120.4
Foreign military sales credit:			
Europe and Canada	80.4		
Near East and South Asia	816.7	223.3	226.0
East Asia and Pacific	211.9	26.0	41.0
Africa	21.8	4.5	16.0
Latin America	166.3	22.4	50.0
Contingency			17.0
Subtotal	1,297.1	281.2	350.0
Totals:			
Europe and Canada	8,094.2	1,086.9	834.6
Near East and South Asia	1,639.6	603.3	480.8
East Asia and Pacific	1,416.2	205.8	215.7
Africa	113.7	28.5	21.7
Latin America	269.0	55.4	94.0
Contingency			17.0
Grand total	11,532.7	1,979.9	1,663.8
Developed countries	10,447.3	1,417.8	1,193.3
Less developed countries	1,085.4	562.1	470.5
Grand total	11,532.7	1,979.9	1,663.8

Source: Defense Department.

U.S. arms sales to developing nations were the subject of major Congressional legislation in 1967 and 1968. In 1967, Congress terminated the use of a special Defense Department military assistance credit account to guarantee Export-Import Bank loans for arms purchases by underdeveloped countries; directed the President to terminate loans and assistance to a country that diverted its own resources to "unnecessary" military expenditures; and prohibited the use of military assistance funds and Defense Department credit sales revolving fund to finance the sale of sophisticated weapons to underdeveloped countries. In 1968 Congress placed a $296 million ceiling on the credit sales of U.S. arms to foreign nations. A $75-million ceiling was placed on sales of U.S. arms to Latin America, and a $40-million ceiling on sales to Africa.

Military Training. Within the Military Assistance Program and the Foreign Military Sales program, some 10,000 foreign military personnel are trained annually by the United States at 175 centers in this country and at other locations overseas. Military training includes instruction in the operation and maintenance of military equipment; courses of study in strategy, tactics, and military management; and counter-insurgency.

Table IX (not printed in the RECORD) summarizes U.S. training of foreign military personnel under MAP through 1968. Not included and unavailable is a breakdown of the training of foreign military personnel under FMS. It is known, for example, that Israeli pilots have been trained by the United States to fly U.S. planes sold to Israel.

The training program has been described by a Pentagon official as having long-term value to the United States. "While military equipment and hardware may deteriorate in time, and understanding of American technology and management techniques, and most importantly, of American culture, carries over long after the foreign national returns to his own country," he said. "Such an understanding and appreciation of the United States may be worth far more in the long run than outright grants or sales of military equipment."

Members of Congress, however, have taken a different view of military training, as well as military assistance, particularly with regard to underdeveloped countries. Senate Foreign Relations Committee Chairman J. W. Fulbright (D Ark.), referring to the brief war in July 1969 between El Salvador and Honduras, July 23 called for an end to U.S. training missions and military assistance in Latin America. Fulbright's point that U.S. training and military assistance armed both sides in the war was supported July 30 by Sen. Frank Church (D Idaho), who said he would offer an amendment to the foreign aid bill for fiscal 1970 to terminate military assistance to Latin America.

COSTS OF COMMITMENTS

The specific costs of maintaining the United States worldwide military commitments have never been singled out by the Defense and State Departments, the two principal Government agencies concerned. Pentagon officials point out that it is difficult to define which forces are maintained solely for the support of military commitments abroad. General purpose forces are available for the defense of the United States and to meet international commitments. For example, the Atlantic fleet defends the eastern seaboard, but it is also available for Latin American or Mediterranean trouble spots. Similarly, troops stationed in the United States could be airlifted to any of a number of crisis areas.

Taking these difficulties of definition into consideration, the Pentagon estimates the total costs of handling all U.S. military commitment overseas, excluding Southeast Asia, but including all other troops assigned overseas or to units assigned to overseas missions, at approximately $15.1 billion per year. This figure also includes the costs of maintaining U.S. military assistance advisory groups, and U.S. military missions in 50 countries throughout the world.

The cost of the Vietnam war, according to the Defense Department, is about $28 billion per year. Using Pentagon figures, therefore, a total cost of $43 billion ($15.1 billion plus $28 billion) emerges as the cost of maintaining military commitments abroad. This figure would amount to slightly more than half the $78–80 billion sum projected by the Pentagon for the defense budget for fiscal 1970.

Congressional estimates of the costs of commitments run higher than the Pentagon's figures. Sen. John Sherman Cooper (R Ky.), in a report in November 1968 of the U.S. delegation to the annual meeting of the North Atlantic Treaty Organization parliamentarians, estimated U.S. costs for NATO alone at $12–15 billion and placed the cost of the Vietnam war in the $30–35 billion range. Senate Foreign Relations Committee Chairman J. W. Fulbright (D Ark) June 26, 1969, used similar figures to estimate the costs of NATO and the Vietnam war to the United States. These estimates would therefore, put the costs of overseas commitments in the $50 billion range.

Returning to the Defense Department's point that it is difficult to isolate the costs of maintaining overseas military commitments, the question can be raised as to whether U.S. forces stationed within the continental United States are more likely to fulfill commitments to defend the United States or to fulfill U.S. foreign commitments. Using this line of reasoning, Sen. Stephen M. Young (D Ohio) Sept. 5, 1969, asserted that the entire defense budget was related to fulfilling worldwide military commitments.

Not included in any of the estimates is the cost of the U.S. foreign aid program, which since its birth in the early years of the cold war has been regarded as a form of commitment to foreign nations. The Nixon Administration requested $2.6 billion in foreign aid for fiscal 1970.

POSTAL STRIKE SETTLEMENT

(By unanimous consent, Mr. CORBETT was allowed to proceed out of order.)

Mr. CORBETT. Mr. Chairman, I have just had a conversation on the phone with James Rademacher, the president of the Letter Carriers Union. He authorized me to tell the House that the postal employees will be back at work tomorrow morning, between 98 and 100 percent of them; that negotiations with the administration will begin soon and will be rather continuous. Furthermore, George Meany, the president of the AFL–

CIO, said that he wanted to keep the salary and the reform legislation as separate units. That is all, and I think it is very good news that this catastrophic strike is apparently over.

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

Mr. CORBETT. Yes, sir.

Mr. PUCINSKI. It is my understanding—and I am sure all of the postal workers across this country have the same understanding—that Secretary Shultz said negotiations would begin Monday and would last 5 days from Monday. I am presuming at the conclusion of business Friday that the postal workers will have a pay raise approved by Congress and by the President.

Mr. CORBETT. Sir, I was simply quoting the gentleman, and apparently there has been a change in the schedule and negotiations are about to start.

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

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

Mr. YATES. I had heard prior to the convening of the House today that the Post Office Committees of both the House and the Senate were going to have a conference on bills already authorized by both Houses. Will that conference take place or not?

Mr. CORBETT. I can say to the gentleman that it should have taken place last January. To date, to this hour, I have heard no final plans about a conference meeting. There has been a little talk about having some preliminary discussions, which I have had enough of. I will be very happy to meet on business but not just to yak.

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

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

Mr. LOWENSTEIN. Mr. Chairman, I wonder if the gentleman is willing to join at this point in urging the President to undertake to resolve the legislative impasse in order to expedite passage of the bill the House has indicated it wants to see enacted into law to bring fair play to postal employees?

Mr. CORBETT. I do not know what the gentleman is requesting specifically, but if he wants me to try to urge the President to move along at the will of the House and the Senate, why, of course, I would.

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

Mr. CORBETT. I am very happy to yield to my distinguished leader.

Mr. GERALD R. FORD. Mr. Chairman, I hope and trust the observations made by the gentleman from Pennsylvania do not mean that the House is going to capitulate and not make a bona fide, legitimate, and vigorous effort for postal reform tied with postal employees pay increase legislation.

Mr. CORBETT. I might say to the gentleman from Michigan that I was only quoting. The reform bill has been reported out of our committee. We have not had a rule granted on it nor is it scheduled for floor action. I am definitely and sincerely in favor of postal reform but the particular plan I liked best was H.R. 4 as it was amended prior to being substituted for by the other bill.

Mr. GERALD R. FORD. Will the gentleman from Pennsylvania assure me and the other Members of this body that he will help us get that bill out of the Committee on Rules and on the floor and through the House?

Mr. CORBETT. I will be very happy to have the bill brought to the floor but I believe at that time I would join in an effort to restore H.R. 4 as it was prior to the operation.

Mr. YATES. Mr. Chairman, will the getleman yield?

Mr. CORBETT. I will be happy to yield to the gentleman.

Mr. YATES. Does not the gentleman agree that the first thing that the Congress should do is try to cooperate and settle this strike and get that out of the way and then do the things that the minority leader wants done?

Mr. CORBETT. No comment.

Mr. Chairman, I move to strike the last word. Mr. Chairman, I shall vote for this bill with some misgivings. I am informed by the committee that its passage is necessary in order to give the President authority to make sales on credit rather than cash. He does not need the authority of this bill for cash sales.

The decisions, of course, as to what weapons are furnished to other countries are given to the President by the basic act. Under that act he has decided not to make available at this time to the Government of Israel additional Phantom and Skyhawk supersonic planes they want to purchase. I must say, Mr. Chairman, that I am very much concerned with President Nixon's decision even though both the President and Secretary Rogers have said that the situation will be constantly under supervision and that Israel's security will not be permitted to be placed in jeopardy. In my view, the refusal to honor Israel's request at this time does not help Israel's strategic position and may actually be harmful to it. In my opinion, his decision does not help the cause of peace in the Middle East.

Mr. Chairman, on Saturday President Nixon gave four reasons for his action. I must say, Mr. Chairman, that the reasons he gave are exactly why he should have reached the opposite conclusion. Let us look at his reasons in the light of the existing situation.

The first reason given by the President was that he hopes by his action to bring about a ceasefire in the Middle East. Well, all of us agree that a ceasefire is eminently desirable. Mr. Chairman, which of the belligerents has broken the ceasefire agreement and which of the belligerents refuses now to observe it? Certainly, it is not Israel that is to blame. A ceasefire agreement was broken first by President Nasser on May 1, 1969, when he openly declared that he would no longer be bound by it and then he proceeded to shatter it with bombardments of Israeli positions along the Suez Canal, a breach which he has continued ever since with growing casualties among the Israeli troops. Israel had no choice except to take to the air in an effort to protect its men and its defenses.

I am concerned that the President's decision will encourage the Arab nations to continue to violate the ceasefire rather than accept it, and to press even more strongly what President Nasser has described as "a war of attrition" to compel Israel to use up her existing supply of planes.

The second reason given by the President was that the flow of arms into the area should be reduced. That, too, is very desirable, but why should Israel be made the victim of such a decision? The other belligerents have already received immense quantities of armaments. An embargo which would have halted the flow of arms to all belligerents from outside nations sometime ago would have permitted equitable treatment of all the belligerents, but that did not occur. It is not occurring now. As a matter of fact, the President's decision really plays the Soviet's game for while the United States has stopped the flow of arms into the area, the Soviet Union continues to arm the Arab nations to the teeth. Through the largesse of the Russians, the Arab nations have received a massive flood of weapons, including the latest and most sophisticated types in greater quantities than they possessed before the 6-day war. And now, deliveries have begun to Egypt of the most advanced Russian ground-to-air missiles, the SAM–III, which deliveries have been accompanied by hundreds of Soviet experts to supervise their installation and the training of the Egyptian forces.

Moreover, there is the agreement by France to furnish 110 supersonic Mirage fighters to Libya, which has openly, by admission of the new rulers of its government, declared itself to be Egypt's partner in the struggle against Israel. I think it would be naive to accept, as does President Pompidou in his public statements, that such planes will not be used against Israel. If war should come again to the Middle East, or even if it is threatened, if the leaders of the Arab cause decide they should be employed against Israel, who is there to stop their being so used? The President's decision at this time, after the commitment by the Soviets and by France to the Arab nations, amounts to a unilateral embargo to the detriment of Israel.

The third reason given by the President is that we seek a political settlement which, is a desirable goal, as well. Certainly, it is one to which the Government of Israel subscribes. But, Mr. Chairman, in every public statement the Arab States have refused even to consider the possibility of a political settlement with Israel. If the Arab States now reject all attempts to initiate a political settlement, does it make sense that they are more likely to embrace such a proposal in view of the President's decision halting the flow of planes to Israel? I would hope the administration's action is not intended to require Israel to accept a settlement which would be inimical to the preservation of her national security, and which, like the settlements of 1948 and 1956 might bring another war rather than peace.

Secretary Rogers stated that Israel is vastly superior in the air, that its pilots

and personnel are more capable than those of her adversaries, all of which is true. But does this mean, Mr. Chairman, that Israel must lose its superiority in the air before this Nation will make additional planes available? Must she lose her pilots and her planes in sufficient numbers to bring into question her supremacy in the air before she can depend upon additional planes from the United States to strengthen her air force?

Mr. Chairman, depriving Israel of additional planes at this time in the face of overwhelming Russian support is playing a dangerous game with Israel's security. Certainly, the Arab nations have more men, they have more tanks, they have greater numbers of other weapons, they have a superiority in the number of planes available by at least a ratio of 6 to 1. At what point will it be agreed that the so-called balance of power will be achieved?

Deferral of Israel's request in my judgment is an unfortunate mistake. Psychology is important and I hope and trust the President's decision will not give the Arab nations cause for belief that Israel has lost its major source, nay, in today's atmosphere, its only source of planes.

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

Mr. YATES. I yield to the gentleman.

Mr. LOWENSTEIN. Mr. Chairman, I just want to associate myself with the gentleman's very lucid and very helpful statement. I would also like to add that I am puzzled and disturbed that yesterday this House saw fit to loan submarines to Greece and other countries that are neither democratic nor threatened with attack by their neighbors at the very moment the administration has decided it cannot sell weapons for self-defense to a democratic country that is threatened with aggression by its neighbors.

I would be glad to support a bill that would make arms available to democratic governments threatened by aggressors and deny them to dictatorships threatened by nothing more than their own oppressed people. But I am afraid it is impossible to discover what funds or what arms are to be made available to what governments for what purposes under the provisions of the bill we are considering today. It is outrageous to dangle Israel while we bolster juntas in places like Brazil and Greece. I want to join in Mr. YATES' protest, and I will have more to say about that situation soon. I appreciate the gentleman taking the time to make his statement today.

Mr. YATES. I appreciate the gentleman's statement.

Mr. Chairman, I would urge the President to reconsider his decision. Israel is the best friend that the United States has in the Middle East and is a friend whose existence and strength foster the best interests of the United States and our foreign policy in the Near East.

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

Mr. YATES. I yield to the gentleman.

Mr. HALPERN. Mr. Chairman, I wish to associate myself with the remarks made by the gentleman and commend him for a most enlightening and certainly a most commendable presentation.

Like the gentleman, I am convinced that while peace can come only through negotiation, Israel's ability to repel attack is its main line for survival. Any weakness from that position would be devastating, not only to the survival of the State, but to our own country's best interest.

It is contended that Israel has clear air superiority in skill over the Arabs. But the question is, for how long? The intrusion into the Middle East of Russian soldiers to man Egypt's newly acquired SAM–3 missiles is an obvious immediate step toward upsetting this so-called balance.

How long can Israel maintain her strategic superiority, her technological lead and the confidence of her fighter pilots? In simple numbers, however, this little bastion of Middle East freedom is incredibly outnumbered, yet she perseveres.

Let us look at the facts. Israel has merely 300 fighter jets. The combined air forces of Egypt, Jordan, Iraq, Syria, Saudia Arabia, Algeria and the Sudan have over 1,000 jets—three times the number of Israeli jets.

To cross the Middle East's vast stretches of desert, Israel has only 1,200 tanks; the Arabs have twice as many.

And if hostilities come down to direct combat, the Israelis are sorely outnumbered. The Arabs can field nearly half-a-million soldiers, while Israel has 220,000 troops, of which only 75,000 are now in the field.

Israel is fighting for her existence. The added jets are needed to dramatize to the Arabs that military force cannot alter the presence of Israel as a secure, independent nation in the Middle East.

Mr. YATES. I thank the gentleman.

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

Mr. YATES. I yield to the gentleman.

Mr. HALL. Mr. Chairman, I find it extremely strange that there is this much concern about this particular situation. When we denied ourselves of air superiority in South Vietnam as of Halloween in 1968, withdrawing air support and reducing that support to allow sanctuary—and leaving our foot soldiers beleaguered on the ground. What else does the gentleman expect from Uncle Sugar?

Mr. YATES. I do not see the point the gentleman makes. The gentleman knows there is a vast difference between the two situations if he seeks to make a comparison to the war in Vietnam and what is going on in the Middle East.

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

Mr. YATES. I yield to the gentleman.

Mr. ADAIR. I think in view of the gentleman's earlier remarks, it is appropriate to quote from a part of Secretary Rogers' statement of yesterday in which he said, referring to the President of the United States.

In doing so—that is, reaching the decision upon the matters of jets for Israel—he has instructed that close watch be kept on the military balance in the area. The United States will be in a position to provide additional as well as replacement aircraft promptly if the situation requires it.

Mr. YATES. I am aware of that statement. I referred to it in my earlier remarks as having been made by the Secretary—or the President.

The point I make is still true and that is that this Nation plays a dangerous game when it justifies cutting off planes to Israel through use of the phrase "balance of power." What is meant by that phrase? The means of war are overwhelmingly in favor of the Arab States—in men—arms—sophisticated weapons. Now there is the latest addition to the list with the SAM III missile accompanied by Russian technicians. That is why I say that I think Israel's security may be jeopardized by our rejection at this time. The Arab States will be heartened by the announcement that the United States is not making these planes available to Israel at this time. I hope it will not encourage them to the point where they may take some sort of drastic action.

Mr. ADAIR. I am sure the gentleman is aware, though we cannot give the details in public debate, of the figures relative to the various types of materiel available to the countries of the Middle East. While recognizing the point of what the gentleman is saying, he may find some comfort in the fact that there is this continuing serious effort, to look at conditions in that area and to measure carefully and as definitely as the human mind can the need for military equipment.

Mr. YATES. I should like to point out to the gentleman that those statistics appear in this morning's issue of the New York Times.

Mr. RYAN. Mr. Chairman, the President's decision yesterday to deny Israel's request to purchase Phantom and Skyhawk jets is a major error. The planes are necessary, not only for the short run, but to insure Israeli strength and to serve as a clear signal that the United States is firmly committed to support of Israel.

At present, Israel pilots and technicians so exceed in their expertise the abilities of their Arab counterparts that Israel holds the military advantage. However, the losses which Israel suffers must necessarily lead to eventual military disadvantage, unless these losses are replaced. And even the most skilled of technicians cannot indefinitely maintain aircraft used daily.

Consequently, denial of the jet sale poses the very real threat to Israel of eventual military disparity vis-a-vis her Arab neighbors, who are sated with Soviet arms. Only the sale of United States jets can maintain the parity created by Israel's skill and spirit offsetting Arab numbers.

Added peril for Israel lies in the failure of this administration to make clear its commitment to Israel. This failure is signaled by the rejection of Israel's request. More than that, the rejection is a signal to the Arab States, and to their Soviet mentor, to maintain their intransigent resistance to negotiate a meaningful and lasting peace with the Israelis. Only by the administration's clearly declaring

U.S. support will the Arab nations be forced to recognize that their interests compel negotiation and that they will gain no advantage by continuing to await U.S. compromise.

I am concerned that the administration may attempt to use the language of section 5 in the bill before us, H.R. 15628—language which was adopted by the House Foreign Affairs Committee before the President's decision—as an expression of congressional support for that decision. No such interpretation is warranted.

Section 5 expresses the sense of Congress that—

(2) (T)he President should be supported in his position that arms will be made available and credits provided to Israel and other friendly states, to the extent that the President determines such assistance to be needed in order to meet threats to the security and independence of such states, . . .

At the time this language was adopted by the committee, I am sure that the Members believed that it expressed their support for the sale to Israel of the jets it needs for its self defense, and that it would signal this country's support of Israel. Thus, it stands as no endorsement of the determination announced yesterday by Secretary of State Rogers that Israel does not need the planes. Secretary Rogers stated at his press conference:

In our judgment, Israel's air capacity is sufficient to meet its needs for the time being. Consequently, the President has decided to hold in abeyance for now a decision with respect to Israel's request for additional aircraft.

Section 5 is in no way an endorsement of that decision.

I think the potential misuse by the President of what I believe is section 5's real intent—firm and forthright support of Israel—is a clear possibility. We need only recall passage by this House of H.R. 613 last fall. Innocuous on its face, H.R. 613, which spoke of President Nixon's efforts to negotiate a "just peace" in Vietnam was interpreted by the President as "supporting his plan for peace." The passage of section 5 should not likewise be interpreted by the President as support—this time, of his rejection of the jet sale to Israel.

I think a particularly well thought out and fair analysis of the situation is that presented by Stephen S. Rosenfeld in the March 22 issue of the Washington Post, which follows:

UNITED STATES, RUSSIA WRITE STRATEGIC EQUATION

(By Stephen S. Rosenfeld)

If, as I concluded from a three-week trip to the Mideast, the existing situation as between Egypt and Israel is bad, but not unrelievedly so, then it still is quite possible that the situation could be made much worse by the actions of either the Soviet Union or the United States.

The reason is that, while the political policies of Egypt and Israel are necessarily their own, the role of Moscow and Washington as arms suppliers to the respective parties inescapably makes them the formulators of the region's strategic equation. For them, separately or together, to change that equation would be to invite fate to slice what slim ties of restraint still hold the region back from all-out war.

One can curse Egypt for dishonoring the ceasefire at Suez and one can rake Israel for bombing around Cairo, but the fact is that the arms suppliers provided the physical means for these local political decisions to be carried out and no recipient can be expected to permanently foresake an advantage which he thinks a particular use of a piece of available hardware will bring him. Once one side has an artillery piece or the other has an aircraft, those weapons will be used.

The strategic equation now in force is one which gives Israel a plain superiority in the air. The basis of that superiority lies in three things: Israel's post-1967 borders; its higher level of technology, organization and motivation; and its advanced airplanes, especially the Phantom jets. Having the Phantoms is what enables Jerusalem to exploit its advantages in borders and in technology and motivation.

It is unquestioned in the Mideast that Israel's air superiority prevents the outbreak of full-scale war. Otherwise Egypt would have the capacity and confidence to start back across Sinai. This could change, however, if the Russians took over Egypt's air defenses in a serious way.

Direct Soviet participation in Egypt's defenses would not only relieve Cairo in yet another way from accepting its own relationship with Israel. It would diminish Jerusalem's military advantage, and when this advantage is reduced—in reality or in Cairo's perception, the most powerful deferrent to war in the Mideast goes with it. Soviet participation also would heighten the chances of the United States being drawn in on Israeli side.

A like result—diminution of Israel's military edge and a consequent increase in the probability of war—would also flow from a halt in Phantom sales to Israel, or from a precipitate slowdown in deliveries or from a decision to tie deliveriees to Israel's acceptance of conditions which Washington alone deemed appropriate for Israel's needs.

Israel, never far from hysteria about its survival anyway, would be tempted to strike a major blow before its advantage had evaporated. Egypt, never far from unrealism, would abandon altogether its remaining thoughts of a political solution and would itself begin to prepare for the next round.

This does not mean that Israel must receive the full number of Phatoms sought, on the terms of its choice. It does mean that neither Arabs nor Israelis must be given grounds to question Israel's continuing power, if war is to be deterred.

To be sure, another major American purpose—gaining favor with the Arabs—would be forwarded by a Phantom halt or slowdown.

The United States would still have to cope with those tensions which make third-world going tough for all developed states. It would still have to cope with the Soviet Union, which is not inhibited in its Mideast policy by a concern for the survival of Israel. Nonetheless, a decision to deprive Israel of the arms it considers vital to its security would surely be appreciated by the Arabs. That is precisely what they understand by the world "even-handed."

So what should the United States do? In brief, it should sit back and squirm nervously for a year or two or five or whatever it takes for the current sky-high peak of emotion and fear to level off. The responsibility for a settlement is the region's own; the parties have no reason to respect an arrangement they do not make themselves. The responsibility for the region's strategic equation is unavoidably that of Washington and Moscow, the leading suppliers, and Washington has good reason to provide the hardware allowing Israel to hold up its end—to deter war, to encourage the parties to accept each others' reality, to block hostile Arab-Soviet hegemony in an important region, and to keep faith with the Mideast's one friendly democratic state. As good a way as any to protect the United States' various investments (which, by the way, are being eagerly solicited by Egypt) is to make clear and to make sure that they serve Arabs fairly as well as Americans.

Even without an Arab-Israeli dispute, the Mideast would be in tumult and foreigners would have a hard time hanging on. But desperate as things are, the region has arrived at a certain plateau three years after the war, and efforts by over anxious outsiders to improve the situation are just as likely to have a contrary result. Arms and passions are there aplenty but there also exists such other commodities as common sense, serious leadership, hard work, the desire to get on with building nations and lives, and even boredom. Steadiness is required inside the region and outside, too.

Mr. REUSS. Mr. Chairman, I rise in support of the Coughlin amendment.

Reference was made on the floor a few minutes ago by the gentleman from Illinois (Mr. COLLIER), whom I do not see at the moment, to the effect that the U.S. Arms Control and Disarmament Agency did not testify before the House Committee on Foreign Affairs. While that is true, the Arms Control Agency did file, within the last few weeks, an excellent report entitled "World Military Expenditures, 1969" which was before the committee, as it is before us today. And in that report it set forth the news, which I found profoundly saddening, that since 1964 a large part of the world's growth—and I quote—"has been dissipated in higher military expenditures, rather than contributing to the improvement of living standards." And the Agency concluded by stating, "The report shows the rise in military spending continuing" and "The world remains the poorer for it." That is precisely the reason for the Coughlin amendment. We need to gain control over the arms race. I hope the amendment is adopted.

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

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

Mr. GROSS. Does the gentleman think $10 million was well spent to get that kind of a report? I would think that almost anybody with a reasonable education could write the same thing.

Mr. REUSS. Anybody with a reasonable education, or without a reasonable education but with good instincts, could write that conclusion, but the numerous pages, with which I hope the gentleman will familiarize himself, of statistical data on the arms race is a valuable contribution, and I think the record should show that the Arms Control and Disarmament Agency is doing its job.

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

Mr. REUSS. I am glad to yield.

Mr. GROSS. The distinguished chairman of the Foreign Affairs Committee, (Mr. MORGAN), in response to Mr. COLLIER, talked about expenditures for the Disarmament Agency. I can recall, not many years ago, when there was a disarmament setup in the White House and it cost less than $1 million a year. That was headed by the great disarmer, Harold Stassen. He did not accomplish very much, but he accomplished exactly as

much, in my opinion, in terms of disarmament, as has been accomplished through the expenditure of the $10 million a year.

Mr. MORGAN. Mr. Chairman, the amendment would add a new section to the bill to express the sense of Congress, that multilateral discussions be initiated with countries on the control of worldwide trade in armaments, to commence a general debate in the United Nations with respect to the control of conventional arms, and for the President to use the power and prestige of his office to control the national distribution of conventional weapons. I talked this over with the ranking minority member of the committee. The committee has no objection to incorporating this amendment in the bill.

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

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

Mr. BINGHAM. Mr. Chairman, there are a number of aspects of our foreign military sales program of which I do not approve, and I am happy to support the pending amendment by Messrs. COUGHLIN and REUSS as a move in the direction of limiting the worldwide traffic in conventional weapons.

The bill was also improved in committee by the recommended addition of sections 4 and 5. In section 5, the Congress not only goes on record as being in favor of military assistance to Israel to the extent necessary, but as virtually inviting the President to submit supplemental requests for authorizations if the funds provided in the bill prove insufficient for that purpose.

As I said in the House last night, I am dismayed at the President's action with regard to Israel's request for additional jets. The gallant Government and people of Israel may rest assured that continuing pressure will be maintained on the President for reconsideration and reversal of this decision, especially in the light of the dangerous new types of assistance now being rendered to the United Arab Republic by the Soviet Union.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. COUGHLIN).

The amendment was agreed to.

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

I would like to call to the attention of the Committee the language on page 3 of the bill, the portion of the committee amendment which is designated as section 5.

Under (2) of section 5 are the words:

> The President should be supported in his position that arms will be made available and credits provided to Israel and other friendly states, to the extent that the President determines such assistance to be needed in order to meet threats to the security and independence of such states.

This language was very carefully worked out during the consideration by the House Committee on Foreign Affairs, and I think it reflects accurately the concensus of the committee that the United States does have a legitimate concern for the security interests of all friendly states of the Middle East and not just Israel. The Middle East resolution which was enacted, I believe, in 1954, set forth very clearly the concern of this Government for their integrity and security and independence of all such states.

In placing the language "and other friendly states" in this committee amendment, it is my feeling that the Committee on Foreign Affairs was attempting to show that the committee does have an interest in the security problems of other friendly states of the Middle East area besides Israel.

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

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

Mr. WOLFF. Mr. Chairman, what does the gentleman consider to be a friendly state? Would he define that?

Mr. FINDLEY. I will have to say that list could very well change from year to year, but I think we would have to class Lebanon and Jordan in that category, and they do have security problems at the present time. The amendment does not specify which states, and I think it unnecessary to do so. The purpose of the language is to give assurance that our concern is not confined exclusively in the Middle East to the friendly state of Israel.

Mr. WOLFF. I wonder if the gentleman would in any way define "friendly"? Would an action such as Libya took in tossing us out of the bases in Libya be interpreted to mean that Libya would be considered a friendly state?

Mr. FINDLEY. I would presume, inasmuch as the U.S. Government very promptly extended diplomatic relations to the new regime in Libya and has not altered that relationship that that our Government so considers Libya as a friendly state.

Mr. WOLFF. Would the gentleman consider Iraq friendly as well?

Mr. FINDLEY. I did not by listing Jordan and Lebanon mean to imply that no other states should be classified as friendly. The term "friendly state" has often been defined by statute and is widely understood.

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

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

Mr. GROSS. Mr. Chairman, I think anyone would be pretty hard put to find a friendly country around the world.

Mr. FINDLEY. It is just day by day.

Mr. GROSS. And those who are friendly we penalize with economic boycotts and sever diplomatic relations with them.

The gentleman from New York raises a good question, but it is a horrible one to have to try to answer.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the Chair, Mr. BROOKS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration (H.R. 15628) to amend the Foreign Military Sales Act, pursuant to House Resolution 879, he reported the bill back to the House with sundry amendments, adopted by the Committee of the Whole.

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

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

The amendments were agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GROSS. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. GROSS moves to recommit the bill H.R. 15628 to the Committee on Foreign Affairs.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

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. ADAIR. 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. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 351, nays 26, not voting 53, as follows:

[Roll No. 61]

YEAS—351

Abbitt	Bray	Corman
Abernethy	Brinkley	Coughlin
Adair	Brock	Cowger
Adams	Brooks	Culver
Addabbo	Broomfield	Daddario
Albert	Brotzman	Daniel, Va.
Alexander	Brown, Mich.	Daniels, N.J.
Anderson, Calif.	Brown, Ohio	Davis, Wis.
	Broyhill, N.C.	Delaney
Anderson, Ill.	Broyhill, Va.	Dellenback
Anderson, Tenn.	Buchanan	Denney
	Burke, Fla.	Dennis
Andrews, Ala.	Burke, Mass.	Dent
Andrews, N. Dak.	Burleson, Tex.	Dickinson
	Burlison, Mo.	Dingell
Annunzio	Burton, Calif.	Donohue
Arends	Burton, Utah	Dorn
Ashley	Bush	Dowdy
Aspinall	Byrne, Pa.	Downing
Ayres	Byrnes, Wis.	Dulski
Baring	Cabell	Dwyer
Barrett	Caffery	Eckhardt
Beall, Md.	Carter	Edmondson
Belcher	Casey	Edwards, Ala.
Bell, Calif.	Chamberlain	Edwards, La.
Bennett	Chappell	Eilberg
Betts	Clancy	Erlenborn
Bevill	Clark	Esch
Biaggi	Clausen, Don H.	Eshleman
Biester		Evans, Colo.
Bingham	Clawson, Del	Evins, Tenn.
Blackburn	Cleveland	Fallon
Boggs	Cohelan	Farbstein
Boland	Collins	Fascell
Bow	Conable	Feighan
Brademas	Conte	Findley
Brasco	Corbett	Fisher

Flood	McDonald, Mich.	Rosenthal
Flowers	McEwen	Rostenkowski
Flynt	McFall	Roth
Foley	McKneally	Roudebush
Ford, Gerald R.	Macdonald, Mass.	Roybal
Foreman	Madden	Ruppe
Fountain	Mahon	Ruth
Fraser	Mailliard	Ryan
Frelinghuysen	Mann	St Germain
Frey	Marsh	St. Onge
Friedel	Martin	Sandman
Fulton, Pa.	Mathias	Schadeberg
Fulton, Tenn.	Matsunaga	Scherle
Fuqua	May	Scheuer
Galifianakis	Mayne	Schneebeli
Gallagher	Meeds	Schwengel
Garmatz	Melcher	Scott
Gaydos	Michel	Sebelius
Giaimo	Miller, Calif.	Shriver
Gibbons	Miller, Ohio	Sikes
Gilbert	Mills	Sisk
Gonzalez	Minish	Skubitz
Goodling	Mink	Slack
Green, Oreg.	Mize	Smith, Calif.
Green, Pa.	Mizell	Smith, Iowa
Griffin	Mollohan	Smith, N.Y.
Griffiths	Monagan	Springer
Grover	Montgomery	Stafford
Gubser	Moorhead	Staggers
Gude	Morgan	Stanton
Hagan	Morse	Steed
Haley	Morton	Steiger, Ariz.
Halpern	Moss	Steiger, Wis.
Hamilton	Murphy, Ill.	Stephens
Hammer-schmidt	Murphy, N.Y.	Stratton
Hanley	Myers	Stubblefield
Hanna	Nedzi	Stuckey
Hansen, Idaho	Nelsen	Sullivan
Hansen, Wash.	Nichols	Talcott
Harsha	Nix	Taylor
Hastings	Obey	Teague, Calif.
Hathaway	O'Hara	Teague, Tex.
Hays	O'Konski	Thompson, N.J.
Hébert	Olsen	Thomson, Wis.
Heckler, Mass.	O'Neal, Ga.	Tiernan
Henderson	O'Neill, Mass.	Udall
Hicks	Passman	Ullman
Hogan	Patten	Van Deerlin
Holifield	Pelly	Vander Jagt
Horton	Pepper	Vanik
Hosmer	Perkins	Vigorito
Howard	Pettis	Waggonner
Hull	Philbin	Wampler
Hungate	Pickle	Watkins
Hunt	Pike	Watson
Jacobs	Pirnie	Watts
Johnson, Calif.	Poage	Weicker
Johnson, Pa.	Podell	Whalen
Jonas	Poff	Whalley
Jones, N.C.	Preyer, N.C.	White
Karth	Price, Ill.	Whitehurst
Kazen	Price, Tex.	Whitten
Kee	Pucinski	Widnall
Keith	Quie	Wiggins
King	Quillen	Williams
Kleppe	Railsback	Wilson, Bob
Kluczynski	Randall	Wilson, Charles H.
Koch	Rees	Winn
Kuykendall	Reifel	Wold
Landgrebe	Reuss	Wolff
Landrum	Rhodes	Wright
Langen	Riegle	Wyatt
Latta	Rivers	Wydler
Leggett	Roberts	Wylie
Lloyd	Robison	Wyman
Long, La.	Rodino	Yates
Lujan	Roe	Yatron
Lukens	Rogers, Colo.	Young
McClory	Rogers, Fla.	Zablocki
McCloskey	Rooney, N.Y.	Zion
McCulloch	Rooney, Pa.	Zwach
McDade		

NAYS—26

Ashbrook	Hall	Mosher
Button	Harrington	Natcher
Camp	Hechler, W. Va.	Rarick
Collier	Hutchinson	Saylor
de la Garza	Ichord	Snyder
Devine	Kastenmeier	Stokes
Duncan	Long, Md.	Thompson, Ga.
Edwards, Calif.	Lowenstein	Waldie
Gross	Mikva	

NOT VOTING—53

Berry	Clay	Diggs
Blanton	Colmer	Fish
Blatnik	Conyers	Ford, William D.
Bolling	Cramer	Gettys
Brown, Calif.	Crane	Goldwater
Carey	Cunningham	Gray
Cederberg	Davis, Ga.	Harvey
Celler	Dawson	Hawkins
Chisholm	Derwinski	Helstoski
Jarman	McClure	Pryor, Ark.
Jones, Ala.	McMillan	Purcell
Jones, Tenn.	MacGregor	Reid, Ill.
Kirwan	Meskill	Reid, N.Y.
Kyl	Minshall	Satterfield
Kyros	Ottinger	Shipley
Lennon	Patman	Symington
McCarthy	Pollock	Taft
	Powell	Tunney

So the bill was passed.

The Clerk announced the following pairs:

Mr. Celler with Mr. Reid of New York.
Mr. Jones of Tennessee with Mr. Minshall.
Mr. Gettys with Mr. Goldwater.
Mr. Gray with Mr. Harvey.
Mr. Shipley with Mr. Berry.
Mr. Kyros with Mr. Kyl.
Mr. Lennon with Mr. Crane.
Mr. Blatnik with Mr. Cunningham.
Mr. Carey with Mr. Fish.
Mr. Colmer with Mr. MacGregor.
Mr. Davis of Georgia with Mr. Cramer.
Mr. McMillan with Mrs. Reid of Illinois.
Mr. McCarthy with Mr. Diggs.
Mr. Jarman with Mr. McClure.
Mr. Tunney with Mr. Conyers.
Mr. Patman with Mr. Cederberg.
Mr. Purcell with Mr. Pollock.
Mr. Pryor of Arkansas with Mr. Derwinski.
Mr. Satterfield with Mr. Taft.
Mr. Kirwan with Mr. Hawkins.
Mr. Jones of Alabama with Mr. Helstoski.
Mr. Blanton with Mr. Meskill.
Mr. Brown of California with Mr. Powell.
Mr. William D. Ford with Mr. Clay.
Mr. Ottinger with Mrs. Chisholm.
Mr. Symington with Mr. Dawson.

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

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

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

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

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

There was no objection.

WARNED PRESIDENT AND CONGRESS THAT POSTAL STRIKE WAS READY TO EXPLODE

Mr. BIAGGI. Mr. Speaker, on February 19, 1970, I warned the President and the Congress that a postal strike was ready to explode in New York City at any moment unless immediate and decisive action was taken on the postal pay issue. This warning went unheeded.

I again warned that this country was threatened with a precedent-setting national strike of postal workers similar to that occurring in Italy. It was necessary, I stated on that occasion, for the postal employees of Italy to strike in order to obtain benefits. I prayed then that it would not be necessary for the postal employees of America to do likewise. In this instance, we have seen what has occurred. I warned of the dangerous practice on the part of the administration tying postal reform to pay raises. Today the Nation is faced with a national dilemma. The situation has come about as a result of an absolute miscalculation on the part of the administration—an inability to sense the pulse of the times.

On March 10, 1970, 16 of my New York City colleagues and I sent a letter to the Postmaster General urging that emergency salary adjustment procedures, authorized under title V of the United States Code be instituted in the New York area for postal workers. No response was received to our request. This action could have provided instant relief to the plight of New York's postal workers pending the outcome of legislative action.

Mr. Speaker, the eruption of the strike action in New York was almost inevitable in the face of all this indifference.

After the strike commenced in New York City, I received a letter from the Postmaster General of the United States at my home. I probably hold the distinction of having received the only letter mailed in New York City during the strike. It was delivered to me at 5:30 a.m. by a postal inspector and it stated:

> You may be in a position to render unique assistance in handling the problem that now faces us in midtown New York City. Accordingly, I respectfully request that you return to Washington at the earliest practicable time to discuss with me, personally, the situation with respect to Branch #36, NALC of the AFL–CIO. I shall be ready to meet with you at your convenience.

There is no doubt that I might have been helpful in effecting an agreement with the New York City postal workers. However, after traveling back to Washington and calling on the Postmaster General, it proved to be of no avail whatsoever.

Yesterday, I was again contacted by the Postmaster General's office. This time I was asked to check and give them a reading of the temperament of the postal workers and make recommendations to the Postmaster General's office. After speaking to the leadership of the local postal unions, I offered the General Counsel of the Post Office Department a proposal which, hopefully would have reversed the trend and broken the stalemate. It was a simple proposal calling on the administration to agree to have the postal union leaders of New York City sit in on the negotiations. The union leadership and I felt that this small concession would have given the administration an opportunity to demonstrate its good faith. The leaders of the unions would have therefore been in a better position to convince their members to return to work as soon as possible.

Within half-an-hour after making this proposal, I received a call from the Postmaster General's office flatly denying this request. This is another illustration of "Rome burning while Nero is trying to fiddle."

And what do we do instead? The President called the military into New York City to handle the mail. Mr. Speaker, I ask, Why only New York City? Why not Chicago or some other large city? Has

New York City been written off completely?

Mr. Speaker, I am convinced that a much more rational and up-dated approach should have been applied to this very real and potent labor problem. I am convinced that impartial negotiations must be commenced at once outside the realm of political considerations.

Today I offered the President a feasible alternative to his policy of Executive saber-rattling.

My present proposal is realistic, viable, and sound. One that could end this seemingly impregnable impasse within hours.

Mr. Speaker, I hereby call on the President and the Postmaster General to remove the postal strike from the arena of party politics and return it to the realm of conventional negotiations. I ask the administration to appoint an experienced and internationally known public-employee labor expert, Mr. Theodore Kheel, to act as mediator in this dispute.

Mr. Kheel has already agreed to serve in this capacity, and I am certain he can be the catalyst for a quick return to work and an ultimate acceptable agreement.

If the administration agrees, the union leadership would arrange for a special meeting to urge postal employees to return to work. After 72 hours of mediation, the progress of negotiations would then be reported to the full membership for a final vote.

Mr. Speaker, the union leaders and I feel this would be an acceptable plan to the membership. The administration need only respond and machinery would start immediately to return the striking postal workers to their jobs. I am confident that acceptance of this proposal would be the first step toward an early cessation of the postal strike and the beginning of a nationwide reversal of the strike trend.

I consider the postal strike crisis of such serious proportions that also I recommended to the House leadership that the Easter recess be canceled so that we all may deal with this catastrophic issue until it is resolved. I have been informed that this will be done and I am pleased to know that my colleagues will devote themselves to this crucial national emergency.

Mr. Speaker, I have been asked by the administration to do all I can to end the postal strike in New York. However, in spite of all my warnings, all my recommendations and proposals, and all my direct interventions, I have received no cooperation from either the Postmaster General or the President. Regardless of an obvious indication that I have been "used" in bad faith, I persevere nevertheless. I fully realize the gravity of the situation in New York and other large cities. It is sad that postal service to the people and our business communities has been interrupted. It puts a heavy burden on all of us. My concern therefore is to return full mail services to all Americans as well as providing fair treatment for the postal employees. The postal workers deserve our fullest sympathy because they are a dedicated group of Americans who for years have served our people faithfully and consistently in spite of a long history of lagging pay and poor working conditions.

THE POSTAL SITUATION

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

Mr. HELSTOSKI. Mr. Speaker, I would like to compliment the gentleman from New York, the distinguished gentleman (Mr. BIAGGI) for his remarks.

Mr. Speaker, it is apparent we are living in an era of crises.

Without question one of the gravest of these is the uprising of our postal workers. While we cannot condone wildcat strikes, we can and must understand the reasoning behind the one presently taking place in the Post Office Department.

It is self-evident that our postal workers are among the lowest salaried in the Nation. They, individually and through their organization leaders, have for months been imploring the Federal Government to recognize this and to take the necessary corrective action.

We did move to recognize this fact, but carried nothing to a conclusion because of a threat of a Presidential veto. Right now there is a bill in conference that will take a major stride toward giving the postal workers the wage comparability with private enterprise that the Congress and a President promised them through law in 1962.

We, through our votes for the bill now in conference, supported the 1962 law and in so doing honored the pledge given our postal workers eight years ago. But some in Congress ran for cover when the White House threatened a veto of the bill if Congress passed it.

I say let us ignore the veto threat and move to carry out the intent of the 1962 law, and do the thing we know must be done to accord decent and fair treatment to the postal workers.

During the weekend, I met with about 400 postal workers in my congressional district on the present difficulties. I report their attitudes were fair and reasonable. They are just tired of being pushed around as they struggle to support their families on the small salaries given them.

Added to their difficulties is this period of wild inflation which is driving everyday costs of living higher and higher. Postal workers see and hear of neighbors in private enterprise getting wage increases to cover at least part of the rising costs while they are asked to exist on indistinct promises. It is enough to drive anyone to take part in an action designed to wake from their slumbers those holding the purse strings of Federal Government.

Again I say, let us get on with the business at hand. Let us ignore the veto threat coming from Pennsylvania Avenue. Let us start acting like a coequal branch of Government and do what we have to do and let the chips fall where they may.

There is one other phase of the present situation I would like to comment on. We all realize that the Nation and its people cannot long stand a freeze on the interchange and delivery of mail, but is the answer calling out the troops to take on an assignment which is not a part of their military duties? In the minds of many this may be unconstitutional. Further, does anyone have the right to ask a military man to serve to, in effect to, try to break a strike that can be quickly ended by the Congress and the President conforming to the law passed in 1962.

At this point I would like to place before the House a copy of a letter addressed to President Nixon, under date of February 19, 1970, by Mr. Frank Hornik, a postal organization officer of Clifton, N.J., calling to his attention the employee unrest in the Post Office Department because of broken promises.

CLIFTON, N.J.,
February 19, 1970.

HON. RICHARD M. NIXON,
President of the United States,
Washington, D.C.

MY DEAR MR. PRESIDENT: On October 15, 1969 I wrote a letter addressed to you in reference to the pledge you made to the Postal Employees in a speech to Postal Officials in Washington, D.C., on February 10, 1969.

By all reports and what I have read in your Budget Message, the pledge is a forgotten item in Washington, D.C.

May I remind you, that it is not a forgotten item among the vast majority of your Postal Employees.

You probably do not have too much time to see them, or to listen to them. Quite possibly, you may not even care.

I think it would be wise to have your postal officials pay a little more attention to what is in the minds of the average postal employees.

While the law may say that the Federal Employees do not have the right to strike, this does not of necessity mean that they would not strike.

It happened in Canada and in Great Britain, and it can happen here.

It is about time that the people in Washington recognize the fact that every Federal Employee is a citizen of this country.

You have some 2,800,000 Federal Employees, of which at least 25% are Postal Employees. If only 50% of the Postal Employees are married, this is a potential of some 1,050,000 votes at a minimum.

This means that by your remarks in the Budget Message, you are casting 1,050,000 people in the role of second class citizens.

Mr. President, I think it is about time the people in Washington woke up to this fact, and began to remedy this situation.

Respectfully yours,

FRANK HORNIK.

THE POSTAL STRIKE

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

Mr. GILBERT. Mr. Speaker, in the congressional district I represent, the 22d Congressional District of the Bronx in New York City, Federal troops today are attempting to deliver the mail.

It is unlikely that these men will make a decent job of it, no matter how well motivated they are. Men do not become postal clerks and letter carriers overnight, not even at the decree of the President of the United States.

In fact, Mr. Speaker, if the presence of these troops in New York City does not spark violence—and I sincerely pray that it does not—it at least makes a mockery of the collective bargaining proposition.

How absurd it seems that we will commit our men and our money by the billions to fight a land war in Asia we cannot win, do not want to win, for a country whose leaders violate every precept of democracy. Yet at the same time we cannot increase an $8,400 annual salary by $20 a week for honest, hard-working American men because it would be inflationary.

How absurd that the Congress seeks to provide Nationalist China with submarines and jet planes when it will not provide its American postman with enough money to feed and clothe his family?

There are some basic questions at stake in this postal crisis that have nothing whatsoever to do with the legality of whether public servants have the right to strike.

The postal workers were promised a raise. They were told how much it would be and when it would come. They were lied to, no matter how good the reasons for that deception might seem to be.

The unions attempted to bargain in good faith. These strikes did not come about overnight. The complaints of the postal workers have been festering for years, always neglected, always put off by administration after administration. If you deliberately starve a man, you cannot be much surprised if he will not carry your lunch basket.

Most important, the administration triggered this strike when it insisted that reform be a part of the pay increase. The reform issue is a valid one. But it is a complex issue that should be fully debated. By insisting that its proposal is the only valid reform, and by insisting that only by passing reform can the workers get their pay raise, the administration callously attempted to ram a highly controversial issue down the throats of its impoverished postal employees.

Mr. Speaker, I was among those who did everything within his power to help avert the strike. The strike is a tragedy, for those risking their livelihoods and their careers, for those who depend upon the mails for their survival and for the millions of Americans who must suffer one way or another because of it.

The President would have been better advised not to have sent in the troops but to have begun earnest—and honest—negotiations with the workers. It is still not too late for him to rectify the mistakes his administration has promulgated in this labor dispute.

I urge the President to withdraw his troops, start meaningful negotiations for immediate pay increases and to set the reform issue aside until passions permit reasonable discussion.

Much has been made, Mr. Speaker, of the precedent set by this strike. Let the workers win, it is said, and other unions will follow their example. I say there is an earlier precedent of American law that we must follow. And that is that America is the land of liberty with justice for all. There will be no justice in this instance until the postal workers win a liveable raise. Let us achieve justice first; it deserves precedence over precedents.

WELFARE—A GUARANTEED INCOME

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

Mr. LANDRUM. Mr. Speaker, many in this House are deeply disturbed by administration proposals to replace the present welfare system with what amounts to a guaranteed income. One major fear is that a guaranteed income will not encourage people to work—despite the so-called incentives offered by the bill reported by the Committee on Ways and Means. Instead, I think the bill will make more people dependent.

The priorities of this bill are wrong. They are: cash, first; food, second; and work, third. I believe there should be a reversal in priorities: work, first; food, second; and cash, last.

The bill was explained very clearly by my colleague on the Ways and Means Committee, the Honorable AL ULLMAN, of Oregon, in a radio interview with Mr. Arch N. Booth, executive vice president, Chamber of Commerce of the United States, presented over the Mutual Broadcasting System on March 19, 1970. I include the transcription of this interview at this point in the RECORD:

WELFARE—GUARANTEED INCOME

An interview in Washington, D.C., with Congressman Al Ullman (D-Oregon) by Mr. Arch N. Booth, Executive Vice President, Chamber of Commerce of the United States on What's the Issue, over the Mutual Broadcasting System, March 19, 1970.

Mr. BOOTH. Perhaps one of the most interesting, the most misunderstood and the most controversial programs in many years, is the one before the current Congress which is called a sweeping plan to revise our present system of welfare payments to the needy. Now the system is much in need of revision—no doubt about that. The disadvantage of the plan being offered is that it would be a first step toward a wholesale plan of giving something for nothing to millions of people. It would add about 15 million people to the welfare rolls who are not now eligible for payments.

Let's get the record straight right at the outset. We in the National Chamber are for helping those who need help. Those who are blind, disabled or elderly, or for some reason unable to work—we are on record as believing that support of those who have no potential for self-support is a public responsibility. But for those who are able to work, welfare should be coupled with occupational rehabilitation and the opportunity to earn a living.

Now to discuss this interesting program we have with us today the fourth ranking majority member of the House Ways and Means Committee, Representative Al Ullman of Oregon. He'll try to help us understand the current proposal and some of its long-range implications.

Mr. Congressman, the House Ways and Means Committee has just reported out this bill which is labeled, H.R. 16311, the Family Assistance Act of 1970. Its supporters tell us that it's a total reform of our present welfare system. To what extent do you believe it is a reform bill?

Mr. ULLMAN. Mr. Booth, this is a very complicated piece of legislation and obviously there are reforms in it. But I think rather than a welfare reform bill, this bill changes the whole direction of our welfare program, the whole concept. What we are essentially doing is adopting the basic essentials of the guaranteed income program, or a negative income tax approach, to the whole problem and if you want to call that reform I guess you could. But the reason I voted against the bill was that I wanted a true welfare reform. I wanted to build on the reform bill that we passed three years ago, and establish real increased work incentives in the program, and build up child care and build up your special projects in your government agencies—for on-the-job training and all of this kind of thing which, we think, has established a real good basis of experience. We are departing from that now and taking a totally new course in welfare.

Mr. BOOTH. Now this new course is embodied in a bill a hundred pages long. Do you think many people have read it or could read it? And readily understand what it would do? And what it would reform?

Mr. ULLMAN. Well, very, very few people will, of course, understand it at all. And that is the reason, I think, that there is so much support for it now. There is so little understanding of it.

Mr. BOOTH. I think it's pretty well agreed that the present welfare system, especially the program known as Aid to Families with Dependent Children, AFDC, has some grave shortcomings that ought to be corrected in one way or another. Now, how does the House bill purport to solve these problems?

Mr. ULLMAN. Well, of course, let's start by saying that there is no such thing as a good welfare bill. It is impossible to cope with this difficult problem in a way that's really satisfying to anyone. And it is true that the Aid to Families with Dependent Children program did have a lot of very serious inequities in it. But the basic problem is, how do you improve those things? What do you do? Here, in place of trying to make the great improvements that I think we need, we've changed the whole course.

Mr. BOOTH. As I understand this rather complicated bill, it provides not for fewer people on welfare, but for more. It doesn't call for less spending relief, but for more. Do you agree that that's fair?

Mr. ULLMAN. Well, of course, this is the obvious. On the very face of it, what we're doing by including—the first thing we are doing is nationalizing the whole welfare program. In other words, the social security system will take over welfare and you'll have federal welfare offices in every community. The second thing we're doing is adding—we're tripling the size of welfare by adding the so-called "working poor". It's an income supplement program—the guaranteed income approach.

Mr. BOOTH. The Administration claims that about 4 million families will be on this new welfare program. Does your estimate agree with that figure? Are the heads of these families unemployed?

Mr. ULLMAN. Well, my figures show that, as of now, we have about 1.7 million families on welfare, and I think that the Department of Health, Education and Welfare now estimates that this bill would put approximately 4.6 million families on welfare, or virtually trippling the welfare rolls.

Mr. BOOTH. And are the heads of the families unemployed?

Mr. ULLMAN. No. In the existing program, the 1.7 million families, most of these welfare people are families without a father in the house. Some of the states have unemployed fathers programs and maybe 25% of the families in this existing program have fathers in the house. But these people we are adding—almost 3 million new families—will have working fathers in the house. This is

the working poor. These are mostly families with working fathers in the house.

Mr. BOOTH. Now, as I understand it—what you are saying is that at least half of these families heads are what could be called fully employed? Are all of these employed people below the poverty income level?

Mr. ULLMAN. No. This is just one of the many discrepancies in the bill. The program will make supplemental federal payments, income supplement payments from the federal treasury, to a lot of so-called "working poor" who are above the poverty level.

Mr. BOOTH. All right, then, the income supplement level would pay federal relief even to families who are above the poverty income level, if I've understood you correctly?

Mr. ULLMAN. That is right.

Mr. BOOTH. Would it pay welfare to all families who are above the poverty level?

Mr. ULLMAN. No, of course not.

Mr. BOOTH. If not how do you justify paying it to some and not to all?

Mr. ULLMAN. Well, I just don't think we can.

Mr. BOOTH. As I understand the bill—the head of the family that qualifies for welfare and is not now employed, must either go to work or take training for a job. Is that the intent of the bill?

Mr. ULLMAN. That certainly is—and that is a basis on which it is being sold. But I think this is the real nitty grit of our whole problem. You cannot, with the present mechanism and the financing we have—you can't possibly get the kind of training for these people. You can't. In the first place you can't cope with the enrollment problem of these people in our employment service offices. And in the second place—there are just not the funds in the bill to provide training for these people.

Mr. BOOTH. Let's clear up one point then. What will the program do for families where the father is fully employed?

Mr. ULLMAN. Well, where the father is fully employed but earns below the levels in these tables, then they will fill out an application form, send it in, and start receiving a check from the federal government as an income supplement.

Mr. BOOTH. To bring him up to the poverty level?

Mr. ULLMAN. Well, to bring him up to the levels—the poverty levels—and the levels for payment are different as we have indicated. But to bring him up to the level of our guaranteed income program.

Mr. BOOTH. Now, regardless of where a family lives—in a city or a rural area—must the breadwinner take a better paying job than the one he now has. Or must he take training on the side to improve his working skill?

Mr. ULLMAN. We are talking about all these additional 3 million families coming on to the welfare rolls. They will have to register with the employment service. But the employment service is going to be so swamped. There's no way in the world they can handle a reshuffling of jobs. Theoretically though, if a better job is offered—one that they are suited for—they are supposed to take it. If they don't take it, then, theoretically, they are taken off of the rolls, but this doesn't mean the family is. If you have, for instance, under this program a family with ten children and a father and mother—they will get 4,000 dollars straight welfare from the Federal government. I'm not talking about the supplement. The supplement will go clear up to 8,500 dollars I think. I think they can earn that much additional and still get a federal supplement. But if the father then refused to work he would be taken off, but the family would get the 3,500 dollars rather than the 4,000 dollars. Now I understand this will be paid under the bill through a complicated arrangement through a third party.

Mr. BOOTH. What does the record show? How successful has the employment service been in placing in jobs these unemployed fathers who are on welfare?

Mr. ULLMAN. A number of the states have had extensive experience in the unemployed fathers welfare program, and the record of the employment service has been very low. About 8 or 9 per cent of the unemployed father recipients who have gotten jobs have been placed by the employment service. I don't think we can expect any better record. In fact, we can expect a far poorer record, because the employment service just isn't set up to cope with this kind of a problem.

Mr. BOOTH. What happens if a family head refuses to register with the employment service, or refuses to accept a job if offered to him? Or if he refused to take training?

Mr. ULLMAN. Then supposedly, he's taken off the welfare roll, but his family remains on.

Mr. BOOTH. Can the head of a family be compelled to take any kind of a job?

Mr. ULLMAN. No, no. If he refuses to take a job, then his name comes off. As I have indicated, however, his family will still continue to get payments.

Mr. BOOTH. According to Administration spokesmen, the main reason for paying relief to families with fully employed fathers is so that the fathers will no longer desert their families. Has it been your finding that AFDC has actually caused fathers to desert their families?

Mr. ULLMAN. No. I think there has been a great deal of misunderstanding on that. There is extensive experience to show, as a matter of fact, that this program has not caused desertion of fathers from the home, as has been indicated.

Mr. BOOTH. Now, let's shift for the moment to Medicare or Medicaid. The costs are much higher than expected. Probably more taxes will be required to cover future costs. This new welfare expansion bill will cost the federal government about $5 billion to start with, as I understand it. Won't this require more taxes, if we're to have a balanced budget?

Mr. ULLMAN. Obviously, it will, and the trouble with this kind of program is that $5 billion is only a start. Once you start down this road of income supplements, there is only one way the costs can go, and that's up. Because obviously, the first thing we're going to hear is—how can a family live on that 1,600 dollars. As a matter of fact, before this thing gets out of the Senate, I would expect them to up the ante a great deal. And the pressure will be to raise the payments constantly. So, we're starting down a road, that seems to me, one of mushrooming welfare costs. And we're obviously going to have to raise taxes to do it. It's a matter also of national priorities. We're going to have to go for other things in our economy and in our society, if we are going to take this route.

Mr. BOOTH. Now, isn't it rather unusual that just looking at this thing from the standpoint of broad strategy—isn't it rather unusual for the very conservative, prudent and knowledgeable Ways and Means Committee to offer a bill of this kind to the Congress? A bill which is going to cause us either more deficit spending, or which will lower the value of our dollars, or call for more taxes.

Mr. ULLMAN. Well, in my judgment, it's almost unbelievable that, first, this Administration—which is supposed to be conservatively oriented—would propose this type of program. To me this is almost unbelievable—and it's equally unbelievable that the Ways and Means Committee would be reporting it out with such an overwhelming majority. Three of us voted against it. I think that, in large part, it's because of a misconception as to what we're really getting into. And I think if we could really all sit back and view the road that this will lead us on—I think we would really stop and look and listen and take the other route.

Mr. BOOTH. I think we ought to talk about that for just a moment. Because as citizens and tax payers, we all sat back in holy horror and righteous indignation about the "welfare mess". Now, came the Administration with a reform bill, which they said would "cure the welfare mess". And so we embraced it and said, "This is wonderful". We want to cure it and so what has happened? What has happened is that the conservative and the highly respected Ways and Means Committee comes along with a bill to implement the Administration's recommendation—and now we're confronted with it, as a people. And we are having difficulty in understanding it, because we don't read the hundred pages of language in the bill. And so we're accepting labels, aren't we, and assuming that this is a cure for the welfare mess where, as a matter of fact, it may actually be making the welfare mess worse. Am I saying the wrong things?

Mr. ULLMAN. Well, I would certainly agree with you. But I would add that the Ways and Means Committee was, in a sense, on the spot. The Administration had recommended strongly this new approach and the pressures were on and I think they generally caved in to the pressure. But this is really an almost unbelievable thing. Vice President Agnew, for instance, has come out strongly in favor of this program. I served on the Intergovernmental Relations Commission. The Vice President was a member when he was Governor of Maryland and I remember this same problem coming up in that Commission. And he, at that time, took quite a different position on this whole problem. I think there are some basic false assumptions that lead people to fall for that kind of a program. But I think that it's such a dangerous route that we're taking that I hope that there is some way that we can alert the people to the problems before we get started. Because once you get started down that road of the guaranteed, there's no way of turning back, in my judgment, and this is why we need really to stop, look and listen.

Mr. BOOTH. I think you said a great truth there. I think most people in this Country, who are thinking about the protection of the basic principles of this Country, and the fundamental principles which underlie our business system, which is the greatest in the world, and is one of the greatest things this Nation has going for it—I think they would stop, look and listen. If they understood the facts—and the difficult thing is that the rhetoric is good here—and reform in the welfare program is in itself a good thing, isn't it?

Mr. ULLMAN. Now let me say this. Now I am strongly in favor of reforming the welfare system and I think you are, too.

Mr. BOOTH. Yes.

Mr. ULLMAN. I think we need to iron out some of the basic discrepancies. We need to improve our program. We need to do better with the lot of the poor people. But this isn't the route. What we need is real reform. We need to build on the reform we adopted two years ago. We have a WIN program that's really just starting to function. We should build on that. We should extend our day care, so that mothers can work. We should adopt extensive on-the-job training programs and special work projects, and the JOBS program with private industry should be expanded. These are all a good solid basis. Now, I'm not opposed to a federal basic minimum on welfare. I think that maybe this is a good step forward and an increased federal participation. I think that where we part are two basic areas: First, adopting the guaranteed income approach and adding these 3 million new families onto the welfare program. And the second thing is, neglecting the work or training requirement. This is being sold on that basis—and yet there's not the money nor the vehicle nor the mechanism in this program, to put people to work. And so I think these are the things that give me, and I'm sure you, cause for a great deal of concern.

Mr. BOOTH. Yes. Now, Congressman Ullman, whenever anyone challenges a program which is before the Congress, and before the people, you're always put upon to say—What is your

alternative? You must not be just against things. Now you've just been stating some very acceptable alternatives.

Mr. ULLMAN. Well, as a matter of fact, I'm introducing legislation with some others that will accomplish this, that will establish a basic federal minimum of approximately the 1,600 dollar base, and that will eliminate the portion of the bill that we're opposed to—the guaranteed income portion. But in its place, we'll beef up the work incentive program and the child care and on-the-job training, and JOBS, and put the kind of funds into those programs that they're going to need to function.

Mr. BOOTH. Let's emphasize just one word that you've used there several times, and that's the word—incentive Isn't it an acceptable substitute or alternative to this plan to offer incentives to people to enable them to better themselves in the job market and become productive people? Isn't that an effective alternative to this business of putting about 15 million additional people into a giveaway position where their incentive will actually be destroyed? Isn't an incentive a better answer than force?

Mr. ULLMAN. Absolutely. And the big mistake, the fallacious assumption these people are making is that this income formula will somehow be an incentive to get off welfare. This simply is not going to work that way. The best incentive is to provide a people with the kind of job training they really need and the kind of job guidance. The WIN program has got a team of counsellors. It is a very effective approach. People want to improve themselves. We should give them an opportunity to job training, on-the-job training. We should have extended child care, so that mothers can work. And I think a lot of them do want to work. All of these things are real incentives—and that's what we need in the program.

Mr. BOOTH. Now, is it fair to say that most of these incentives are—or all of these incentives that you've just been talking about are already in existence—in the present program?

Mr. ULLMAN. They are all already in existence, but we need to build on them and increase the funding, and increase the programing, because we have already proven that they work.

Mr. BOOTH. Now, how much of the added costs of what we have been talking about would be for payment for fully employed fathers not now on welfare?

Mr. ULLMAN. The minimum cost is 2 billion dollars a year, and I think it will be far more than that, when we get into the actual experience.

Mr. BOOTH. Now, isn't it true that once we accept that 2 billion, or whatever the figure may be, we have started down a road from which there will be no returning?

Mr. ULLMAN. As I said before—there's only one way this program can go in cost, and that is up and up and up. And I'm afraid that once we get started the pressures will be so great that this will be an expanding part of the budget that we can't control.

Mr. BOOTH. We, as a people, then had better do some hard thinking, hadn't we, before starting down that road, and going well into deficit financing or more taxes and, at the same time, destroying the incentives of people to better themselves individually.

Mr. ULLMAN. I hope we can do it in time to keep from going down this road.

Mr. BOOTH. And now, our sincere thanks to Representative Al Ullman of Oregon, fourth ranking majority member of the House Ways and Means Committee for this explanation of the so-called Family Assistance Act of 1970.

Each week this program brings you a discussion of the choices facing free Americans. This is Arch Booth, speaking for the Chamber of Commerce of the United States and inviting you to join us next week at this same time.

THE LATE GEN. JAMES EARL RUDDER

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

Mr. CABELL. Mr. Speaker, with the death of Gen. James Earl Rudder on Monday in Houston, Texas and the Nation have lost a brave soldier, a fearless leader, a distinguished public servant, and an outstanding educator. And I have lost a great and good friend.

His record, both in war and in peace, will be best remembered through the inspiration he has given so many young men at the most formative time in their lives.

Few individuals in the history of Texas A. & M. University have emphasized in such dramatic fashion the ideals upon which this school can base its claim for existence, the principles which motivated all of those who have attended and throughout the rest of their lives.

Following his graduation from A. & M. in 1932, General Rudder was commissioned a second lieutenant in the U.S. Army Reserve, but went into civilian life as a teacher in Brady High School, working also as the coach of its football team. Within 5 years, he had moved into the college ranks at John Tarleton, and in 1941 he was called to active duty as the clouds of the impending World War II darkened Texas skies.

It was not until the Allied assault upon the Nazi fortified coast of Europe at Normandy that the young Texan's great dedication and courage first came to national attention. Then, as the organizer and leader of the famed Rudder's Rangers Battalion, he successfully scaled the formidable cliffs overlooking the landing site even though his battalion lost half its men and Rudder, himself was twice wounded.

While this was a high point in a distinguished career, General Rudder will best be remembered for his many years at his alma mater, where he was appointed as vice president, later president, and finally head of the entire university system. From 1958 until his death, he saw the university enrollment more than double in size and it was he who welcomed the first young ladies as students into a once male university.

Today the stature of Texas A. & M. University as a molder of men and women in the finest and most admirable traditions is his most enduring monument and one for which he will be most remembered by a sorrowful State.

CONSUMER LEGISLATION

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

Mr. ROSENTHAL. Mr. Speaker, the consumer task force of the Democratic Study Group held a press conference today to discuss the status of key consumer legislation and to announce introduction of six new consumer bills. These proposals will provide the consumer with significant point-of-sale information which is not now available. They will contribute, we hope, to the urgent need to make the free enterprise system operate more effectively. Our goal, as the following statement makes clear, is to encourage American business to compete for quality.

I also include the text of the bills and an explanation at ends:

STATEMENT OF DEMOCRATIC STUDY GROUP TASK FORCE, MARCH 24, 1970

(Rep. Benjamin S. Rosenthal, Chairman; Rep. Joseph Karth, Vice Chairman; Rep. Shirley Chisholm, Rep. Bob Eckhardt, Rep. Michael A. Feighan, Rep. James M. Hanley, Rep. James J. Howard, Rep. Torbert Macdonald, Rep. Abner J. Mikva, Rep. Joseph G. Minish, Rep. Patsy T. Mink, Rep. John E. Moss, Rep. Richard L. Ottinger, Rep. Fernand St Germain, Rep. Neal Smith, Rep. Robert O. Tiernan, Rep. Lester Wolff.)

As members of the Democratic Study Group Consumer Task Force, we are here today to propose new and necessary consumer legislation and to pledge ourselves to the enactment of this legislation before the adjournment of the 91st Congress.

We make these proposals both as an affirmation of our responsibility as legislators to meet the problems of a complex marketplace; and in recognition of the failure of the Nixon Administration to meet its responsibilities to America's 200 million consumers.

In August 1969, the DSG Consumer Task Force issued a report highly critical of this Administration's record in the area of consumer protection. The past eight months have forcefully confirmed our view that the consumer programs of the Nixon Administration are marked more by their timidity and failure than by their boldness and success; that consumers are being promised more but given less; and that this is an Administration which is basically apathetic to the plight of the consumer. We conclude that this Administration is not putting any of its important resources, except rhetoric, into the consumer struggle.

Our earlier report also recommended the enactment of a wide-ranging program of consumer legislation. The overwhelming majority of these bills have not enjoyed the support of the President and his leaders in Congress.

In short, "benign neglect" may be an overly generous description of the Nixon Administration's performance in the consumer protection field.

While the voice of the consumer is being heard ever more loudly across America, those voices speaking for the Administration on consumer matters are confused, muted and, ultimately, ineffective.

For every consumer bill proposed by this Administration—and there may only be one of merit, that to expand the Federal Trade Commission's authority to curb abuse in the marketplace—there are many more which are decidedly inferior to legislation already pending before the Congress. Consider and compare for example, the Administration's class action legislation, its fish inspection and product warranty bills, its proposal which deals with the mailing of unsolicited credit cards, and, weakest of all, its bill to reorganize the federal consumer protection apparatus.

For every consumer victory achieved from within the government's decision-making apparatus, such as the 30% fat limitation requirement for sausage products, there are dozens of defeats for the consumer cause.

Consider, for example, the anti-consumer lumber standards promulgated recently by the Commerce Department; the Justice Department's consent order in the California anti-smog device case; the Attorney General's tampering with the report of the White House Task Force on Oil Import Quotas; and the refusal of the Federal Reserve Board to order more honest advertising of Christmas Club savings accounts.

Today, President Kennedy's "Consumer Bill of Rights" and President Johnson's outspoken commitment to consumerism, have given way to the statement of a Nixon Cabinet officer that consumerism may have gone too far and the belief expressed by a presidential counselor that government shouldn't get any more involved in consumer protection but should leave that work to groups like the Better Business Bureau!

And so, we are here today to propose to the Congress and to the country some new and, we believe, innovative consumer reforms, ever mindful of the fact that many good "old" bills, which have originated in the Congress, deserve immediate attention.

Let me at this point mention two of them: one is a bill, now pending before the House Government Operations Committee, to establish a powerful, centralized Federal Consumer Protection Agency. This bill stands in contrast to the Administration proposal which would further fragment an already splintered federal consumer protection apparatus and which would establish the Attorney General as the chief consumer protector in Washington. The Consumer Protection Agency, because of its independent status, would be shielded from much of the kind of political pressure that has undermined the effectiveness of the existing Committee on Consumer Interests.

The DSG Task Force endorses the independent agency approach to federal consumer protection and urges the enactment of H.R. 6037, *as amended*.

The Task Force also urges the enactment by the House of the Eckhardt Class Action bill, without the weakening amendments proposed by the Administration. The Eckhardt-Tydings approach is the only one which would permit direct access by the consumers to the courts, without the burdensome condition-precedent of a law suit by a unit of government.

Permit me now to summarize and explain briefly the new legislative "Consumer Rights Package" we are introducing today. Our judgment is that in a time of runaway inflation, legislation which provides consumers with information necessary to make the most economical purchase, is useful in the fight against the high cost of living. Our legislative package seeks to accomplish that end:

(1) The *"Better Labeling Act"* represents a recognition of the fact that the Fair Packaging and Labeling Act promised more than it could deliver. Three years after its enactment, consumers are still confronted with labels which fail to provide information about contents sufficient to permit value comparisons between brands; and with packages which frequently conceal subtle contents shrinkage.

The Better Labeling Act would require nutritional information on packages; it would require a statement of drained weight on canned and frozen fruits and vegetables and percentage of major ingredients labeling on combination food items; and, finally, it would require that where a food or toilet goods manufacturer reduces the contents of his packaged product, the front panel would have to state that fact for a minimum of 90 days.

(2) The *"Appliance Dating Act"* would require that all appliances and consumer electronic products be dated with the month and year of manufacture; and would authorize the Federal Trade Commission to regulate the use of "model year" designations.

This bill is based on the findings of the Special Consumer Inquiry that a significant number of appliances on the market today were manufactured two, three or more years ago and frequently represent an outdated technology.

(3) The *"Consumer Food Grading Act"* would establish an expanded and more relevant consumer food grading program so that quality comparisons of food can more easily be made. This is particularly important at a time when private store brands are competing with national brands for consumer acceptance. A confidential and unreleased study by the U.S. Department of Agriculture shows that the existing consumer food grading program is almost universally misunderstood and, as presently administered, of no value to the consuming public.

(4) The *"Drug Dating Act"* would prohibit the sale of prescription and over-the-counter drugs, beyond an established expiration date. The Food and Drug Administration has recently expressed concern over the reports that over-aged drugs are sometimes sold to consumers and that consequent drug deterioration may be responsible for some injuries and deaths.

In 1965, for example, three patients at a New Jersey institution for the mentally retarded died from the ingestion of over-aged carbarsone tablets taken for the treatment of an intestinal disorder. Analysis of the drug showed that over-age had caused a chemical change in the tablet with fatal results.

Similarly, a large number of deaths and serious injuries documented by the Food and Drug Administration, have been traced to the ingestion of outdated tetracycline, which had undergone a hazardous chemical change.

This bill would require an expiration date for drug use—both to the pharmacist and to the ultimate consumer.

(5) The *"Performance Life Disclosure Act"* is responsive to the consumer's need for information about the durability of certain consumer products. It merely seeks to pass along to consumers performance-life information already known to manufacturers.

It is long past the time when consumers should be told how long a given brand of light bulb or color TV picture-tube can be expected to operate under normal conditions of use.

(6) The *"Durable Products Dating Act"* would require expiration dating of those "durable" consumer products determined by the National Bureau of Standards to be of a type whose performance life is diminished by prolonged storage. Dry cell batteries and photographic film are examples of products whose performance life becomes diminished after prolonged storage.

We do not suggest that this package of consumer bills will cure all of the abuses found in today's marketplace. But its enactment would, we believe, go a long way toward meeting the need for better "point-of-sale" information to consumers. We are convinced that the ready availability of such information will permit consumers to shop more economically than is now possible and will reduce significantly the high cost of living.

(H.R. ——)

A bill to require that certain processed or packaged consumer products be labeled with certain information, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that this Act may be cited as the "Better Labeling Act."

SECTION. 1. Any packaged consumer food product shall be labeled by the processor in conformity with the regulations of the appropriate agency with the following information:

(a) With respect to processed food products, an analysis of nutritional contents including fat content, vitamin and protein value, fats and fatty acids, calories and any other nutritional information deemed appropriate;

(b) In the case of any canned or frozen product whose packing medium constitutes a substantial proportion of its total weight, the net weight and drained weight of the product;

(c) In the case of any combination food item, the major ingredients by percentage weight after processing determined pursuant to the regulations of the appropriate agency.

SEC. 2. (a) The label of any packaged consumer product which, prior to any given date, has been packaged in a container of any given net content (by weight or by volume), and after that date is packaged in a container of a different net content, shall conspicuously set forth the amount of the difference. The information required by this section shall be carried on the label of the product involved for such period of time, not less than 90 days, as the appropriate agency deems necessary to give adequate notice to the public.

(b) This section shall operate only where the change in net contents: (i) results in the elimination of a previous container to any given net contents and is not merely an addition to the product line; (ii) represents a change of less than 51% of the old content.

SEC. 3. The appropriate agencies shall prescribe regulations to carry out the purposes of this Act. These regulations may contain such classifications, differentiations, or other provisions, and may provide for such exceptions as are necessary or appropriate to effectuate the purposes of this Act, to prevent circumvention or evasion thereof, or to facilitate compliance therewith.

SEC. 4. Whenever it appears to the appropriate agency that any person has engaged, is engaged, or is about to engage in any act or practices constituting a violation of this Act or any regulation issued under this Act, it may in its discretion bring an action, in the proper district court of the United States or the proper United States court of any territory or other place subject to the jurisdiction of the United States, to enjoin such acts or practices, and upon a proper showing a permanent or temporary injunction or restraining order shall be granted without bond. Upon application of the appropriate agency, any such court may also issue mandatory injunctions commanding any person to comply with any regulation of the appropriate agency under this Act.

SEC. 5. For each willful violation of any regulation under this title, the appropriate agency may assess upon any person to which the regulation applies, and upon any partner, director, officer, or employee thereof who willfully participates in the violation, a civil penalty not exceeding $1,000.

(a) In the event of the failure of any person to pay any penalty assessed under this section, a civil action for the recovery thereof may, in the discretion of the appropriate agency, be brought in the name of the United States.

SEC. 6. For the purposes of this Act, the term "appropriate agency" means

(1) In the case of Section 1(a) only, the Department of Health, Education and Welfare.

(2) In the case of any non-food consumer product, the Federal Trade Commission.

(3) In the case of any packaged food product which contains 3 percent or more of meat as determined under the regulations of the Secretary of Agriculture, the Secretary of Agriculture.

(4) In the case of any packaged food product which contains less than 3 percent meat as determined under the regulations

of the Secretary of Agriculture, the Secretary of Health, Education and Welfare acting through the Food and Drug Administration.

H.R. ——

A bill to require that certain durable products be prominently labeled as to date of manufacture, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Appliance Dating Act".

SECTION 1. Any consumer durable product determined by the Federal Trade Commission to be of a type whose design and/or performance features frequently or customarily are, or are represented to be, changed on an annual or other regular or irregular periodic basis to such an extent as to make its date of manufacture or its model-year designation a relevant descriptive factor in connection with sales thereof to consumers shall be prominently labeled by the manufacturer as to the month and year of manufacture and, if required by the Federal Trade Commission, as to the model year. Such label shall be permanently affixed to any article pursuant to this section and may not be removed or altered.

SEC. 2. All of the powers and remedies, both administrative and judicial, conferred upon the Federal Trade Commission for the administration or enforcement of any one or more provisions of the Federal Trade Commission Act are conferred upon the Federal Trade Commission for the administration and enforcement of this Act.

H.R. ——

A bill to provide for the development of a uniform system of quality grades for consumer food products

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Consumer Food Grading Act".

SECTION 1. (a) The Secretary of Agriculture, after consultation with representatives of consumers, producers, and processors, shall develop and, by regulations, promulgate a system of retail quality grade designations for consumer food products expressed in a uniform nomenclature.

(b) The Secretary of Agriculture shall have authority to establish, by regulation, the manner in which the system of consumer food grade designations shall be displayed and disseminated to the public. Such dissemination shall specifically include a program of consumer education to make grade designations widely known to consumers.

SEC. 2. (a) In developing and updating quality grade standards, consideration shall be given to the nutritional quality and wholesomeness of food products, as well as the acceptability of the products.

(b) To the extent consistent with paragraph (a) of this section, grading methods in use prior to the enactment of this Act may be utilized by the Secretary of Agriculture in establishing the system of cosumer food grade designations.

SEC. 3. Any food products sold more than nine months after the promulgation of applicable quality standards in accordance with this Act shall either be conspicuously labeled in accordance with such standards or shall be conspicuously labeled "not quality graded by the United States Department of Agriculture".

H.R. ——

A bill to require that certain drugs and pharmaceuticals be prominently labeled as to the date beyond which potency or efficacy becomes diminished

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Drug Dating Act".

SECTION 1. Any prescription and over-the-counter drug or pharmaceutical determined by the Food and Drug Administration to be of a type whose effectiveness or potency becomes diminished after storage, shall be prominently labeled, under regulations promulgated by the Food and Drug Administration, as to the date beyond which the product shall not be used.

SEC. 2. (a) The date of products not dispensed by prescription only shall be prominently labeled on the product by the manufacturer.

(b) The "Beyond Use" date for products dispensed by prescription only, shall be prominently stated on the label of the product, by the retailer dispensing the product;

SEC. 3. The Food and Drug Administration, after reasonable consultation with all interested parties, shall have authority to establish the "Beyond Use" dates for all applicable products and the manner in which they shall be labeled.

H.R. ——

A bill to require that certain short shelf-life durable products be prominently labeled as to the date beyond which performance life becomes diminished

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Durable Products Dating Act".

SECTION 1. Any "durable" consumer product determined by the National Bureau of Standards of the Department of Commerce to be of a type whose effective performance life begins to deteriorate in storage prior to actual use, shall be prominently labeled by the manufacturer, under regulations promulgated by the Bureau, as to (a) the date beyond which the products effective performance life begins to diminish; and (b) the date beyond which the product should not be used.

SEC. 2. The National Bureau of Standards, after reasonable consultation with all interested parties, shall have authority to establish the dates for all products required by section 1 of this Act to be dated.

H.R. ——

A bill to require that durable consumer products be labeled as to durability and performance-life

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Performance Life Disclosure Act".

SECTION 1. Under regulations and guidelines to be established by the National Bureau of Standards of the Department of Commerce, manufacturers of durable consumer products, including appliances and electronic items shall disclose on a conspicuous label or tag affixed to each item sold at retail to consumers, the performance life, under normal operating conditions, of each manufactured durable product.

SEC. 2. Where products covered by this Act are comprised of separate major components for which separate performance-life designations can be determined, such as designations shall be established and separately disclosed on a label affixed to each product.

SEC. 3. (a) After consultation with all interested parties, the National Bureau of Standards shall have final authority over the selection of products and components of these products for which performance-life designations shall be made and over the determination and establishment of performance-life for those products.

(b) In establishing the performance-life for a product, the Bureau shall take into consideration the extent to which the manufacturer's guaranty or warranty, if any, covers the performance life of the product.

SEC. 4. The Federal Trade Commission is authorized and directed to prevent any person from violating the provisions of this act in the same manner, by the same means and with the same jurisdiction, powers and duties as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this act.

SEC. 5. One year after the effective date of this Act and every year thereafter, the Bureau shall report to the Congress those products for which performance-life designations have been made.

SUMMARIES AND EXPLANATIONS OF LEGISLATION PROPOSED BY CONSUMER TASK FORCE OF THE DEMOCRATIC STUDY GROUP, MARCH 24, 1970

BETTER LABELING ACT

Reason for bill

The Fair Packaging and Labeling Act of 1966 states that "packages and their labels should enable consumers to obtain accurate information and should facilitate value comparisons." Nevertheless, three years after the enactment of that Act, consumers are still confronted with food labels which fail to provide relevant information as to package contents and with packages which frequently conceal subtle contents shrinkage.

Unit-pricing legislation, already pending before the Congress, will go a long way toward eliminating the confusion resulting from package-size proliferation. However, much more needs to be done to accomplish the legislative purpose of the packaging act.

Summary of proposed bill

Processed consumer food products shall be labeled by the processor, in conformity with the regulations of the appropriate agency, with the following information:

(1) With regard to certain processed food products, *nutritional statements* including fat content, vitamin and protein value, fats and fatty acids, calories and any other nutritional information.

(2) In the case of any canned or frozen product whose packing medium constitutes a substantial proportion of the total weight, the *net weight* (i.e. weight of product and liquid together) and *drained weight* (i.e. weight of product without liquid) of the product. [This provision is in response to findings that (a) a large proportion of canned and frozen fruit and vegetable products is liquid and (b) certain brands of canned fruits and vegetables consistently offer more product and less liquid than others.]

(3) In the case of any combination food items, the *major ingredients by percentage weight after processing* [analysis of combination items such as beef stew, chicken n' dumplings, certain soups and others, indicates that certain brands consistently offer more of the major expensive ingredients and less sauce, liquid and filler-type material. Presently, however, there is no way for consumers to determine percentage of ingredients.]

(4) If a food or toilet-goods manufacturer reduces the contents of any of his products, he shall state that fact on the front panel of the package for a period of not less than 90 days. [This requirement is in response to a finding that hundreds of package food and drug store items are subtly reduced in contents without a reduction in price and without the consumer's knowledge.]

(5) Act will be administered by the Department of Health, Education and Welfare, the Federal Trade Commission and the Agriculture Department, as specified, according to the product.

APPLIANCE DATING ACT

Reason for bill

Information has been developed that large numbers of appliances and consumer elec-

tronics products such as televisions, phonographs, and radios, which were manufactured two, three, four or more years ago, are sold to unsuspecting consumers as "new".

While technically these items are unused, the consumer presently has no way of knowing whether the product he is buying is the latest model or, if model-year designation does not pertain, whether the product represents the latest and best technological and design effort of the manufacturer. One woman wrote, for example, that an electric hair dryer she purchased as "new" was actually three years old and inferior in performance to the company's newest product. The price she paid was only a few pennies less than the latest improved model.

Summary of proposed bill

Any consumer durable product determined by the FTC to be of a type whose design and/or performance features frequently or customarily are changed, or are represented to be changed, on an annual or other periodic basis to such an extent as to make its date of manufacture or its model year description a relevant factor to consumers, shall be prominently labeled by the manufacturer as to the month and year of manufacture and, if required by the FTC, as to the model year. Such label shall be permanently affixed to any article and may not be removed or altered.

CONSUMER FOOD GRADING ACT

Reasons for bill

Quality comparison is one of the most important considerations for the consumer. Just as unit-pricing legislation would establish a mechanism for making cost comparisons between competing package sizes and info-tag a mechanism for making performance comparisons between competing manufacturers' products; so too, a device is needed which would provide consumers with "point-of-purchase" quality information about competing brands of food.

When we buy fresh meats, we are informed about the comparative quality of different cuts through the use of official USDA grades. However, when we buy canned or frozen fruits and vegetables, fresh produce, dry cereals, or the rapidly proliferating variety of precooked products and meals, we almost never are.

By and large, the consumer in this country does his food buying deprived of any knowledge of the *quality* grades of the items offered for sale.

Those consumer food quality grades that have been developed by the USDA are expressed in a non-uniform nomenclature and are antiquated and ambiguous.

For example, in dairy products the grade designation denoting the top quality for process cheese is "Quality Approved"; for cheddar cheese it is "AA". For fresh fruits and vegetables, US No. 1 denotes not the top quality, but a much lower quality. Moreover, the grading system is utilized by food manufacturers on a "catch-as-catch can" basis.

The food manufacturer buys the farmers products by USDA grades; the wholesaler, the the large institutional buyer and government agencies buy from the food manufacturer by specified quality grades. Only the consumer buys blind.

Summary of proposed bill

The Secretary of Agriculture, after consultation with representatives of consumers, producers and processors, shall develop, and by regulation, promulgate a uniform system of retail quality grade designations for consummer food products. In developing quality grade standards, consideration shall be given to the nutritional quality and whosesomeness of food products, as well as to acceptability factors.

Any food product sold at retail more than nine months after the promulgation of applicable quality food grades shall either be labeled in accordance with such standards or shall be labeled: "Not quality-graded by the USDA".

DRUG DATING ACT

Reason for bill

There is convincing scientific evidence that certain drugs and vitamin products lose potency or efficacy after prolonged storage. The Food and Drug Administration has expressed concern over reports that drugs over-aged are sometimes sold to consumers and that consequent drug deterioration may be responsible for some injuries and deaths.

Summary of proposed bill

Prescription and over-the-counter drugs and vitamins which are determined by the FDA to be of a type whose effectiveness or potency becomes diminished after storage, shall be prominently labeled as to the date beyond which the product should not be used.

DURABLE PRODUCTS DATING ACT

Reason for bill

The performance life of certain durable consumer products is adversely affected by prolonged storage. Batteries and film are examples.

An expiration date would reduce the likelihood that such products would be purchased after substantial performance life has been lost.

Summary of proposed bill

Would require expiration dating of those "durable" consumer products determined by the National Bureau of Standards of a type whose performance life is diminished by prolonged storage.

PERFORMANCE-LIFE DISCLOSURE ACT

Reason for bill

It is well established that manufacturers of consumer durables carry out extensive performance testing of their own products, including performance-life.

One of Betty Furness' major accomplishments in the consumer field was the public acceptance of her view that appliance and electronic manufacturers should report to consumers on product durability or performance-life. Certainly, consumers should know whether, under normal operating conditions, light bulb "A" will outlast light bulb "B"; or which TV picture tube will last longest. Many of these answers are now known by manufacturers.

Summary of proposed bill

Under regulations promulgated by the National Bureau of Standards, durable consumer products, including appliances and electronics items, will bear a label disclosing the expected performance-life under normal operating conditions.

The Federal Trade Commission shall enforce compliance with the Act.

PRESIDENTIAL VETO THREAT CAUSED POSTAL STRIKE

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

Mr. MADDEN. Mr. Speaker, the U.S. Constitution provides for three separate branches of our Federal Government—executive, legislative, and judicial.

President Nixon is the first President in my memory to violate the spirit of our Constitution by indirectly threatening to veto proposed legislation when it is still under debate and consideration in the legislative branch of our Government. Last summer, the Post Office and Civil Service Committee passed and the House approved a postal salary bill. The Senate delayed passing the postal pay bill until December 12, 1969, primarily on account of the White House jockeying and negotiating in an effort to compel the legislative body to accompany the salary bill with the separate post office reform legislation. These two bills were entirely separate and dealing with dissimilar legislative problems concerning our postal system. The President further inflicted a threat against the postal salary bill when, in his January budget message, he failed to provide sufficient funds for the pending postal salary increase.

This indirect interference by the executive department with the legislative process of the Congress was an unwarranted threat on congressional procedures and jeopardized the separate salary legislation already passed by the Senate and the House of Representatives. Had the executive department not interfered with these two separate pieces of legislation, demanding legislative action on both, the salary bill would have been signed into law last fall, to the satisfaction of the postal workers throughout the Nation. This Presidential interference by indirect and implied threats with the legislative process of the Congress has brought about the outrageous tieup of our postal system, to the detriment of welfare from which our Nation is now business, industry, and the economic suffering.

Mr. Speaker, I might go further and state that the President's veto on January 26, 1970, of the over $19 billion HEW appropriation bill was also overshadowed by the executive department's interference with our legislative process while this bill was being debated in both bodies of the Congress. The House passed this appropriation bill for HEW back on July 31, 1969, but by reason of implied executive department threats of a possible veto, it was tied up in the other body until December 22, 1969, and then finally vetoed almost a month later—in January of this year. This inexcusable delay on the $19,381,000 HEW bill threw a shadow over thousands of schools and health institutions over the Nation for a period of almost 6 months in preparing their budgets, and so forth, all because of implied Presidential veto threats and interferring with our legislative processes. As a final result approximately $229 million was cut from our health, education, and welfare needs for the coming year.

SURVIVAL OF GOVERNMENT

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

Mr. DELLENBACK. Mr. Speaker, as President Nixon stated in his television address yesterday, the city most affected by the postal strike is the city of New York. Therefore, it is particularly significant that the New York Times has come out in strong support of the President's actions yesterday.

An editorial from this morning's Times recognizes the President's "commendable resolve" in trying to settle this problem, and says that "President Nixon needs and deserves full national support" in the steps he has taken. I include at this point the editorial referred to:

SURVIVAL OF GOVERNMENT

President Nixon needs and deserves full national support in the steps he reluctantly took yesterday to end the illegal postal strike. Every citizen will regret that it has proved necessary to order troops into the New York Post Office, the first time in the country's history that the military has been used to replace striking Federal civil service employes.

That tragic precedent never would have been set if the sound back-to-work advice of the national leaders of the union had been accepted, and the way cleared for immediate negotiations on the very real grievances of the postal employes. The damage done to everyone by the present disastrous confrontation can still be undone by a swift termination of the illegal tie-up.

The factors that made action imperative were clearly set forth in Mr. Nixon's television address. One was the havoc that continued postal paralysis would inflict on every citizen; the other was the necessity for demonstrating that the nation cannot be coerced through the abuse of power by any group—a principle vital to the "survival of government based on law."

None of this negates the justice of the postal workers' basic demand for higher pay nor does it sweep away the culpability of both Administration and Congress for letting the pay issue become a pawn in the frustrating tug-of-war over postal reform. But national attention has now been riveted on the merits of the postmen's case and a mechanism provided for speedily negotiating their demands.

George Meany, president of the A.F.L.–C.I.O., yesterday joined the heads of all the postal unions in urging the postal strikers to resume their duties at once lest they forfeit the public support now so overwhelmingly theirs. Mr. Meany deplores the use of troops in the postal situation, but his chief stress is on the urgency of a return to work to clear the way for redress of all the injustices and inequities the postal employes suffer. The same constructive note was sounded immediately after the Nixon speech by James H. Rademacher, national president of the unionized letter carriers.

The President, for his part, has shown commendable resolve to proceed with restraint in fulfilling his duty to move the mails. He has delayed sending military units into other cities in the hope that the strikers there will end their defiance, thus joining the substantial majority of postal workers who never quit. Even in New York, the sole city in which Federal troops will be employed, soldiers will not be used to deliver the mail. Their primary function will be to sort it under the direction of regular postal supervisors and make it available for pickup at the post office.

It is tragic that troops are needed at all. The right way to get them out—and at the same time to assure equity for the postal workers—is for an orderly resumption of work everywhere. That is the course recommended by the President of the United States and the president of the labor movement. It is the course that will work best for the postal employes and for the country. It is the road away from potential disaster, the road to economic justice for men engaged in a vital national service.

TEXTILE PLANTS CLOSE

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

Mr. MANN. Mr. Speaker, last week one of the largest textile manufacturers in the United States, J. P. Stevens & Co., announced plans to shut down certain of its plants in my district for the period from March 27 to April 6, 1970. As a leader in the textile industry, J. P. Stevens has been in the forefront in wage increases, improved working conditions, minority employment, and technological innovations that provide quality goods at the lowest possible price for the consumer. In making the announcement, a spokesman for the company cited the "continuing imports of synthetic fibers" as a primary cause of the curtailment.

Japan is the largest exporter of textile goods to the United States. I have visited Japan and other Asian nations and seen their textile industries at close range. Goods are produced at wages that would be laughable in this country and under working conditions that are unheard of in America. In addition, Japan maintains strict protectionist policies that insulate its textile industry from foreign imports.

Since last September the U.S. Government has attempted to negotiate with the Japanese with the hope that Japan would voluntarily cut back textile exports. Last week Japan proposed a plan to hold textile imports to 1969 levels in several synthetic and woolen categories. I do not see this plan as a major breakthrough, and I trust that neither this administration nor this Congress will be deluded by this proposal.

Mr. Speaker, I have written to President Nixon regarding the deepening crisis faced by the American textile industry and have called on this administration to support legislation that would impose restrictive quotas on textiles. I have joined with a number of my colleagues in introducing legislation in the 91st Congress, and the time for legislative action is now. Further delays in legislative action will cause irreparable damage to one of America's greatest industries.

Mr. Speaker, recently the morning newspaper in my hometown addressed itself to the textile problem with timely remarks. At this point, I would like to share an article and an editorial which appeared in the Greenville, S.C., News:

MONAGHAN, WATTS, TUXEDO: J. P. STEVENS TO CLOSE THREE PLANTS IN NORTH CAROLINA, SOUTH CAROLINA

J. P. Stevens & Co. Inc., confirmed Tuesday night that it would close two South Carolina plants and one in North Carolina for a week because of "poor business conditions and a need to adjust inventories."

A company spokesman said Monaghan mill here, the Watts plant at Laurens and the Tuxedo plant at Tuxedo, N.C., will be closed for the week, laying off more than 2,000 employes for the week of March 27–April 5.

An earlier report that the big Dunean mill Stevens operates at Greenville would be involved was denied by the company spokesman.

There were no other industry reports of other companies curtailing work at this time.

"We regret that business conditions are such that this curtailment has been necessary, but poor sales and abnormal inventories allow us no other choice.

"We are concerned that any of our people must lose work because of these conditions, one of the primary causes being the continuing imports of synthetic fibers such as these plants produce," the company official said.

The temporary layoffs brought an immediate reaction Tuesday in Washington, where 4th District Rep. James R. Mann reported he had taken the news to Chairman Wilbur Mills (D-Ark.) of the Ways and Means Committee and urged quick passage of pending legislation aimed at curbing textile imports.

"Although the reason given for the layoffs was simply 'business conditions,' I am persuaded that the great increase in cheap textile imports is at the root of the problem," Mann said.

"Mr. Mills was sympathetic and agreed that the situation is at the critical stage. I was very encouraged when he advised me that the committee would begin work on this problem 'very shortly'," Mann said.

Mann also said he was advising President Nixon of the development in this district "with the hope it will speed action by him.

"I feel Congress would give President Nixon any legislation he may need to deal with this critical problem that jeopardizes the economic well-being of so many people in our country," he said.

TIME TO ACT TO SAVE TEXTILES

The one-week loss of work faced by more than 2,000 textile employes in Greenville, Laurens and Tuxedo, N.C., is a severe blow to them and their families and to the economy of this region and the state of South Carolina.

It represents a tragic loss of income for people who can ill afford it, especially as prices continue to rise. It is difficult to calculate the amount of individual hardship which will result from the shutdowns of Monaghan Mill in Greenville, Watts Mill in Laurens and the Tuxedo, N.C., plant during the week of March 27-April 5.

J. P. Stevens and Co., Inc., announcing the temporary closing of the synthetics fibers plants because of poor sales and rising inventories, rightly expressed concern for the people laid off for one week. There is cause for concern and reason to fear that more of the same may be in store in this region.

Although the textile industry long has been suffering general weakness in employment in the form of layoffs, overtime loss, curtailments and closing of some small, marginal plants, the drastic action by a major company brings home the full impact of the foreign imports problem faced by the industry, its workers and the region in which textile plants are concentrated.

The Stevens announcement noted that one of the primary causes for the shutdowns is "the continuing imports of synthetic fibers such as these plants produce."

This action by one of the nation's strongest textile companies ought to remove whatever doubts may have existed about the serious situation imposed on the industry by the unlimited flood of foreign imports into this country. There no longer is any excuse for Japan and other foreign countries to argue that the American textile industry has not been hurt.

At last report Japan continued to refuse any sort of voluntary agreement to limit the flood of Japaneses textiles into the United States. That makes negotiations with other foreign nations impossible.

The time clearly has come for legislation to deal with a situation which threatens to ruin an industry vital to a wide area of the United States. Senators and House members from the textile area now must mount a concerted effort for relief in the form of action by Congress.

The time has come for the President of the United States strongly to advocate passage of relief legislation. President Nixon's administration has tried hard for months to deal with the Japanese. Apparently all efforts to negotiate have failed. As a result Mr. Nixon now must go to Congress in order to redeem the written pledge made to the tex-

tile industry and its workers to relieve them of the intolerable burden of unmerciful foreign competition in the domestic market.

The stark fact is that the textile industry cannot endure without serious damage the twin burdens of the domestic economic slowdown and unlimited foreign competition.

The nation cannot afford to let the industry deteriorate, because it is too important to the Southeast and to the effort to help lift minority groups up the economic ladder

Rhetoric and maneuvering around no longer suffice. Concerted action by both the administration and Congress now becomes necessary.

THE NEED FOR A CONFERENCE ON THE POSTAL PAY BILL

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

Mr. DULSKI. Mr. Speaker, at 11 o'clock this morning I met with Senator McGEE in my office. I asked him to have a conference today. He was in agreement but stated he would have to clear it with his members.

The House conferees have been waiting to meet with the Senate conferees on H.R. 13000. As of this minute we have not heard from the other body.

The House passed H.R. 13000 in one version and the Senate in another. We must have a conference. So we are waiting right now to hear from the Senate conferees.

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

Mr. DULSKI. I am happy to yield to the gentleman from Ohio.

Mr. VANIK. Can the gentleman give any idea as to whether or not this conference can be had between now and sometime tomorrow? Is there any promise, or any idea?

Mr. DULSKI. We have been in constant contact with the Senator's office. All they told us was that it was heard on the radio that Senator McGEE has agreed to a conference. Since that time we have not heard directly in my committee from the other body.

Mr. VANIK. I must say to the gentleman it is quite a deplorable state of events when the whole country must wait for one person's pleasure in this matter. It seems to me we ought to do something about our parliamentary situation to avoid that kind of problem.

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

Mr. DULSKI. I am happy to yield to the gentleman from Illinois.

Mr. PUCINSKI. I should like to congratulate the gentleman in the well, the gentleman from New York (Mr. DULSKI), for the manner in which he has tried to resolve this problem. Not only did he bring H.R. 13000 to the floor last October, and give us an opportunity to vote on the bill, but I know he has been very diligent ever since in trying to get H.R. 13000 resolved and work it out in conference and get it to the President for his signature.

I believe we all owe the gentleman a debt of gratitude for the bill on which he has discharged his responsibility.

I do have a question. I am under the impression that the 5-day cooling off period to which the postal workers across this country—including Chicago, Washington, D.C., and all over the country—have agreed, began to run Monday morning.

It is going to be a breach of faith with those postal workers if we fail to send to the President by Friday, for the President's signature, a pay raise bill.

I have heard many postal workers say they will go back to work and they will resume their duties until Friday.

ADM. "TIP" TISDALE HAULS DOWN HIS FLAG

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

Mr. LEGGETT. Mr. Speaker, for more than 50 years the United States has had the benefit of the energy, courage, and patriotic leadership of Vice Adm. Mahlon S. "Tip" Tisdale—over 30 years as an outstanding naval officer and shipyard commandant, and over 20 years liaison between Washington and the communities surrounding Mare Island Naval Shipyard in California.

"Tip" formally retired at the end of last year and I take this time to call to the attention of the House his accomplished public service and announce that, next Tuesday, California will turn out for a suitable testimonial dinner.

No armchair naval officer, "Tip," a graduate of Annapolis, was in the thick of the fray during World War II. He was appointed to the Naval Academy in 1908 and graduated on June 7, 1912.

During World War II, he earned the following decorations: Navy Cross with gold star in lieu of second medal; Distinguished Service Medal for combat; Legion of Merit with gold stars in lieu of second and third award, awarded for duties in combat; Navy Unit Commendation Ribbon; Mexican Service Medal, for duty aboard SS *Salem;* Victory Medal, World War I for duty aboard SS *Birmingham;* Liberty Medal, World War I; American Defense Service Medal; American Campaign Medal; Asiatic-Pacific Campaign Medal with six stars; and World War II Victory Medal.

Adm. "Tip" Tisdale held the following commands before becoming commandant of Mare Island: April 1941, commandant of midshipmen of the Naval Academy; June 1942, commander, cruisers, Pacific Task Force 16; and January 1943, commander, destroyers, Pacific Fleet.

He held titles successively as commandant of Mare Island, January 28, 1944, later as commander of San Francisco Naval Base, and later as commander of Mare Island. During this period he not only commanded 40,000 of the best shipbuilders in the country, but managed a comparable private shipbuilding work force on San Francisco Bay.

In 1947, he retired with the rank of vice admiral after a very long and distinguished naval career. Not satisfied to retire, he undertook that year the formal representation of the armed services interests of Solano County in Washington, D.C.

He served with and was adviser to four U.S. Congressmen also representing the area and at least as many U.S. Senators.

At a time when one man, one vote was not the law and Solano County was a fledgling in its development, the strong guidance and support of Admiral Tisdale was critical.

When I came to Washington 8 years ago, I found it a real comfort to be greeted and educated in the Washington scheme by my good friend, "Tip" Tisdale. My predecessor, Congressman John Baldwin, I know found his services invaluable for many years.

Tip's leadership was essential to the development of Solano's many water projects including Monticello. The existing capability at Mare Island and Travis Air Force Base reflect his hard work.

In Washington, his many friends already miss his talents.

THE POSTAL STRIKE

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

Mr. GALLAGHER. Mr. Speaker, we are all, on both sides of the Hill, and certainly throughout the United States, concerned with the postal strike. I have a petition here on the desk that expresses the following viewpoint:

In view of the grave postal crisis which has paralyzed service throughout our country, and in consideration of the justifiable demands of American postal employees, we the undersigned Members of Congress do hereby urge an immediate convening of a conference committee to resolve the questions between the House and Senate versions of H.R. 13000 and proceed with dispatch toward resolving the pay increase of postal employees.

Mr. Speaker, what this petition does in reality is demonstrate confidence in the action that the House has already taken. Both sides have brought forth a bill, H.R. 13000, and the House of Representatives and the undersigned Members renew their confidence in what the committee has done and urge an immediate conference with the Senate so that we can proceed to some meaningful agreement, get the mails going, and start to meet the justifiable demands of the postal employees. I urge all Members to sign this petition.

THE FACTS ABOUT PRAYER IN SCHOOLS

(Mr. DON H. CLAUSEN asked and was given permisison to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DON H. CLAUSEN. Mr. Speaker, as we are well aware, there has been a great deal of conflict, controversy, and concern in recent years over the question of prayers and scripture reading in our public schools.

Reading through a copy of U.S. News & World Report last week, I ran across an articles written by Louis Cassels and distributed by United Press International, dealing with the legal aspects of prayer in schools.

Because I believe it represents a "breath of fresh air" on this entire question, I am inserting it in the CONGRESSIONAL RECORD with the thought that it may be of interest not only to my colleagues in Congress—but to concerned parents and school authorities everywhere. Certainly, it deserves the attention of all who read the RECORD:

THE FACTS ABOUT PRAYER IN SCHOOLS
(By Louis Cassels)

Few legal opinions have ever been more widely misinterpreted than those handed down by the U.S. Supreme Court concerning prayer and Bible reading in public schools.

Even among school authorities and journalists, who should know better, the idea persists that the Court "banned" prayer and Bible reading from public school classrooms. It did not.

All that it held unconstitutional was the formerly widespread practice of beginning each school day with a miniature worship service, which typically included a devotional reading from the Scriptures and unison recitation of the Lord's Prayer.

This practice, the Court said, infringed religious liberty and transgressed the line of separation between church and state drawn by the First Amendment to the Constitution.

In the Engel v. Vitale case of 1962, the Court held that a public school may not require the recitation of an officially sponsored prayer as part of a classroom religious exercise.

In Abington School District v. Schempp the following year, the Court said that a public school may not require the reading of a portion of the Bible or the recitation of the Lord's Prayer as part of a classroom religious exercise. That is all the Court has forbidden public schools to do.

The Court went out of its way to emphasize that there is no constitutional objection to any of the following activities in public schools:

Use of the Bible as a reference work for teaching secular subjects.

Study of the Bible for its literary and historic qualities.

Objective instruction in comparative religion.

Study of the history of religion and its role in the advancement of civilization.

Reciting historical documents, such as the Declaration of Independence, which contain reference to God.

Singing the National Anthem or patriotic hymns, which include the composers' profession of faith in God.

References to God in patriotic or ceremonial occasions.

Far from "banning" recognition of America's religious heritage, the Court went to unusual lengths to urge that public schools pay more systematic and effective attention to teaching about it.

"It might well be said that one's education is not complete without a study of comparative religion or the history of religion and its relationship to the advancement of civilization," the Court in Abington v. Schempp. "It certainly may be said that the Bible is worthy of study for its literary and historic qualities."

What about "voluntary" prayers in the schoolroom?

If they are the private prayers of an individual, or the group prayers of students meeting on their own time and of their own volition, they are clearly permissible under the terms of the Court rulings.

But if they are part of an official classroom exercise conducted under the aegis of an agent of the Government (the teacher), they would violate the spirit if not the letter of the Court rulings.

Some school districts have inaugurated periods of "silent mediation" in which students are free to pray privately, to think deep thoughts, or just stare out the window, as they see fit. This practice has thus far encountered no objection from federal courts.

Other school districts—a UPI survey last fall indicates the number is substantial and growing—are simply ignoring the Court rulings and going back to the old custom of classroom worship services. This is clearly a defiance of the law as interpreted by the highest court, but a local school may get away with it so long as no parent goes to court to challenge the practice.

Relatively few school districts have had the courage and imagination to teach about religion and the Bible in the objective, constitutional way recommended by the Court. Some school authorities use the Court rulings as an excuse for avoiding what they see as a ticklish and difficult task—a dodge that helps to perpetuate public misunderstanding of the rulings.

Others say that no suitable curriculum materials are available. But this is no longer true. Plenty of good textbooks and course outlines are now on the market.

Any school district or Parent-Teachers Association seriously interested in learning what can be done in public schools—what is being done successfully in some schools—can obtain detailed information from the Religious Instruction Association, Inc., 4001 Fairfield Avenue, Fort Wayne, Ind., 47807.

POSTAL PAY RAISES

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

Mr. BROWN of Ohio. Mr. Speaker, the postal workers have made their point. They want higher pay, improved working conditions, and better job opportunities.

The public has long made its demands known. It wants a more efficient mail service, devoid of the burdensome cycle of increasing postal deficits and rising postage rates.

The President, at the very outset of his administration, made his position clear by proposing comprehensive postal reform legislation designed to correct the recognized deficiencies of the Post Office and to provide sensible, proven, and businesslike means of improving the pay, advancement, and working conditions of postal workers.

Now it is up to Congress to act.

We have the means at hand.

While H.R. 4, as rewritten and approved by the House Post Office and Civil Service Committee does not speak to the question of needed pay raises for other classified Federal employees, it is a responsible answer to the demands of the public, the needs of the postal workers and the request of the administration in the issue of postal pay and postal reform. The matter of equitable pay for other Federal employees should be considered promptly, of course, or could be included.

H.R. 4 offers postal employees immediate pay hikes and provides them with the right to bargain collectively with management for future raises and other job benefits.

By removing the Post Office from the Cabinet and creating an independent Postal Service Authority, the mails will be freed from irrelevant, restrictive political considerations. This will permit the kind of employee participation, management effectiveness and financial flexibility essential for the successful operation and growth of this vital link in America's social and economic lifeline.

I ask the Congress to join with me in heeding the call of Americans from every walk of life—and from both political parties—for an efficient and economical postal system.

We need this postal pay-postal reform legislation, and we need it now.

I urge its swift approval.

JETS FOR ISRAEL

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

Mr. HALPERN. Mr. Speaker, the decision not to sell Israel 125 additional jets is tragic and shortsighted. It could only serve to further confuse a volatile situation. All Israel asks is to buy these planes; she is not looking for a handout.

For Israel is fighting for her very existence. It is a simple matter of survival. She has been forced to respond to Arab aggression and provocation with effective and persuasive strength. Deterrent force seems to be the only response the Arabs understand.

Therefore, I vigorously disagree with the administration's decision. I do not question the sincerity of its motivation, but I do seriously question the wisdom of it. Although Secretary Rogers emphasized, should Israel's offenses be suddenly threatened, the United States would promptly give Israel whatever jet aircraft it needed, I fear the failure to forthrightly meet Israel's request now seriously poses the question of miscalculation. And further, I feel the latest U.S. move is disappointing because it removes a national Israeli psychological impediment to Arab aggression.

True, the President reiterated that the United States understands and respects its obligation to Israel, but we have been hearing similar assurances from administrations for years. Yet in the showdown, we get repeated asusrances, not actual deeds.

Experience after experience leads us to skepticism that Russia will deescalate its arms shipments as a result of this new policy. It is too much to even anticipate that the Arabs will see this move as a sincere U.S. determination for peace. And it would be pure wishful thinking that Egypt will see the folly of armed atttack. And what are the realities? The first replies to the President's pronouncement have been predictably hostile.

I appeal to the administration to immediately reconsider its decision, and, short of that, I fervently trust that it keeps a constant vigil and be ready to reverse its decision on very, very short notice.

It is vital to point out, Mr. Speaker, that only three countries produce the types of fighter jets Israel needs—Russia, France, and the United States. Israel, in effect, has no choice but to look to its friend, America, since the other two countries are supplying the Arabs.

Here is a State, Israel, our only real friend in that part of the world, defending itself as well as the cause of freedom against Soviet expansionism.

The Soviet shipment of Sam-3 missiles to Egypt; the French sale of 110 Mirage jets to Libya and the arrival of Soviet military units in Egypt to man the new weapons systems—all require a tangible response from our Government.

Our friends must be reassured. Our enemies must not miscalculate. The President must reconsider this interim decision then, so that the Arabs will not interpret it as a softening of U.S. resolve to stand firmly behind Israel.

THE QUALIFICATIONS OF JUDGE CARSWELL

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Massachusetts (Mr. HARRINGTON) is recognized for 60 minutes.

Mr. HARRINGTON. Mr. Speaker, I address myself today to the nomination of Judge Harrold Carswell to the Supreme Court of the United States.

I fully understand that it is the senior body, the Senate, which will vote to approve or disapprove this nomination of President Nixon, and I recognize that it is an unusual step to take the floor of this body to urge action by the Senate.

But the issue of Judge Carswell's nomination is of transcending importance.

The implications of Judge Carswell's nomination are too broad to be narrowly viewed as the prerogative only of the President to nominate and the Senate to confirm.

At stake is national policy. At stake is the shape of our society. At stake is the ongoing effort of this country to redress the imbalance in which we have held so many of our black citizens for so long.

This nomination is of national significance. Full appreciation of that fact is now developing across the land, and Members of Congress of both parties and both Houses, as well as citizens throughout the country, must ponder and debate the meaning of the Carswell nomination. Whether we have a vote or not on this nomination is only peripherally important; we all share in the consequences of this nomination.

For that reason, I address the House of Representatives, seeking your attention, your involvement, and your commitment to the defeat of Judge Carswell's nomination.

Mr. Speaker, we must view the Carswell nomination in the context of our times.

Over the past two decades the Supreme Court has played an extraordinary role in shaping American society. That role itself assigns the weight of nomination to the Supreme Court. Beginning with Brown against the Board of Education in 1954, the Supreme Court has rendered benchmark decisions which have given a full dimension to the judicial branch of our Government in architecting governmental response to the needs of our times and to the inequities of the past.

The Supreme Court has, in effect, become the pivotal instrument in the Nation seeking to correct the discrepancy between our stated principles and the facts of life in the United States, a discrepancy which has characterized the treatment of our sizable black minority to a point where despair, frustration, and discontent are justifiably manifest.

That the Congress has been unable to exercise leadership in the field of civil rights is unfortunate, but a fact well known for reasons which are evident.

Now the executive branch under President Nixon is also defaulting in this area. Its efforts to lower its profile in the field of civil rights have virtually destroyed whatever nominal expectations black and white citizens might have had that an equitable society was the goal of the administration.

Only the courts, and especially the Supreme Court, remain sensitive to and responsive to the need for a continued effort to reduce the inequities of American life.

With the Carswell nomination, integrity even in that branch of Government is jeopardized. And quite to the contrary of the expressed intention of the young Nixon administration when the President spoke eloquently of bringing the Nation together, this nomination of a judge whose record shows consistent imbalance, whose scales of justice have been unequally weighted, whose vision of the law has indeed been black and white—this nomination does more to permanently polarize the Nation than any other single act which could be entertained.

Certainly in making these remarks I do not suggest that the President's authority to select nominees to the Supreme Court should be compromised. Neither geographic considerations nor philosophic differences are grounds for criticism. It is in keeping with our tradition that the President should select nominees attuned to his policies. But it is in terms of quality and in terms of fairness to those citizens who come before the bench that Judge Carswell lacks distinction and lacks the stature which would merit his approval.

And this is not a time when the facts of life should be covertly denied. Members of the highest court in the land should be at ease in recognizing the strong obligations of American courts to meet the expectations of our citizens—all of them—that they are entitled to equal justice. Judge Carswell's record does not lead one to that expectation.

At best he is insensitive. But that may not be all.

There is little in his record to suggest that he has the unique capacity for enlightened judgment which should describe our Supreme Court Justices. Rather to the contrary, discussion both before the Senate Judiciary Committee and in the Senate by my distinguished colleagues from Massachusetts, Senator KENNEDY and Senator BROOKE, both indicate that neither in Judge Carswell's private life nor in his capacity as a judge has he demonstrated the caliber of personality nor the wisdom which the Nation has a right to expect of a Supreme Court nominee.

Mr. Speaker, Judge Carswell has been nominated to fill the very seat occupied by Mr. Justice Holmes for more than 30 years and before him occupied by a succession of great New England jurists. Needless to say, I do not claim this seat for my State, but I do claim it for scholarship and wisdom, for judgment and gentleness, for quality and relevance, and for the highest aspirations of the Republic.

I respectfully urge my distinguished colleagues of the Senate to reject the nomination of Judge Carswell.

I repeat that this is a matter of transcending importance, and it is for that reason that I have taken the liberty of discussing a matter which normally is a sole concern of the Senate.

It is for this reason that many concerned Members of the House from different parts of the country—and who are, I think I can say, safely bipartisan in background so far as their political philosophy is concerned—will join today with those of us who have taken special orders to indicate their disapproval of the proposed nomination.

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

Mr. HARRINGTON. I yield to the gentleman.

Mr. JACOBS. Mr. Speaker, I would just like to assure the gentleman that so far as the propriety of the gentleman's discussion is concerned that on a number of occasions during the 5 years that I have served in the House of Representatives, many Members of this body have taken the floor to comment upon the activities of Members of the U.S. Supreme Court. So, the gentleman's action today, and of others who will speak today, certainly is not unprecedented.

Mr. Speaker, I commend the gentleman for entering into this discussion and for making what obviously is a very dispassionate and enlightened contribution to the national knowledge concerning this very vital problem.

Mr. HARRINGTON. I would ask the gentleman from Indiana: Does he agree with me in general that there is a legitimate reason for concern that the strides made in the area of improving the racial problems that beset our country and in general in the recognition of these problems through these distinguished bipartisan commissions on national disaster would best be served by the Senate rejection of Justice Carswell in view of the polarization which is spoken of so often and rhetorically dealt with?

Mr. JACOBS. I agree with the gentleman and I concur in his judgment completely.

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

Mr. HARRINGTON. I yield to the gentleman.

Mr. KOCH. Mr. Speaker, I want to associate myself with the gentleman's remarks in every way. I think those people who have said the President is entitled to make his own choice in this matter have approached this in a rather simplistic way. Indeed, he does have the right to submit names to the Senate for its advice and consent that is the nature of the constitutional requirement. There

is the requirement that the Senate consent to the nomination so the President does not have an absolute right in this area. Therefore, it becomes very important that the background of the man whose name has been submitted be the subject of great review. I am very pleased that the Senate is taking the time to do this.

What we are seeing, as a result of the review now taking place, is that the man whose name has been submitted for confirmation can at best be described as mediocre.

I know that one Senator has said that what the Court needs is a "mediocre" lawyer to give it balance. It is an insult to the people of this country that any Senator should suggest that they deserve no better. And I think that even his own constituents will find the Senator's comment very offensive.

But irrespective of the judgment of that gentleman from the other body, I do believe that the Supreme Court ought to have sitting on it a man of the highest integrity and caliber, a man whose brilliance shines like a jewel. Because after all, it is the Supreme Court which is the arbiter of what the law finally is. It is those Justices who are going to make the decision as to whether or not this body, the other body, and the Chief Executive are in fact complying with all constitutional requirements. I think it is of the utmost importance that we inquire into the philosophy and ethics of the gentleman whose name has been submitted to the Senate for its approval.

We recognize the fact that there are those who say, "Well, there have been people"—and they point to a distinguished sitting Justice of the Supreme Court as their example—"who have in their background some history of racial intolerance and yet gone on to establish their freedom from such bigotry." We know that Mr. Justice Black has served with great distinction and his judicial decisions have been exemplary in every field, including those dealing with racial problems.

The difference between Justice Black and Judge Carswell is that there was a real change in philosophy by Justice Black prior to his nomination to the Court. Unfortunately, there has not been any evidence, adduced in the Senate hearings, showing that Judge Carswell has changed his point of view, especially in light of the remarks and recent decisions he has made on the subject of racial equality.

I can readily understand when someone, by virtue of where he was born or the family he was brought up in, acquires biases; for, after all, we are greatly affected by such upbringing, and we carry those prejudices with us. Few, if any, are free of prejudice. But the real question is, Are you able to overcome it? It is possible by experience and dispassion to overcome emotions of prejudice which might otherwise govern one's outlook on race.

In the case of Judge Carswell, he has not demonstrated that dispassion. When we look at his credentials we must examine his philosophy and approach to racial equality. How does he stand? After all, what is the major problem facing this country? It is racial intolerance. Has he demonstrated that he is fit to sit on that bench and decide cases, so many of which will involve racial discrimination? I say he has not.

On another aspect, I must say that as an attorney, I believe we are entitled to someone whom attorneys and jurists can look to with pride and say, "We come before this man knowing he has the mind, the ability, and the judicial temperament to sit in judgment." Judge Carswell certainly does not have those attributes. If you just look at the records on appeal of his many decisions, you will find he has been reversed so many times it gives a lawyer pause to think that someone so lacking in judicial excellence might sit on the bench reviewing or deciding the most important cases in this country.

For those reasons I agree with the gentleman from Massachusetts, and I think the nominee, Judge Harrold Carswell, ought not be confirmed by the Senate.

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

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

Mr. GROSS. The gentleman from New York (Mr. KOCH) referred to someone unnamed, an unidentified Member of the other body, as having commented on the Carswell nomination. I wonder if this could by any chance be one of those Members of the other body who has owned and lived on property in Maryland, while a Member of the other body, which was subject to a racial covenant relating to the buying and selling of that property. Would that be possible?

Mr. KOCH. I have no idea as to who is being inquired about by the gentleman from Iowa.

Mr. GROSS. I have no idea of the background of the gentleman that the gentleman from New York was referring to either. I was trying to find out if they were practicing hypocrisy. I cannot believe that a Member of the other body would be hypocritical in their opposition to Carswell.

Mr. KOCH. If I understand the gentleman correctly, you are now inquiring about a Member of the other body who is attacking the credentials of Judge Carswell. Is that your question? I gather it is, and I must say to the gentleman I am not here to sit in judgment on Members of the other body. Those Senators are not being nominated for the Supreme Court. I am here stating my opinion with respect to a gentleman whose name has been submitted by the President for office in the Highest Court of this land. It is his credentials that are subject to scrutiny, not those of some Member of the Senate.

Mr. GROSS. The gentleman referred to a Member of the other body who, he said, had made some comment——

Mr. KOCH. To his own constituency and the country.

Mr. GROSS. In criticism of Mr. Carswell.

Mr. KOCH. I had reference to a gentleman in the other body who has referred to the need for including mediocrity on the Supreme Court bench. I have a much higher regard for the intellectual desires of the country and I believe that it is the responsibility of the President and the Senate to provide the Nation with Justices of the highest caliber and not try to achieve mediocrity.

Mr. HARRINGTON. I thank the gentleman from New York. I can only concur in what he has said about the agreement which I believe is universal among those of us here this afternoon that the President should and does have the right to submit nominees of his own persuasion.

What we are interested in doing this afternoon is to demonstrate our concern that the nominee before the Senate today for confirmation is not a nominee who meets those very high standards and high tests which should characterize nomination to the High Court.

I believe the purpose here in our dialog is to attempt to broaden the awareness on the part of the public that this appointment could dramatically alter—over the course of the next generation—many of the benchmark decisions since the middle 1950's.

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

Mr. HARRINGTON. Yes, sir.

Mr. GROSS. Was the gentleman a member of the Massachusetts Legislature?

Mr. HARRINGTON. Yes, I was.

Mr. GROSS. Did not the Massachusetts Legislature send down an endorsement—or at least some portion of the Massachusetts Legislature—send down an endorsement of a nominee by the name of Mr. Morrissey?

Mr. HARRINGTON. The Massachusetts Legislature, I believe, in 1965 by a resolution endorsed the nomination of Justice Morrissey to the Court. There were many abstentions and many voted "present." There were two voting "nay," and I was one of those voting "nay" at that time as a member of that body.

Mr. GROSS. I appreciate the gentleman's response and commend him for having voted "nay."

Mr. HARRINGTON. Thank you.

I now yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Speaker, I want to join in the commendations of those who have expressed their appreciation for the gentleman from Massachusetts taking this time to begin this inquiry, which I think is a very appropriate matter for the House.

I, myself, have testified before the Senate on this matter and I have joined in with the gentleman and others in a special order of my own to follow directly afterward.

I think that we are now in the process of noting—and I doubt if it can be denied by anyone—that there is increasing opposition to the nomination of Judge Carswell both inside and outside of the U.S. Senate. As a matter of fact, this began some several months ago and was considered to be a very futile attempt to block a nomination, since it is so rare, historically, for two Presidential nominations to be turned down one after another. There, thus, was a great deal of skepticism expressed as to whether or not there would be the ability on the part of those who felt that Mr. Carswell should not be confirmed to mount that kind of

effort. Now we find that there are a great many Senators who have announced only very recently that they will not confirm. I was advised only this afternoon that both Senators from Missouri, for example, have announced their intention not to vote for confirmation of Mr. Carswell. Others are no doubt going through some agonizing reappraisals of their original positions, and it seems to me that the gentleman in the well and the discussion of others here today on the floor of the House is certainly contributory toward those Members in the Senate who are interested in the views of the Members of the House here who are their colleagues. They are also certainly interested in the expressions that we bring not only from the legal ranks and the ranks of lawyers and judges but from the American people as well.

Mr. Speaker, I might take this opportunity to note that it is certainly a bipartisan effort, as the gentleman indicated. There are aspects of this nomination that certainly go far beyond any considerations of partisanship. As a matter of fact, I think one of the things that has been characteristic about the objections that have been presented against Mr. Carswell is the fact that they have cut across party lines; they know no regional distinctions; they are not relegated to any particular class or segment of the American public. So I think this discussion here further underlines the feeling which, in my judgment, must surely be that of a great number of Americans. I have no polls to show you that this is the position of the majority of Americans, but it is certainly clear that there have been very few nominations that have resulted in the widespread reaction against a nominee which has been engendered in the nomination of Mr. Carswell.

And so after hearing the statements of the Members who have joined with the gentleman in the well and the gentleman's own very excellent initial statement I am very indebted to the gentleman for the excellent presentation that he has made.

I want to note here that these are not emotional kinds of statements that have been made on the floor today. I think they are tempered, they are well reasoned, they are sound and they are fair not only to the administration and the President but to the appointee himself. I think that these evaluations and assessments have been outstanding for their lack of bias or vindictiveness that might easily have become attached to a matter of this nature.

Again I thank the gentleman. I hope that other Members will see fit under the leave to extend that the gentleman has secured today, to take the opportunity to indicate their position on the nomination of Judge Carswell.

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

Mr. HARRINGTON. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Speaker, I just want to say to the gentleman from Massachusetts that I am not sure that anything that is said here will have very much effect on the other body. But it seems to me that the defense that was made of Judge Carswell that he might be a mediocre man and that there are a lot of mediocre people that need representation is about as stupid a statement as I have heard in the 21 years that I have been down here.

I have received some telegrams from my district asking me to vote against Judge Carswell. Of course there are a lot of people in this country who do not realize that the House of Representatives does not pass on these appointments. But I have no hesitancy in saying that I would vote against Judge Carswell if I were in the other body mainly because of his mediocrity because I just think he is extremely mediocre and he does not have very much ability. And in these days we need people with a great deal of ability to serve on the Supreme Court.

I have no objection to the President appointing a southerner. As a matter of fact he did not ask me for any recommendations, but had he done so I might have suggested our former colleague from South Carolina, Bob Hemphill, who was an exceedingly useful Member of this body in my opinion and who was not I would say a knee-jerk conservative and who was not a knee-jerk liberal. He voted on the issues as he saw them in the light of his understanding and I suspect also in the light of the section from which he came. But I found him to be very broadminded and I thought with a great deal of temperament to make a good judge and a fair and honest one. He had a sense of humor, and of all things that it seems to me one needs.

So the field is wide open as far as getting a southerner to serve on the Court. You do not need to look for the one that has the least ability. I am not saying the President did this, but it seems to me that if he had set out to find one with the very least ability he could not have made a better selection than he did.

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

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

Mr. LOWENSTEIN. Mr. Speaker, I do not want the moment to pass without observing how pleased I am to find myself on the same side of a question as my friend, the gentleman from Ohio. It is something I was sure would happen sooner or later, but who could have guessed Judge Carswell would produce it.

I appreciate his suggestion that the most effective defense of the appointment of Judge Carswell might not be to tout his mediocrity, but that raises the problem of what would be the most effective defense, if for some reason one were obliged to defend it.

I also agree with the gentleman from Ohio that very competent and able people are available in the South for appointments of such eminence and importance. We could compile a very distinguished list of southern jurists and lawyers who, whatever their viewpoint on specific legal or political questions, have accepted the law of the land on the question of race, and who have lived as equals, happily, with their neighbors of all races, men who would add to the prestige and effectiveness of the court immeasurably.

As I suggested earlier today, it is a great error to defend the appointment of a man who is not qualified by claiming you are eager to bring "balance" to the court. I think it is that confusion that led to Senator HRUSKA's contribution to the discussion.

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

Mr. HARRINGTON. I yield to the gentleman.

Mr. HAYS. I hope that the gentleman from New York in saying that he is joined with me is not trying to hurt me in my primary campaign. I trust his motives are of the best. He and I do not always find ourselves on the same side of every issue. But since one of the newspapers the other day said that I am unpredictable, I guess my constituents would find me on whatever side of an issue I really believe in.

I think I can defend myself, if I am attacked because I am on the same side as the gentleman on this particular issue.

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

Mr. HARRINGTON. I yield to the gentleman.

Mr. LOWENSTEIN. I will make a deal with the gentleman—I will not campaign for him if he will not campaign for me. But I thought I had been told that he is not opposed in the primary or in the election.

Then I was misinformed. But I am still delighted to join the gentleman in showing what diversified points of view agree that the appointment of Judge Carswell should be rejected.

For once the President really has brought us together. That may be the most hopeful result of the whole Carswell affair.

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

Mr. HARRINGTON. I yield to the gentleman.

Mr. PUCINSKI. Mr. Speaker, I would like to join my colleagues and the gentleman in the well in bringing this matter before the House today.

I believe that while we cannot have any particular impact or perhaps influence on the final outcome because it is not within our purview, perhaps it is wise to point out that so many Americans still look upon the Supreme Court as an adjunct of government rather than as a coequal branch of Government.

I think many Americans overlook the fact that this great Republic is governed by three separate and coequal branches. We, in the legislative, the President in the executive, and the Supreme Court in the judicial branch.

When one reflects that the Supreme Court has nine men who within their power and the Constitution have as great an impact, if not greater, on the affairs of this Nation as do both the executive branch and the legislative branch, you then—and only then—capture the scope of the importance and the enormity of the decision in appointing a Supreme Court Justice.

For here indeed are nine men who

can by a split decision or by a unanimous decision alter the very course of the history of this country.

When you view the Supreme Court in perspective, of being a coequal branch of government having coequal rights to the executive and to the legislative, you then are struck with the reality that the members of that body ought to be men of exceptional and outstanding and even extraordinary ability.

It would appear that the President of the United States would seek as appointees to that body an individual of such extraordinary ability and talent that there would be no question and that he would be sustained and the appointment would be approved by the Senate of the United States unanimously.

The bitter debate that is now going on in the other body where perhaps at this point in time that body is almost evenly divided as to whether or not Justice Carswell should be appointed to the Supreme Court will reflect upon the validity of the decision of that Court for generations to come. For, indeed, that appointment is a lifetime appointment and long after many of us in this Chamber are gone and long after many Senators are gone, Judge Carswell may still be on that bench.

I am not at all impressed by the statement made by one of his supporters that whatever deficiencies he may have now, he will grow on the job. What a mockery of our Constitution to suggest that the Supreme Court of the United States, a coequal branch of the Government, is going to provide on-the-job training for Supreme Court Judges. So it does not make much difference as to whether or not he is an integrationist or a racist, or whether he is a liberal or whether he is a conservative, or whether he is for this or for that. It seems to me the other Chamber has the responsibilty of saying this particular candidate fits into the mold of having such extraordinary qualifications that there cannot be any doubt in the minds of 100 Senators or 200 million Americans whether he deserves to be on that bench. That is the test, in my judgment, and it seems to me on the basis of the debate we have seen unfolding before this country in the last couple of weeks and the debate now going on in the other body, one cannot help but conclude that, regardless of what his political views may be, he just does not have the qualifications in terms of stature, judgment, and experience to become one of nine men—nine men—in whose hands lies the equal power of the future of this Republic. That is what I think it all boils down to.

I congratulate my colleague for taking the time today to give the Members of the House an opportunity to express themselves.

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

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

Mr. CONYERS. Of course, we frequently end up on the same side, so I am happy to see us in agreement, and I hope the gentleman's very powerful statement will have an impact on some citizens, who in turn may have an impact upon some U.S. Senators, who in turn may cast the deciding vote that will determine the outcome of a question that is certainly of as great importance as the gentleman suggests.

However, the gentleman pointed out that it made no difference to him whether Mr. Carswell was an integrationist or a segregationist, and on that point I perhaps feel constrained to add a comment or two. Perhaps it does make a difference whether a person moving toward the highest judicial court in this country is a segregationist or not. I feel that perhaps that is one of the great pressing issues that concerns a great number of people in this land, that is, whether or not G. Harrold Carswell is presently a segregationist.

It is my view, having tried to dispassionately review his record, that unfortunately his background, his segregationist and racist statements and activities, lead me to no other conclusion—and I think many fair people have reached the same opinion—that his background is of such a segregationist nature that it would be impossible on those grounds alone, assuming that there were questions of qualification, for us to ask those distinguished Members of the other body to affirmatively pass upon his nomination.

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

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

Mr. PUCINSKI. I am grateful to my colleague from Michigan for calling that particular expression to my attention. Surely it does make a difference. It makes a difference to all of us. I wanted to say—and if the record is not clear, I want to make it clear now—that I would not be prone necessarily to give a candidate for the Supreme Court some sort of political test. I would hope that we could find qualified citizens in this country who would be men or women of such stature, such outstanding ability, and such outstanding objectivity that the questions whether or not a nominee is a segregationist or an integrationist would never even enter the discussion.

What we want is someone who is capable of sitting on that bench as one of nine important members who share in that particular branch of Government the coequal rights of the President of the United States and the Congress of the United States. That is the point I was trying to make. I appreciate my colleague's calling the matter to my attention.

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

Mr. HARRINGTON. I yield to the gentleman from Ohio.

Mr. DEVINE. I thank the gentleman from Massachusetts for yielding.

Up until only a moment ago it was my understanding that the advice and consent of the other body was what was necessary in approving Justices for the U.S. Supreme Court. I came into this Chamber from a committee meeting upstairs, and I find some of my colleagues here deploring the nomination of Judge Carswell as a proposed Justice for the U.S. Supreme Court.

It seems to me we have lost sight of the function of these two bodies, the House and the Senate. The gentleman from Illinois has become an expert on all subjects. He is up every day on something or other, and he is up again on this particular one. It seems to me we are not now functioning as the United States. If a man comes from the South, he cannot be considered as coming from the United States, and he has to be approved by the National Association of Colored People and George Meany. If he is otherwise, he is just not acceptable.

It seems to me we have to have a balanced Supreme Court. As long as the gentlemen on the other side think it is up to them to advise and consent to the nomination made by the President, it does seem to me that Judge Carswell is entitled and is qualified to sit on the Supreme Court, particularly with some of those now on the Court.

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

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

Mr. LOWENSTEIN. I want to bring to the attention of the House, and hopefully the country, a number of facts that have been obscured by much of the oratory on the appointment of Judge Carswell to the Supreme Court.

First, I want to insert in the RECORD a telegram from Neal P. Rutledge, a well-known Florida attorney who is the son of former Supreme Court Justice Wiley Rutledge. I put this in the RECORD because it relates to the important issue of Judge Carswell's record on race relations. Mr. Rutledge writes:

MIAMI, FLA.

During late 1955 and early 1956 I lived a great part of the time in Tallahassee, Florida, in connection with the trial of *Seaboard Machinery Corp. vs. Bethlehem Steel Co.* in the U.S. District Court there. It was common knowledge in the community there at that time, and especially among members of the Bar, that the dominant motive for transferring the operation of the Tallahassee Golf Club from public to private club auspices was to prevent racial integration of the facilities. The overwhelming sentiment of the white Tallahassee community at that time was to preserve Jim Crow racial segregation as a way of life, particularly in hotels, restaurants, places of social gatherings, and the like. It is impossible for me to believe that any prominent member of the Tallahassee community at that time, such as then United States Attorney Carswell, was not fully aware of both this general, almost universal sentiment prevailing among the white citizens of Tallahassee in 1956 and the specific dominant motive for leasing the Municipal Golf Club to a private group.

Sincerely,

NEAL P. RUTLEDGE.

We thus have the testimony of a distinguished Florida attorney and son of a former Supreme Court Justice that as late as 1956—not 20-odd years ago—this gentleman who is seeking a place on the Supreme Court was involved in an effort to prevent racial desegregation of a golf club.

I also want to record the fact that two other prominent attorneys from Judge Carswell's home State—William R. Colson, immediate past president of the American Association of Trial Lawyers,

and Allen Milledge, president of the Harvard Law School alumni in Florida—have authorized me to announce their opposition to the confirmation of Judge Carswell. I have also received a report that three-fourths of the members of the Florida State University Law School have announced their opposition to his confirmation.

Mr. Speaker, I mention these things specifically to show that this is not a matter of regional opposition to the appointment of a southern judge. Indeed, what we are challenging, among other things, is the notion that Judge Carswell is representative of southern legal talent.

The South—black and white—has furnished more than its share of the country's great political and legal figures, a proud company that includes some of the wisest and fairest Justices who have ever sat on the Supreme Court. As the debate over the Carswell appointment goes on, more and more outstanding southern members of the legal profession are making it clear that they do not share the President's notion that Judge Carswell is a fitting representative of the southern bar, deserving as such a seat on the Supreme Court.

These distinguished lawyers from Judge Carswell's own State are not opposing him because he is a southerner or a conservative, but because of his record on the racial question and the quality of his work in the course of his public career.

I would like to stress that I think conservatives do themselves an injustice when they imply that there is some connection between the views they hold—respectable and proper views on many important questions—and the views of Judge Carswell that are in question. It is not Judge Carswell the conservative but Judge Carswell the segregationist, the supporter of white rule, that we question. I am sure that most conservatives in the United States would reject these views. I cannot believe they would want someone filling a seat on the Supreme Court who has been unwilling to accept the equality of the races as basic to the law of this country and to the way we live together as a free people. That is the Carswell question, insofar as his views are the question at all.

What is at issue, of course, is not whether Judge Carswell is a conservative or a "strict constructionist," or a southerner. The problem with Judge Carswell has to do with his qualifications and with the deeply troubled state of the Nation, a situation in which we need to work to regain respect for the law. In times like these, can it seriously be contended that we should put someone on the court who does not have the respect of a large number of our black citizens because of his behavior during his long public career, on and off the bench.

As far as his record as a jurist is concerned, I want to put in the RECORD an editorial from the Washington Post entitled "Judge Carswell: A Look at the Reversal Record." I recommend that it be studied very carefully.

I might add an observation about the problem now facing Senator GURNEY, who relied on inaccurate research in his defense of Judge Carswell the other day.

As Members may know, Senator GURNEY had taken the position that Judge Carswell's record of reversal by higher courts was really rather exceptional instead of rather dismal, as charged by critics. I hope he will have an opportunity to study the Post editorial, which contains a very careful compilation of that record, and I hope he will then realize that his defense of Judge Carswell was based on flimsy and misleading research. Perhaps this realization will even lead Senator GURNEY to join the opposition to Judge Carswell's appointment.

The editorial reads as follows:

JUDGE CARSWELL: A LOOK AT THE REVERSAL RECORD

There has been a lot of talk in the Senate in recent days about Judge Carswell's 11 years of service as a federal trial judge and how well that fits him or does not fit him for service on the Supreme Court. Those opposed to his confirmation point to the rate at which his decisions have been reversed as a demonstration that he is, at best, a run-of-the-mill judge. Those who support confirmation claim that the reversal rate presents a "distorted and unreal" picture. "Like so many of the charges against him (this one) dissolves when exposed to the light of day," Senator Gurney said the other day, claiming that the judge has been reversed in only 33 out of the more than 2,000 civil cases he has handled and in only eight out of more than 2,500 criminal cases.

These figures are totally irrelevant, not to say blatant distortions.

The numbers of 2,000 and 2,500 represent all the cases filed in Judge Carswell's court and only about 15 per cent of these ever went to trial. What matters is what the Court of Appeals thought of the far smaller number of decisions it actually had an opportunity to review. There are fewer than 200 of these, according to the reports of the Fifth Circuit Court of Appeals, but no one has produced a list of all of them. Compiling such a list is difficult since the cases are spread over tens of volumes of law books. But we have looked at all those we could find in the reports of the Fifth Circuit since July 1, 1964 and report the following concerning the record of the last half of his trial judge experience:

In criminal cases, Judge Carswell was upheld in 21 of 25 decisions, an affirmance rate of 84 per cent. All the other judges in his circuit were upheld 81 per cent of the time during the last five fiscal years.

In civil cases, Judge Carswell was upheld in 18 of 53 cases, an affirmance rate of 34 per cent. All the other trial judges in his circuit were upheld 72 per cent of the time.

In habeas corpus and similar cases, included in the civil category above because the courts list them that way, Judge Carswell was upheld in 5 out of 15 decisions, an affirmance rate of 33 per cent. All the other judges in Florida were upheld in 67 per cent of these cases during this period.

In the other civil cases—the disputes over contracts, accidents, and so on that are the bread and butter of the federal courts—Judge Carswell was upheld in 13 of 39 cases, a rate of 33 per cent. The other judges in the South have a batting average in such cases of about 75 per cent.

The key that may explain this record seems to lie in the reputation Judge Carswell has among some lawyers of not wanting to try cases. Each habeas corpus reversal came because he denied a petition without a hearing. More than half of all the other reversals in civil cases came because he granted pre-trial motions to dismiss, or for summary judgment, in situations which the Court of Appeals said required trials. It seems remarkable, for instance, that he was reversed several times over several years in negligence cases involving such things as auto accidents, a swimming pool accident, and a boat collision. These are cases in which the facts almost always determine the outcome and the law is clear that disputed facts cannot be resolved in summary judgments.

Judge Carswell's inclination to dispose of cases summarily does help clear court dockets when he is right. But it also helps clog them when he is wrong. And it seems that those who believe a jury ought to decide the facts must pay the costs of an appeal to win a reversal and a trial. The desire of a judge to be bold and to dispose of cases without trial might be understandable if he presided over an extremely busy docket. However, the caseload in Judge Carswell's court was regularly below the average per judge in his circuit and after 1962 was the lowest per judge in that circuit.

This record is not what could be called a good one. It is not, we suspect, even mediocre, as Senator Hruska would say. Nor can it be explained away, as some of the judge's supporters would have us believe, by arguments about the cases that were not appealed, about laws or court interpretations that had been changed in midstream, or about partial reversals. Among the 35 reversals in civil cases, three were partial, and no more than half a dozen came because of intervening court decisions and new issues of law. The others were decisions by the Court of Appeals that Judge Carswell was simply wrong—wrong 12 times because he ruled without hearing the facts. What all this means, it seems to us, is that the claim that Judge Carswell has been "an outstanding federal judge," to use Senator Gurney's words, evaporates when it is exposed to careful scrutinity.

Mr. Speaker, I suppose the best excuse for the Carswell appointment was provided by Senator HRUSKA when he said that mediocrity should be given its due, even on the highest court in the land. No doubt this seemed a sensible approach for Senator HRUSKA to have taken since it avoids the difficulty of denying facts that are difficult to deny, and even seeks to make virtues of them.

Senator GURNEY's awkward situation shows what happens if instead you attempt to deny what is plainly true.

If we are indeed looking for a judge of mediocre mind and backward outlook, clearly the Carswell appointment is a triumph. One should look no further.

We are all indebted to the gentleman from Massachusetts for beginning this discussion in a spirit that can only contribute to an intelligent appraisal of the issues.

I thank the gentleman for the opportunity to enter some of my thoughts at this time. I will join the discussion again later.

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

Mr. HARRINGTON. I yield to the gentleman from Indiana.

Mr. JACOBS. Mr. Speaker, I would like to quote from the President's inaugural address in which he said:

No man can be fully free while his neighbor is not. To go forward at all is to go forward together.

This means black and white together, as one Nation, not two. The laws have caught up with our conscience. What remains is to

give life to what is in the law; to ensure at last that as all are born equal in dignity before God, all are born equal in dignity before man.

On November 6, 1968, the President said:

I saw many signs in this campaign. The one that touched me the most was one that I saw in Desher, Ohio, at the end of a long day of whistle stopping. A little town. I suppose five times the population was there. In the dusk it was almost impossible to see, but a teenager held up a sign, "Bring us together." And that will be the great objective of this Administration.

Mr. Speaker, the term "segregation" does not mean "bring us together."

In my judgment, nominations, particularly in this case, speak much louder than words.

I would hope that if the American people are fortunate enough to follow the tradition of statesmanship in this country—the tradition of Washington, Franklin, Hamilton, Jefferson, Madison, Jay, and indeed Abraham Lincoln and all the others—and if the people of this Nation should be fortunate enough in the coming weeks to have one more opportunity to follow that great tradition and reject the suggestion that mediocrity should be represented at the highest councils of our country, the President might well follow the suggestion of the gentleman from Ohio a few moments ago.

If the President feels that it is proper—and it is quite proper for the President to feel that—to nominate a jurist from the southern part of our country, believing as I do that it is one country, perhaps he will look further into the qualifications, and think of the qualifications, for example, of a gentleman who is a Member of this body, and probably constitutionally ineligible for such an appointment because of his membership in this body at this time, the Honorable RICHARD POFF of Virginia, who is indeed a conservative, who is indeed a southerner, but who also indeed is a human being of high quality, of objectivity, of impeccable intellectual honesty, and who above all is a gentleman who believes in human rights.

I am sure in making such a nomination the President and the Government should appeal to the best in Americans, not the worst in Americans.

I do not believe any Member of this body is unmindful of the fact that in the past 3 or 4 or 5 years there has been a faltering and a retreat from the ideals that all of us in our Sunday oratory or in our inaugural speeches—those of us given the privilege to make them—would pay tribute to. There has been a retreat from that kind of idealism.

There has been a retreat among blacks in the face of segregationist statements made by certain blacks in this country. There has been a hesitancy among certain blacks to speak up and say, "We still believe we are one. There is a dream of one America."

There is a hesitancy among whites also to speak up and say, "There is still more good and more idealism in America than much of the officialdom of America is presuming at this time."

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

Mr. HARRINGTON. I yield to the gentleman from Indiana.

Mr. LANDGREBE. I thank the gentleman.

Mr. Speaker, it is Holy Week. We have had some good advice coming down through the ages, such as "Judge not, and ye shall not be judged" and also something about speaking well of people, of our fellowmen.

Now, there are times when we Members of this House of Representatives have to make decisions; we have to choose; we have to judge. However, this does not happen to be one of those instances. We are here engaged in destroying a man whom we have no direct obligation to judge or destroy or to build up. The confirmation of Mr. Carswell is the business of the Senate.

There has been a good bit said here about Mr. Carswell. I have not met this gentleman, I am sorry to say, but this man has risen above mediocrity to the point of having been nominated for a seat on the U.S. Supreme Court by a great President of these United States. I think this in itself speaks in some manner to the fact that this man has risen above mediocrity.

I really do not know exactly what is intended when this word is used here repetitiously today. However, I say "Judge not and be not judged." Perhaps those of us sitting in this body at this very moment had better take a look at ourselves, at our own qualifications for membership in this great body.

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

Mr. LANDGREBE. Yes. I will yield to the gentleman.

Mr. LOWENSTEIN. I am curious. I respect your view about the importance of not destroying a man's character. I do not think anything I have said today would destroy anyone's character. I think it is important not to pass judgment on the personal qualifications and qualities of human beings, especially those we do not know personally. However, is it not a part of our obligation when a man is nominated to the Supreme Court of the United States to consider his public record?

I have heard many Members of this House attack Supreme Court Justices even on the basis of their private lives and personal records. In the present situation we are limiting our criticism to the public record of a man who has been proposed for membership on the Supreme Court. Is it not part of our responsibility as elected officials to do whatever we can to add to the respect of the public for its highest governmental institutions, including the Supreme Court? That means that every American should be able to feel that, regardless of color or creed, he can be sure that the law will be applied fairly at the highest level, if not always before that. I think Judge Carswell's record must be weighed in view of that consideration.

So far as the mention of mediocrity in connection with the appointment of Judge Carswell, the problem is not his alleged "mediocrity" was raised in his defense by a distinguished Senator, who said that the Carswell nomination should be supported as a way to give the mediocre a voice on the Court. In view of that assertion—since repeated by other supporters of the nomination in slightly different words, it has become very hard to discuss the appointment without discussing that defense of it.

Mr. LANDGREBE. As long as the gentleman in the well and others who are privileged to speak here wish to talk about merit and a man's record objectively, I certainly would not object to that. However, we have gotten ourselves into a cycle here where we are talking about mediocrity. I would not consider the comments I have heard to be used in a complimentary light but, rather, in a derogatory light.

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

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

Mr. LOWENSTEIN. Mr. Speaker, I would only like to observe that I have repeatedly heard in this House comments on the qualifications of sitting judges of the Supreme Court. I find it hard to believe that it is proper to comment on sitting Justices but not on one not yet seated. It seems clear that it is quite important to have qualified comments on proposed nominees for the Court. That is what witnesses are for at the Senate hearings. That is why I have reserved the views of various distinguished Florida lawyers. As our very able colleague from Michigan has said, some of these men will be sitting on the bench long after many of us are no longer sitting here.

There is another matter that keeps recurring in this discussion, and that is the racial question. I wonder how many members who defend this appointment would support a black nominee to the Supreme Court who in the course of his public career had shown by word and deed that he believed the black race was superior to the white, who had participated in drawing up agreements to bar white people from clubs that are supposed to be open to the public, and who had displayed a vigorous hostility in his courtroom to lawyers protesting illegal discrimination against white people. Would anyone argue that such a man should be confirmed? If Thurgood Marshall's career had demonstrated a bias against white people, can anyone believe he would be on the Court today? That the answers to these questions are self-evident speaks volumes on the double standard that still obtrudes in situations like this in this country.

Mr. LANDGREBE. Mr. Speaker, would the gentleman yield for a further moment?

Mr. HARRINGTON. I yield to the gentleman from Indiana.

Mr. LANDGREBE. Mr. Speaker, it has become quite popular in the last few years to consider liberals and conservatives and there has been a good bit of talk about Mr. Carswell and his rather conservative views. It seems to me, having just seen the charts on this floor recently of the rapid and unbelievably fast rise in major crimes across the country, much of it attributed to deci-

sions of the Supreme Court, that it is perhaps conceivable to assume that a black man would be happy and would be much better off to have a conservative on the Court because the black man is the victim of major crimes the same as the white man. And I am not sure that all that is being said and being indicated or suggested here is necessarily true in that Mr. Carswell is necessarily a mediocre man or that he would pull down the Court but could conceivably in my book bring the Court back to a level of integrity and reason that is lacking today.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. ROSENTHAL. Mr. Speaker, in a scant 6 years the country will celebrate the second century of its existence as an independent Nation. Throughout most of this period the Nation has been guided by its founding document—the Constitution of the United States.

This fundamental and almost sacred document has served the Nation through periods of rapid and unprecedented economic development, enormous social change, a Civil War, and the atomic age. Yet it remains today virtually unchanged from the document originally adopted.

This remarkable longevity has been accomplished in large measure due to the ability of the Supreme Court to interpret the document in a flexible and intelligent manner. Through interpretation, the Constitution has been adapted to circumstances which differ greatly from those which faced its authors.

Obviously, this could not have been accomplished without the wisdom and intelligence of those men who have served as Justices of the Supreme Court of the United States and who, in their small number, represent the third and coequal branch of Government. Had these men been mediocre—had they been men of little foresight or knowledge—the Constitution could not have survived. Indeed, it will not survive if the men who interpret it are not representative of the best legal talents this country possesses.

Judge G. Harrold Carswell's record has been undistinguished to say the least. His opinions have been reversed frequently by higher courts. Moreover, many lawyers and law teachers have questioned his competence—indeed, the dean of one of our most prestigious law schools has indicated that Judge Carswell's record is one of the least distinguished of any Supreme Court nominee in this century. Finally, the American Bar Association's committee on the Federal judiciary found that Judge Carswell was merely "qualified" for the position—a finding that could be reached of any lawyer who is not currently the subject of disciplinary proceedings. In short, by the most charitable of standards, he appears to be a man of mediocre talent.

Mr. Speaker, the President does a great disservice to the country when consciously or unconsciously he demeans the Court by nominating to membership a man who is not equal to the task—a man who even his supporters admit is a man of mediocre legal talent.

Mr. Speaker, I urge the Members of the other body to exercise their constitutional responsibility in a manner which will preserve the integrity of our highest court. Mr. Speaker, I urge them to reject the nomination of Judge Carswell.

GENERAL LEAVE TO EXTEND

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my special order today, the qualifications of Judge Carswell.

THE SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

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

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

Mr. GROSS. Mr. Speaker, reserving the right to object, what was the request?

The SPEAKER pro tempore. Will the gentleman from Michigan repeat his unanimous-consent request?

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

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

Mr. GROSS. Mr. Speaker, still reserving the right to object, and I hope I will not have to object, this is rather unusual that there should be a request to transact business of the House after special orders have started. This comes at a most unusual time, Mr. Speaker.

The SPEAKER pro tempore. The Chair will state that the Chair is of the opinion that this request has been previously cleared with the minority leadership and that there was an accord that this unanimous-consent request be granted.

Mr. GROSS. Mr. Speaker, in view of the fact that the minority has cleared the request, I withdraw my reservation of objection.

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

There was no objection.

THE QUALIFICATIONS OF JUDGE CARSWELL

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Michigan (Mr. CONYERS) is recognized for 60 minutes.

Mr. LOWENSTEIN. Mr. Speaker, would the gentleman yield for a moment?

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

Mr. LOWENSTEIN. Mr. Speaker, I just wanted to conclude the discussion I was having with the distinguished gentleman from Indiana on the other side of the aisle.

The gentleman raises a very valid point, which is that we do not want to exclude the conservative point of view from the Supreme Court. But, as I tried to point out earlier, it is not Judge Carswell's conservatism that is at issue.

My objection to Mr. Carswell has nothing to do with his being a conservative or a southerner. I have spent a great deal of my life in the South and many of my friends and associates, in the legal profession and elsewhere, are conservative in their legal, socioeconomic and philosophical outlooks. I will be glad to supply a list of conservative lawyers in the South who are eminently qualified in my judgment to sit on the Supreme Court.

The problem with Judge Carswell is not his conservatism, but rather his views on the specific question of equality under the law and equality before the bench regardless of race. I do not think there is a liberal-conservative division on this score.

All men in this country are now presumably committed—particularly if they are sitting on the bench—to accepting the constitutional guarantee of the equality of blacks and whites, regardless of their economic or social views on other questions.

Once the Court had spoken on the question of segregation, it became obligatory on those who hold positions on the bench to accept that decision as binding on them in their opinions. That does not mean that they cannot hold differing views on the war in Vietnam, or on the minimum wage law, or on the wisdom of student dissent.

But it does mean that conservatives are no more entitled to deviate from the constitutional guarantee of equal justice for the races than are liberals.

I would agree with the gentleman's statement and feel it is quite proper, but I do not think it applies in the case of Judge Carswell.

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

Mr. CONYERS. I yield to the gentleman.

Mr. LANDGREBE. Mr. Speaker, I would not think that anyone nominated for this very high office would have a really warped judgment on those matters, but then I think what you have to see in this argument is the matter of what people consider to be fair.

Sometimes it is a matter of what direction you look—whose ox is being gored and things of that kind.

With the deepest respect to my colleague, the gentleman from New York, it is I think in all honesty possible for you to have a slightly different idea of what is fair in certain instances than I would consider to be fair.

But, I would hope that all in all Judge Carswell would give us an amount of respect, or respectable actions on the court that would return peace and safety and give all of the things that we have lost in our country in the last few years—whether you wish to call it liber-

alism or conservatism—I would hate to think, and I know I do not think, of anyone being less important than myself. But there are instances in our country—and we could debate and discuss these things all night long. I do appreciate the opportunity to be permitted to be involved in this debate for a few moments.

Mr. CONYERS. May I say to the gentleman from Indiana who originally began his remarks objecting to the fact that this discussion was under way may have made something of an important contribution in this discussion in that he has helped us to further delineate certain of the issues with regard to the nomination of G. Harrold Carswell. I hope the gentleman will agree with us now that this does serve a useful purpose, even if the House itself does not pass on the confirmation directly.

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

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

Mr. LOWENSTEIN. I especially want to express my gratitude to the gentleman from Indiana for participating. I think one of the things that needs to happen more frequently in the House of Representatives is for Members with different views to take time to discuss their differences, since the normal rules of debate make it impossible to do so when we are considering legislation. We are indebted to the gentleman from Indiana for being here and expressing his thoughts. I would call to his attention and to the attention of the House that when the appointment of Mr. Justice Fortas to be Chief Justice of the Supreme Court was proposed, there was a great deal of discussion by some of the same people who now suggest that there is no reason to discuss the appointment of Carswell. It seems to depend on whose ox is being gored, and ultimately it is the national ox that gets gored if inadequate or prejudiced men rise to the Highest Court.

I thank the gentleman for yielding.

Mr. CONYERS. Might I point out to my colleague from Indiana before he leaves that I heard his remarks with reference to black people in America but did not, however, clearly understand them. As I think I heard him remark in the course of this discussion, he thought that black people, who themselves are the victims of crime, would appreciate a man with the background, character, and temperament of G. Harrold Carswell going to the Supreme Court. Did I understand my colleague from Indiana correctly on that score, if he would care further to join us in this edifying discussion?

Mr. LANDGREBE. I think I am going to "chicken out" here eventually. I did say that I know from personal contact that there are many fine Americans—and I wish we did not have to talk about color; I wish we would consider ourselves as Americans. I am proud of my ancestry as I am sure you are, too—I would just like to be able to say that there are Americans who are terribly concerned about what has happened to our country recently, in the last few years. Much of it seems to be attributable directly to decisions handed down by the Supreme Court.

If Judge Carswell, regardless of his background or stature, could bring some—a little bit more stability to that Court, I am sure there are people of all races, creeds, and color who would be appreciative.

Mr. CONYERS. I am glad to hear the gentleman make that clarification. I have been in touch with a number of black Americans and white Americans as well, and I genuinely regret the necessity of distinguishing American citizens on the basis of color, the same as the gentleman does. It has been, however, my overwhelming understanding that the great majority of black Americans are very sincerely opposed to this nomination. I would point out to my friend from Indiana that what I consider very important and crucial in this particular nomination and this discussion is that we are really trying to develop a new criteria that will be hopefully regarded not only by the President, who makes the initial nomination, but also by the U.S. Senate as they ratify and confirm such a nomination. That new, and to some people startling, criteria is that any candidate nominated for the U.S. Supreme Court would have a background and a career that would affirmatively demonstrate that he does not have the segregationist or racist persuasion that would impede him from fully honoring the Constitution as it should apply to all Americans.

I am sure the gentleman would agree with me on this new principle we are trying to develop.

Mr. LANDGREBE. I am not sure I can agree with it, because certainly I am not as well read on this new principle the gentleman is talking about, but I and many of the folks I have been in touch with recently would like to go back to some of the good old traditional pro-American beliefs, and so on, in hopes that all of us—all of us—would have a little brighter future and a little safer journey through this life.

I do not know how long we can go on experimenting before we get back to some of the tried and true. Certainly that does not mean the idea of not using anybody except those who just simply will not obey the law and are determined to take my rights and the rights of anyone and abuse them.

Mr. CONYERS. Mr. Speaker, I am hopeful we can go back to these old tried and true principles of American democracy, but eliminate the racist considerations that have not always been absent from our history. In other words, I do not see any conflict with this new principle that we are trying to establish.

I am really reluctant and ashamed to say that this is a new principle since our Constitution makes no racial distinctions and since nowhere in any of our Federal instruments is there any suggestion that any ethnic group should be treated in any way differently from any other ethnic group. It is something of a travesty, I suggest to my colleagues, that we have to come before the House today in this kind of discussion and say we are, in fact, introducing a new criterion in determining who should be fit to serve on the U.S. Supreme Court. It would seem that this should have been the case all along—quite frankly—that anyone who has a segregationist background is automatically disqualified from service on the Highest Court in the land.

It seems to me that the previous nomination and the rejection of it involving Judge Clement Haynsworth established a very fundamental principle that those who have a conflict of interest should be excluded from participation on the Supreme Court.

I think now we have moved to an even more fundamental ground, that those who have a racist background are automatically disabled from serving on the U.S. Supreme Court. I am hoping this will begin to have its telling effect. Perhaps democracy is working in its finest sense in this way. Perhaps the American people are indicating, not on a regional or a class or a racial basis, that the Highest Court in this land—those nine men who alone of anyone in America have the right to set aside legislation brought forth by Congress—should be itself an instrument which should be not just questionably removed from any segregationist attitudes but which should be unquestionably, beyond the shadow of a doubt, beyond any reasonable question, removed from such attitudes, and that the men who come to this court from this point on should have no background that in any way raises this issue.

It seems to me, on the matter of G. Harrold Carswell, we have really been arguing about whether he is a reformed racist, whether he is an ex-segregationist. Of course, that misses the whole point of what we are looking for in qualities of members of the Supreme Court.

We are not looking for members on this great and august body of people who can prove that although they may have had these disabling attitudes they no longer have them. We are looking for far more than that. We are looking for men of the bar in America who have positive attributes, for whom there is not only no question that they are not segregationists, but affirmatively that these men have made and are able to make the kinds of mental and legal contributions which will give America, and black America in particular, the kind of Government which is so desperately needed as the questions revolving on the relevance of this Congress, on the presence of mind of the whole administration in terms of its handling of one immediate domestic crisis after the other, are presented.

It seems to me at no other time in our recent history have we needed more positive indications of this kind of confidence.

Of course, when we are reduced to arguing whether or not a particular nominee is or is not a segregationist, whether he is or is not mediocre, that is of course begging the question. When that becomes the level of debate, it seems to me that the case against him has been already completely made. There can be little doubt when an argument is reduced to that low level, that the man is, beyond any question in my mind, unfit to serve on the bench.

To establish, if I might, that this is not a partisan consideration, I should like to indicate that one of my colleagues and friends from Michigan, Congressman RIEGLE, only very recently made a very compelling statement, in my judgment, which indicated that he, too, joined with many others in differing with the President of the United States on this nomination.

I am going to introduce into the RECORD at this time a statement of the Ripon Society which has made, it seems to me, a very impartial and dispassionate evaluation of the disabling features that have caused us to speak out against this nomination.

The Ripon Society paper follows:

THE CASE AGAINST CARSWELL: A RIPON SOCIETY PAPER

The Ripon Society urges Republican Senators to uphold their party's best traditions by rejecting confirmation of the nomination of Judge G. Harrold Carswell to the United States Supreme Court. While very damning evidence concerning Judge Carswell's judicial impartiality has already come to light, the most manifest reason for refusing confirmation to this nomination is the undeniable legal inadequacy of Judge Carswell.

Virtually all legal historians and scholars who have examined G. Harrold Carswell's record have found him to be one of the least qualified, if not the least qualified, nominee to the United States Supreme Court in the twentieth century. Exhaustive studies which have been performed jointly in the last month by a large number of lawyers and law students and which are being released for the first time in this Ripon Society paper give extremely strong statistical corroboration to the contention of judicial scholars that G. Harrold Carswell is seriously deficient in the legal skills necessary to be even a minimally competent Supreme Court Justice.

I. THE LEGAL INADEQUACY OF JUDGE CARSWELL

Legal scholars who have examined G. Harrold Carswell's judicial opinions (Carswell has written no scholarly articles) or who have studied his record have concluded that Carswell lacks any legal distinction whatever.

Duke University Law School Professor William Van Alstyne, who testified in favor of the Haynsworth nomination testified of Carswell: "There is in candor, nothing in the quality of the nominee's work to warrant any expectation whatever that he could serve with distinction on the Supreme Court of the United States."

Yale University Law School's Luce Professor of Jurisprudence, Charles L. Black, Jr., himself a native of Texas, has stated of Carswell, "There can hardly be any pretense that he possesses any outstanding talent at all."

Twenty professors at the University of Pennsylvania Law School have announced concerning Carswell: "Our examination of his opinions in various areas of the law compels the conclusion that he is an undistinguishable member of his profession, lacking claim to intellectual stature."

After thoroughly examining Judge Carswell's opinions of recent years, Louis Pollack, Dean of Yale University Law School, testified to the Senate Judiciary Committee: "I am impelled to conclude that the nominee presents more slender credentials than any nominee for the Supreme Court put forth in this century, and this century began as I remind this committee with the elevation to the Supreme Court of the United States of the Chief Justice of Massachusetts Oliver Wendell Holmes."

An exhaustive statistical study recently completed by a number of lawyers and law students organized by Law Students Concerned for the Court reveals some very damaging information concerning Judge Carswell's judical record. After a careful examination of the statistics yielded by the study and of the soundness of the methodology used in obtaining them, the Ripon Society concludes that these statistics strongly corroborate the contentions of legal scholars that Judge Carswell is an exceptionally inadequate federal judge besides being a poorly qualified Supreme Court nominee. This study yielded the following results:

1. *Reversals on Appeal.* During the eleven years (1958–1969) in which Judge Carswell sat on the federal district court in Tallahassee, 58.8% of all of those cases where he wrote printed opinions (as reported by West) and which were appealed resulted ultimately in reversals by higher courts. By contrast in a random sample of 400 district court opinions the average rate of reversals among all federal district judges during the same time period was 20.2% of all printed opinions on appeal. In a random sample of 100 district court cases from the Fifth Circuit during the 1958–1969 time period the average rate of reversals was 24.0% of all printed opinions on appeal.[1]

2. *Reversals in General.* Carswell's rate of reversals for all of his printed cases was 11.9% as compared to a rate of 5.3% for all federal district cases and 6% for all district cases within the Fifth Circuit during the same time period.

The majority of cases before any federal district judge ordinarily do not result in appeals, hence precluding the possibility of reversals in those cases. It is significant however, that Carswell's overall reversal record for his printed cases is more than twice the average for federal district judges. When additional unprinted opinions revealed by the testimony of Joseph L. Rauh, Jr. before the Senate Judiciary Committee and by the memorandum of Senator Hruska are included, Carswell is found to have an overall reversal rate of 21.6%. [For further discussion refer to the statistical summary in the appendix to this paper.]

3. *Citation by Others.* Carswell's 84 printed opinions while he was serving as a district court judge were cited significantly less often by all other U.S. judges than is the average for the opinions of federal district judges. Carswell's first 42 opinions during his first five years on the federal judiciary (1958–1963) have been cited an average of 1.8 times per opinion. Two hundred opinions of other district judges randomly chosen from district court cases spanning this same time period have been cited an average of 3.75 times per opinion. The 42 most recent of Carswell's printed district court opinions have been cited an average of 0.77 times per opinion. Two hundred opinions of other district judges randomly chosen from cases spanning the same 1964–1969 time period have been cited an average of 1.57 times per opinion.

4. *Elaboration of Opinions.* Carswell's printed district court opinions average 2.0 pages. The average length of printed opinions for all federal district judges during the time period in which Carswell sat on the district bench was 4.2 pages.[2]

5. *Use of Authority.* In the 84 above-mentioned printed Carswell opinions the average number of citations of cases is 4.07 per opinion, and the average number of citations of secondary source material is 0.49 per opinion.[3] The average for all district judges during the 1958-1968 time period was 9.93 case citations per opinion and 1.56 citations of secondary source material per opinion.

When these results are analyzed cumulatively they form a most impressive indictment of Judge Carswell's judicial competence. The incredibly high rate of reversals (59%) which Carswell has incurred on appeals in those cases in which he has written printed opinions brings into serious doubt the nominee's ability to understand and apply established law.

The shortness of a particular opinion and the relative paucity within it of case citations and citations of secondary materials do not necessarily indicate deficiency. Short opinions which are succinct and logical display great legal virtuosity, as Justice Holmes demonstrated. Yet not even Carswell's strongest supporters could argue seriously that the nominee's opinions have shown any unusual conciseness, perceptiveness, or skill. The very fact that Judge Carswell was so rarely cited by other federal judges who as a group are best equipped to evaluate the weight to be given to a judge's opinion underscores the generally low quality of Carswell's opinions. We are led inevitably to the conclusion that the shortness and slim documentation of most of Carswell's opinions is evidence of either Carswell's lack of diligence or his lack of ability.

The Senate Judiciary Committee record shows the Fifth Circuit Court of Appeals reversing Judge Carswell again and again for failing to follow established legal procedures. Of particular concern was Carswell's failure to grant adequate hearings to individual petitioners in civil rights and criminal cases. [Attached to this paper is an appendix summarizing a number of these cases.]

Judge Carswell is said to have boasted that he almost never held an evidentiary hearing in the federal equivalent of a *habeas corpus* case. This cavalier attitude on Carswell's part is yet another example of his insensitivity to essential individual rights dating at least as far back as the Magna Carta. Judge Carswell's attitude in *habeas corpus* cases, as well as in the civil rights area, suggests that his constructionism has been more "selective" than "strict."

The analysis of Judge Carswell's record during his eleven years on the federal district court would suggest that the nominee was significantly below the level of the average federal district court judge. There is no evidence to suggest that Carswell possesses any unusual talent to raise him above other federal judges. G. Harrold Carswell's performance in the short time since he was appointed to the Fifth Circuit Court of Appeals

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[1] A reversal is defined in this study to include an outright reversal, a vacation, a remand, and an affirmance with major modifications. An affirmance is defined to include an outright affirmance, an affirmance with minor modifications, a dismissal of an appeal, and a denial of a writ of certiorari. The ultimate disposition of the case rather than the action alone of an intermediate appellate court determined whether the result was to be classified as an affirmance or a reversal. It also should be noted that the Carswell figures are based on 84 of the nominee's reported decisions, believed to be all of his printed district court opinions. The completeness of this analysis might be confirmed if the Justice Department made public its entire file of Carswell opinions. Unfortunately the Justice Department has not yet seen fit to make available such a complete file.

[2] The 84 printed Carswell opinions were calculated to the nearest tenth of a page. Four hundred decisions of other district judges were drawn randomly from Federal Supplements spanning the years 1958 to 1969. These opinions were calculated also to the nearest tenth of a page. In making all page computations only the text of the opinion was counted. Headnotes were not counted as part of the opinion.

[3] These averages for all federal district judges were derived from another random sampling of 80 opinions drawn from Federal Supplements spanning the 1958–1969 period. Citations for any reason are included in these computations.

has shown no signs of a late-blooming virtuosity.

Whatever their legal philosophies, young lawyers, law students, and law professors have reacted with overwhelming dismay to the appointment of such a mediocre lawyer to the Supreme Court. These individuals who form a major portion of the Ripon Society's constituency are fully aware of the enduring character of a Supreme Court appointment, especially that of a man as young as Carswell.

This dismay is felt generally throughout the legal profession. The vote of the Standing Committee on the Judiciary of the American Bar Association finding Carswell qualified is unrepresentative of membership sentiment within either the overall bar or the American Bar Association. Significantly the Chairman of this Standing Committee is the same man who as Deputy Attorney General of the United States played a major role in 1958 in the selection of Carswell to the federal bench in the first instance.

II. CARSWELL FALLS SHORT OF REPUBLICAN STANDARDS FOR JUDICIAL DISTINCTION

During the twentieth century Republican Presidents have maintained a remarkable standard in choosing judicial statesmen for the Court. Oliver Wendell Holmes, Charles Evans Hughes, William Howard Taft, Harlan Fiske Stone, Owen J. Roberts, Benjamin Cardozo, Earl Warren, John Marshall Harlan, William Brennan and Potter Stewart have all made significant contributions to American jurisprudence. The Ripon Society welcomed Mr. Nixon's campaign pledge to appoint to our nation's highest court persons of the caliber of Holmes, Brandeis, and Cardozo. Yet the members of the Ripon Society and many other concerned Americans find themselves deeply disappointed with the quality of recent nominations to the Supreme Court made by the present administration.

The Haynsworth nomination was inadequate to the national need to restore public confidence in the integrity of the judiciary in the wake of the Fortas resignation. Yet far more important than the possible vulnerability of Judge Haynsworth to conflict of interest charges was his limited sensitivity to the rights of blacks and labor. Judge Haynsworth, although a decent man, did not meet either in judicial insight or craftsmanship the standards of greatness which a nation demanded.

The duty which Republican Senators deliberating on the Carswell nomination owe to the Court and to the best traditions of the Republican Party transcends any duty to support a President of their own party on his Court nominee. They do the President no disservice by preventing a mistake which is likely to endure long after the President's tenure in the White House. In fact, by opening this seat once more to a Presidential nomination Senators could enable the President to put on the Supreme Court a person of greatness.

Legal inadequacy of a Court appointee has historically been a principal ground for the rejection of a number of Supreme Court nominees. President Grant withdrew the nominations of George H. Williams of Oregon and Caleb Cushing of Massachusetts after public outcries based largely on their mediocrity. Two of President Cleveland's nominees, William B. Hornblower and Wheeler H. Peckham, were rejected by the Senate largely because they were felt to lack either the impartiality or the stature necessary for the judiciary.

III. CARSWELL'S LACK OF JUDICIAL IMPARTIALITY

Although it may be true that most people including judges have biases of one sort or another, it is incumbent on a judge in fulfilling his judicial function that he rise above these biases and adopt a neutral posture as an adjudicator of the law. Yet Judge Carswell through his decisions and his other uses of judicial power has seemed to eschew the role of impartiality demanded of a judge.

When he was serving as a federal district judge, Judge Carswell achieved the astonishing record of reversal in a tremendous number of civil rights decisions. Fifteen times Carswell was unanimously reversed on civil rights cases by the Fifth Circuit Court of Appeals.

Carswell's 1948 election speech declaring undying allegiance to the principles of white supremacy is deplorable, but we fully recognize that such ill-spoken words can be surmounted by men with a potential for growth. The example of Justice Hugo Black comes readily to mind. Judge Carswell during his entire time of federal service, however, has shown no growth either in legal ability or in sensitivity to the rights of black Americans.

In 1956 when he was serving as a United States attorney responsible for upholding the rights of members of all races, G. Harrold Carswell acted as an incorporator of a private club set up to take over the municipal golf course to prevent its integration. Judge Carswell's recent denials that he knew the private club was set up to maintain segregation seem disingenuous in the extreme.

More disturbing than the golf course incident, however, has been the blatantly anti-Negro, anti-civil rights character of Judge Carswell's conduct on the federal bench. In his letter of reply to Senate Judiciary Committee members who had queried him concerning charges of activity on his part to stifle civil rights workers, Judge Carswell failed to make any denial of some severe charges of judicial misconduct. He left unrebutted the charge that while he served in Tallahassee as a federal district judge he arranged with a local sheriff to rejail some civil rights workers he had been ordered to free by the Fifth Circuit Court of Appeals.

The testimony before the Senate Judiciary Committee suggested that in one case Judge Carswell granted a writ of habeas corpus, required the prisoners' attorney to serve the writ on the sheriff at the jail, then notified the sheriff that he had remanded the case to local jurisdiction so the prisoners could be rearrested before they left the jail.

Other unrebutted testimony had alleged that Judge Carswell commuted sentences of civil rights workers for the purpose of preserving illegal local practices. Faced with a legal necessity to overturn the convictions of certain civil rights workers, Judge Carswell allegedly advised the city attorney that if he commuted their sentences to time already served the matter would become moot.

Judge Carswell's continuing involvement as a charterer of a segregated Florida State University Boosters Club, his passage of property in 1966 under a racially restrictive covenant, and his telling of a tasteless "darky" joke as speaker at a recent public gathering of the Georgia Bar Association are all indication that G. Harrold Carswell has not progressed appreciably beyond the views expressed in his 1948 campaign speech.

IV. THE CARSWELL NOMINATION IS AN INSULT TO SOUTHERN JURISPRUDENCE

Our opposition to the Carswell appointment in no way derives from the nominee's Southern origin. A number of great towers of our nation's judiciary are Southerners. Such men as Judge John R. Brown of Texas, Elbert Tuttle of Georgia, John Minor Wisdom of Louisiana and Frank Johnson of Alabama all have displayed an unflinching devotion to the Constitution of the United States and have exhibited a moral courage of high degree. Justice Hugo Black of Alabama has established himself as one of the great jurists of American history.

Both today and throughout our nation's history the South has produced first-rate legal minds. A Virginian, John Marshall, has had as great an influence as any American judge on the development of our legal institutions. The first Justice John M. Harlan from Kentucky and Justice L. Q. C. Lamar from Mississippi both demonstrated the high potential of Southern legal scholarship.

In passing over so many well qualified Southern lawyers and jurists, the choice of Carswell seems an insult to Southern jurisprudence. Unhappily a man lacking in both intellectual distinction and in judicial fairness is presented to the nation as representative of Southern jurisprudence.

CONCLUSION

Persuaded that G. Harrold Carswell lacks either the intellectual stature or the judicial impartiality to qualify for a place on our nation's highest court, we urge the Republican members of the Senate to uphold their party's best traditions by denying confirmation to G. Harrold Carswell's nomination thus allowing President Nixon to submit the name of a person who can command national respect both for his or her fairness and legal stature.

BRIEF SUMMARY OF REVERSALS OF JUDGE CARSWELL

Judge Carswell has been reversed by the Fifth Circuit Court of Appeals and by the United States Supreme Court at least 33 times. A brief description of some of those cases follows.

Augustus v. Board of Pub. Instr. of Escambria County, Fla., 185 F.Supp 450 (1960). Judge Carswell was unanimously reversed by the Fifth Circuit, 306 F.2d 862 (1962) for striking portions of Negro children's complaint asking integration of school facilities. He held they had no standing to enjoin teacher assignments based on race, which he said was like enjoining "teachers who were too strict or too lenient." (p. 453). The Fifth Circuit criticized Carswell's ruling: "Whether as a question of law or one of fact, we do not think that a matter of such importance should be decided on a motion to strike. As well said by the Sixth Circuit: '. . . it is well established that the action of striking a pleading should be sparingly used by the courts. . . . It is a drastic remedy to be resorted to only when required for the purposes of justice.' " (p. 868)

In the same opinion, the Fifth Circuit also unanimously reversed Judge Carswell's school desegregation plan order of 1961, 6 Race Rel. L. Rept. 689, which was merely to permit continued assignment of pupils under Florida's Pupil Assignment Law, which the Fifth Circuit had twice held, in both 1959 and 1960, to be inadequate to meet the *Brown* requirement, because it was "administered . . . in a manner to maintain complete segregation in fact." (p. 869) After being reversed Carswell waited four months to implemen the Fifth Circuit's decision, then postponed the effective date of the plan for 10 months more.

Steel v. *Board of Pub. Instr. of Leon County, Fla.*, 8 Race Rel.L.Rep. 934 (1963), decided by Judge Carswell 10 months after the *Augustus* reversal, found him again approving assignments under the Pupil Assignment Law, then thrice held inadequate by the Fifth Circuit Court of Appeals, and making token desegregation of only one grade per year beginning in 1963 despite the Fifth Circuit's statement in *Augustus*: "[If it is too late to integrate for the 1962 year] then the plan should provide for such elimination as to the first *two* grades for the 1963 fall term." (p. 869, emphasis added) Two years after Carswell's 1963 order the Negro children moved to have him speed up the plan in compliance with subsequent Supreme Court rul-

ings, and Carswell refused to reorganize the plan, telling their attorney, "it would just be an idle gesture regardless of the nature of the testimony." The Fifth Circuit unanimously reversed both of Carswell's orders, 371 F.2d 395, instructing him to follow its subsequent definitive *Jefferson* ruling extending the earlier precedents.

Youngblood v. Board of Pub. Instr. of Bay County, Fla., 230 F.Supp 74 (1964), two years after the reversal in *Augustus*, was another Carswell decision unanimously reversed by the Fifth Circuit, (No. 27683, Dec. 1, 1969), in which he had permitted token desegregation under the disapproved Pupil Assignment Law, and even that delayed for 16 months. Carswell's plan allowed only for so-called "freedom of choice" transfers during a five-day registration period and parents would have to come to the superintendent's office during working hours. His plan was again a grade-a-year plan, violating the Fifth Circuit's then one-month-old decision in *Armstrong*, 333 F.2d 47 (1964).

Subsequent motions in *Youngblood* denied by Carswell also violated precedents unmistakably clear at the time of denial. For example, in 1965, when Carswell refused to speed up his grade-a-year plan, such plans had already been clearly held unconstitutional by the Third Circuit (*Evans*, 281 F.2d 385 (1960)), Fourth Circuit (*Jackson*, 321 F.2d 230 (1963), Haynsworth, J., concurring), Sixth Circuit (*Goss*, 301 F.2d 164 (1962), rev'd on other grounds 373 U.S. 683) and Eighth Circuit, and Carswell's own Fifth Circuit Court of Appeals had held months earlier, in *Lockett*, 342 F.2d 225 (1965): "It was then [after *Calhoun*, 377 U.S. 263 (1964)] beyond peradventure that shortening of the transition period was mandatory." (p. 277) Similarly after the Justice Department intervened to support plaintiffs' motions to substitute effective methods in place of so-called "freedom of choice" transfers, Carswell on August 12, 1968 and April 3, 1969 approved "freedom of choice"—all of this after the U.S. Supreme Court on May 27, 1968 held: "The New Kent School Board's 'freedom-of-choice' plan cannot be accepted as a sufficient step to 'effectuate a transition' to a unitary system." " . . . experience under 'freedom of choice' to date has been such as to indicate its ineffectiveness . . ." *Green*, 391 U.S. 430, 440, 441.

Wright v. Board of Pub. Instr. of Alachua County, Fla., unreported, unanimously reversed by the Fifth Circuit (No. 27983, 1969) repeats the story of *Youngblood*.

Singleton v. Board of Comm'rs of State Institutions, 11 Race Rel.L.Rep. 903 (1964) was another segregation decision by Carswell unanimously reversed by the Fifth Circuit, 356 F.2d 771 (1966). In a 99-word opinion he held that inmates had no standing to seek desegregation of reform schools because before he had rendered judgment they had been released on conditional parole. The Court of Appeals decisively rejected that notion: "The plaintiffs' probationary status brings them well within the future-use requirement for standing." It relied on its own *Anderson* decision, 321 F.2d 649, rendered a year before Carswell's order.

Due v. Tallahassee Theatres, Inc., 9 Race Rel.L.Rep. (1963), still another segregation case in which Judge Carswell denied even an evidentiary hearing, also resulted in unanimous reversal by the Fifth Circuit, 333 F.2d 630 (1964). In a suit seeking desegregation of theatres and alleging a conspiracy between the theatres, the city and the sheriff, Carswell dismissed the complaint as against the theatres and the city for failure to state a justiciable claim, and granted summary judgment on the sheriff's affidavit denying that there was any conspiracy. The Fifth Circuit held that both of his actions plainly violated clear pre-existing law: "this Court has repeatedly held that if the complaint alleges facts, which, under any theory of the law, would entitle the complainant to recover, the action may not be dismissed for failure to state a claim. Arthur H. Richland Company v. Harper, 5 Cir., 302 F.2d 324 [1962]. There is no doubt about the fact that the allegations here stated a claim on which relief could be granted, if the facts were proved. See Lombard v. Louisiana, 373 U.S. 267 [May, 1963 (5 months before Carswell's decision)]." (p. 631) And on the issue of granting summary judgment without a trial: "There clearly remained issues of fact to be determined on a full trial of the case . . . " (p. 633).

Dawkins v. *Green*, 285 F. Supp 772 (1968) was, as the Fifth Circuit recognized in its unanimous reversal of Carswell's grant of summary judgment for the defendants, 412 F. 2d 644 (1969), a case similar to the well-known *Dombrowski* v. *Pfister*, 380 U.S. 479 (1965). The plaintiffs were Negro civil rights workers, suing public officials and alleging that the defendants had initiated prosecutions in bad faith to retaliate for and to chill their exercise of constitutional rights in civil rights activities. The public officials filed affidavits, described by the Fifth Circuit as "simply a restatement of the denials contained in their answer . . . they set forth only ultimate facts or conclusions . . . that they did not enforce the laws against plaintiffs in bad faith." (p. 646) Carswell held that, "From the proofs here it is clear that there was no harassment, intimidation or oppression . . . and they are being prosecuted in good faith . . . "(p. 774) Once more, the Fifth Circuit cited its own clear pre-existing law on summary judgments in reversing Carswell: "No facts were present so that the trial Court could arrive at its own conclusions. As discussed in Woods v. Allied Concord Financial Corporation, (Del), 373 F.2d 733 (5 Cir. 1967), in summary judgment proceedings, affidavits containing mere conclusions have no probative value." (p. 646)

In at least 10 habeas corpus cases, Carswell was unanimously reversed by the Fifth Circuit for refusing to permit petitioners the opportunity to prove facts they alleged, which if proven would have clearly—under then-existing rulings—entitled them to relief, except perhaps in *Beufve*, below, where substantive law was clarified in the interim. The 10 cases are listed first, then discussed:

Meadows v. *United States*, 282 F. 2d 942 (5th Cir. 1960);

Dickey v. *United States*, 345 F. 2d 508 (5th Cir. 1965);

Rowe v. *United States*, 345 F. 2d 795 (5th Cir. 1965);

Beufve v. *United States*, 344 F. 2d 958 (5th Cir. 1965);

Baker v. *Wainwright*, 391 F. 2d 248 (5th Cir. 1968);

Dawkins v. *Crevasse*, 391 F. 2d 921 (5th Cir. 1968);

Brown v. *Wainwright*, 394 F. 2d 153 (5th Cir. 1968);

Cole v. *Wainwright*, 397 F. 2d 810 (5th Cir. 1968);

Harris v. *Wainwright*, 399 F. 2d 142 (5th Cir. 1968); and

Barnes v. *State of Florida*, 402 F. 2d 63 (5th Cir. 1968).

Following is some of the Fifth Circuit's language in its peremptory reversals, citing Carswell to controlling precedent:

MEADOWS. "We think that the allegations of the motion, inartful though they be, are sufficient to set forth the contention [that mental illness voided effective waivers and guilty plea]. His statements of prior determination of a mental illness takes the motion out of the category of frivolous claims and requires a hearing. Bishop v. United States, 350 U.S. 961 [1956]."

DICKEY. "the prisoner was entitled to an evidentiary hearing. Gregori v. United States, 5 Cir., 243 F. 2d 48 [1957]."

ROWE. The *entire* Fifth Circuit opinion states: "The appellant sought relief under 28 U.S.C.A. § 2255 from a mail fraud conviction. The district court denied relief. Merrill v. United States, 5th Cir. 1964, 338 F.2d 763, requires a reversal." The Fifth Circuit's order then not only reversed and remanded, but added the unusual directions to vacate the conviction and sentence and dismiss the indictment.

BAKER. "[Defendant] sought habeas corpus relief in the district court on the ground that he was denied the right to counsel on the appeal from this conviction. The court denied relief without a hearing. . . . In Entsminger v. Iowa, 1966, 386 U.S. 748 . . . the Supreme Court said: 'As we have held again and again, an indigent defendant is entitled to the appointment of counsel to assist him on his first appeal! . . . . [T]he cause is remanded for an evidentiary hearing . . . ."

DAWKINS (the same Dawkins as in Carswell's summary judgment reversal). "We conclude that the Trial Judge erred in not granting a writ of habeas corpus at least to the extent of ordering appellants' release on bail pending their appeal in the Florida courts. We . . . direct the District Judge to enter an order granting bail in the amount of $1000 . . . ."

COLE. The entire Fifth Circuit reversal states: "The allegations of the petitioner are of such a nature as to require a hearing under 28 U.S.C.A. § 2243. It could not appear from the application and the file supplied by the state 'that the applicant . . . [was] not entitled' to the writ."

BARNES. "[Defendant] alleges coercion of a plea of guilty and ineffective assistance of counsel, contending that court-appointed counsel, whom he saw only for a few minutes four days before trial and a few minutes prior to trial, coerced him into pleading guilty, assuring him that a deal had been made for shorter sentences. . . . If appellant's allegations as to what occurred at his arraignment and sentence are found to be true, he is entitled to have the writ granted and his conviction set aside. Holloway v. Dutton, 5 Cir., 1968, 396 F.2d 127; Roberts v. Dutton, 5 Cir. 1966, 368 F.2d 465. . . ."

In addition to the Fifth Circuit's frequent unanimous reversals of Carswell for failing even to hear the claims of civil rights and habeas corpus petitioners, the appellate court sharply rebuked his judgment for a bank in a National Banking Act case, *Dickenson v. First National Bank*, 400 F.2d 548 (1968). The issue was whether the bank's shopping center receptacle and armored car messenger service constituted illegal "branch banking" under Florida law. "The district court granted judgment for First National stating explicitly: 'Florida statute 659.06(1)(a) is not operative or controlling in this instance.' We conclude that in this instance Florida law is operative and controlling and reverse." Carswell held that the lacking of inclusion of the bank's activities in the words of the federal statute (Section 36(f)) ended the matter, and ignored the reference of another section to activities permissible under *state* law. Of his dubious reasoning, the Fifth Circuit stated: "Congress is in the defining business and is knowledgeable as to how to immunize or deimmunize an activity from its statutory engulfment. In Section 36(f) Congress provided only that the term 'branch' 'shall be held to include' . . . . Such a provision is hardly adequate as a definition . . . ." If we construed Section 36(f) as permitting paper evasions from state anti-branching laws, we would be letting the left hand give and the right hand take away. *Statutory construction has not fallen to such legalistic depths.* (p. 557, emphasis added)

SUMMARY OF STATISTICAL STUDY OF PERFORMANCE OF JUDGE CARSWELL

JUDGES' DECISIONS CONSIDERED—SAMPLE

Index number, type of data	Carswell: All 84 decisions, 1958–69, printed in F. Supp.	All circuits: 400 decisions (1958–69 random selection) in Dist. Cts. printed in F. Supp.	All circuits: 400 appeals (1959–69 random selection) to all C.A.'s printed in F. 2d	5th circuit only: 100 decisions (1958–69 random selection) in Dist. Cts. printed in F. Supp.	5th circuit only: 100 appeals (1959–69 random selection) to 5th Cir. C.A. printed in F. 2d
I. Reversals:					
Number	10.0	21.0		6.0	
As percent of decisions	11.9	5.3		6.0	
Carswell's percent worse by		+123.0		+98.0	
IA. Reversals (including Rauh and Hruska cases[1] not printed):					
Number	33.0	21.0		6.0	
As percent of 152 decisions	21.6	5.3		6.0	
Carswell's percent worse by		+308.0		+260.0	
II. Reversals/appeals:					
Number	10/17	21/104	115/400	6/25	26/100
Percent	58.8	20.2	28.8	24.0	26.0
Carswell's percent worse by		+181.0	+104.0	+145.0	+126.0
IIA. Reversals/appeals (includes Rauh and Hruska cases[1] not printed):					
Number	33/85	21/104	115/400	6/25	26/100
Percent	38.8	20.2	28.8	24.0	26.0
Carswell's percent worse by		+81.0	+35.0	+62.0	+49.0
III. Authority value:					
Cite freq./1958–63 cases	1.80	3.75		3.93	
Percent greater than Carswell		+108.0		+118.0	
Cite freq./ 1964–69 cases	.77	1.47		1.50	
Percent greater than Carswell		+91.0		+95.0	
IV. Use of authority:					
Case cites per opinion	4.07	[2] 9.93			
Percent greater than Carswell		+144.0			
Secondary source cites/opinion	.49	1.56			
Percent greater than Carswell		+218.0			
V. Elaboration of opinions:					
Page length per opinion	1.99	4.21			
Percent greater than Carswell		+1129.0			

[1] 12 of the 15 reversals by the 5th Cir. C.A. in civil rights and habeas corpus which were mentioned in the testimony of Joseph L. Rauh, Jr., had no printed opinion below by Carswell; 44 additional appeals of criminal trials and 12 more habeas appeals were Senator Hruska's memo.

[2] Sample was 8 random printed Dist. Ct. cases printed.

So it seems a very large consensus has already developed that urges the Members of the Senate to do for the President what he himself said he would do. I should like to quote the President in his remarks made when he accepted the Republican nomination in August of 1968. This Executive Officer who nominated G. Harrold Carswell said:

Let those who have the responsibility to enforce the laws and our judges who have the responsibility to interpret them be dedicated to the great principles of civil rights.

If we are to honor that statement—and I believe this is one of the statements of the President which needs serious support—it would seem to me that there is no way to rationally argue in support of G. Harrold Carswell as one who is dedicated to the great principles of civil rights.

We have had countless testimony made before the U.S. Senate and the Judiciary Committee, that went into great evaluation of his white supremacy speech and recalled in great detail his participation in the golf course resegregation in 1956, if you please, and his treatment, as a member of the bench, of civil rights lawyers in his court, and of his treatment of defendants in his court, and of his lack of professional qualifications and his lack of sensitivity as a member of the Federal bench. A most telling statement, in my judgment, has been issued by the Leadership Conference on Civil Rights entitled, "Has judge Carswell changed?" The statement is as follows:

HAS JUDGE CARSWELL CHANGED?

THAT WHITE SUPREMACY SPEECH

On August 3, 1948, George Harrold Carswell, President Nixon's new nominee to the U.S. Supreme Court, addressed a chapter of the American Legion in Gordon, Georgia and declared: ". . . segregation of the races is proper and the only and correct way of life in our state. I have always so believed and I shall always so act.

"I shall be the last to submit to any attempt on the part of anyone to break down and to weaken this firmly established policy of our people . . . I yield to no man . . . in the firm, vigorous belief in the principles of white supremacy and I shall always be so governed."

There is no recorded statement disavowing those view until 1970. Then, shortly after his nomination was announced, a reporter found the text of the old speech in the files of Judge Carswell's hometown newspaper, and when he was confronted with it, Judge Carswell repudiated it, saying it was "obnoxious and abhorrent."

His defenders have sought to excuse him. The speech was made when he was young; it was given in the heat of a campaign for the Georgia legislature. Any anyhow, he has since had a change of mind and heart.

Well, men do change. But was this speech simply a young man's political wild oats, the indiscretion of a moment, or an expression of his deepest beliefs? And has he changed or does he, consciously or unconsciously, still cling to those views? These are crucial questions for anyone considering Judge Carswell's qualifications for the Supreme Court.

YOUTH?

First, how readily can Judge Carswell be forgiven for what he said? In 1948 he was 28, scarcely a callow youth. One must also remember the national mood at that time. Judge Carswell spoke only three years after World War II, a war in which he served as a naval officer. It was a war fought against the Hitlerian creed of racial superiority and one wonders how any sensitive man could have come through that war and emerged as an advocate of white supremacy. In 1948 we were fully aware, as a nation, that Germany was not the only country poisoned by race hatred. It was just about the time that a Presidential committee had issued the landmark report, "To Secure These Rights," and faced Americans with some awful truths about themselves: the terrible inequalities visited upon Negro Americans and the stark terror of their lives in the deep South and, of course, in Georgia.

In this context—the immediate aftermath of World War II, the growing recognition of the enormity of America's racial problem—is it possible to excuse as mere youthful excess this passionate avowal of white supremacy?

If Judge Carswell's subsequent record showed a change of heart it might still be possible to excuse him. But if he has forsworn his old beliefs, where is the evidence? There is nothing whatever to support his belated disavowal. On the contrary, our own examination of whatever is available on the record—his public acts, his judicial opinions, his treatment of civil rights lawyers and his testimony before the Senate Judiciary Committee—all suggest those old views still shape his words and deeds.

THE GOLF COURSE INCIDENT: 1956

On April 24, 1956, some citizens of Tallahassee, Florida, where Judge Carswell was then residing, formed a corporation whose purpose was to take over the publicly-owned golf course, where Negroes played on a restricted basis and convert it to a private club where Negroes could not play. Judge Carswell, who was the U.S. Attorney at the time, sworn to uphold the Federal law, was an incorporator and a director of the club.

In his testimony before the Senate Judiciary Committee, he denied, at first, that he was an incorporator. Shown a document in which his name appeared, he admitted he was one. He denied he was a director of the club; a corporate resolution shows he was. Even so, he insisted before the Judiciary Committee that he had no notion of wrongdoing, "I have never had any discussion or never heard anyone discuss anything, that this might be an effort to take public lands and turn them into private hands for a discriminatory purpose."

Yet the transaction came only a short time after a 1965 Supreme Court decision that public golf courses could not discriminate against Negroes and while a case to desegregate a golf course was pending in his own jurisdiction. If Judge Carswell didn't know what was going on, practically everyone else in Tallahassee did.

Affidavits from three residents of the city were filed with the Senate Judiciary Committee by Clarence Mitchell, Legislative Chairman of the Leadership Conference on Civil Rights, in which it is asserted that the purpose of the transfer had been well-publicized. In one of the affidavits, the wife of the president of Florida's oldest bank, said, "I would have been surprised if there was any knowledgeable member of the community who was unaware of the racial aspect of the golf course transaction." She and her husband refused to join, she said, "because of the obvious racial subterfuge which was evident to the general public."

President Nixon sought to excuse his nominee at a press conference by saying "If everyone in this government had to give up his job if he belonged to a restricted golf course, Washington would have mass unemployment." But that was hardly responsive, since it was not Judge Carswell's membership in the club that was at issue, but his active participation in evading the law he was sworn to uphold.

HIS RECORD AS A JUDGE

Some idea of Mr. Carswell's performance as a judge can be gained from the analyses of his decisions presented to the committee, particularly some 15 rulings in which he was unanimously reversed by the Court of Appeals. Eight of these rulings were in the area

of civil rights, seven involved individual rights.

In 1962, in a suit Negro parents brought to desegregate the Pensacola School system, Judge Carswell struck from the case an attack on the segregated faculty and staff and approved a defective school desegregation plan. The Court of Appeals unanimously reversed him on both points.

In 1964, Judge Carswell dismissed a suit alleging a conspiracy to deny Negroes the right to go to Tallahassee movie theaters. The Court of Appeals unanimously reversed him, saying the orders dismissing the complaint "were clearly in error."

In 1965, after civil rights lawyers transferred to Judge Carswell's District Court, cases in which seven civil rights workers had been jailed on trumped-up charges of criminal trespass when they went on to unposted property to talk to people about registering, Judge Carswell remanded the cases back to the local courts on his own motion and without a hearing. The U.S. Court of Appeals unanimously reversed him.

In 1966, Judge Carswell dismissed a case brought to end segregation in Florida reform schools on the ground that the children who filed the suit had no standing to sue since they were themselves reform school graduates. The Court of Appeals, in its unanimous reversal, said they did have standing.

In 1967, the U.S. Court of Appeals again unanimously reversed Judge Carswell in a case to desegregate the Tallahassee schools which began in 1964 and which Judge Carswell had managed to delay in one way or another for nearly three years. At one time he had denied the Negro parents' request for a hearing to show the existing desegregation plan was inadequate, saying that no evidence could persuade the court to change the plan and that the evidence "would just be an idle gesture regardless of the nature of that testimony."

In 1969, he was again reversed by a unanimous Court of Appeals in his handling of the suit to desegregate the schools in Bay County, Fla.

The examination of Judge Carswell's record disclosed seven other cases involving individual rights where Judge Carswell denied hearings to plaintiffs in criminal cases, showing an insensitivity to their plight. In each instance, his cold rejection of their pleas was reversed by the appellate court.

HIS TREATMENT OF CIVIL RIGHTS LAWYERS

In the course of the Senate Judiciary Committee hearings several civil rights attorneys testified as to the rude treatment Judge Carswell meted out to them and others when they appeared in his court.

Professor John Lowenthal of Rutgers University testified that Judge Carswell expressed dislike for civil rights lawyers during the summer of 1964 and took steps to block their efforts to help workers trying to register black voters in Florida.

In a letter he sent to the New York Times on January 20, Professor Lowenthal said that "Judge Carswell was well known to both local and out-of-town lawyers as a vigorous opponent of civil rights. As I encountered him, he was no 'strict constructionist' when it came to aiding the Old South's cause. Rather, he was such a 'judicial activist' that he seemed more the partisan lawyer than the disinterested judge one hopes to find on the Federal bench."

Ernst H. Rosenberger, a New York attorney, recalled that when he came before Judge Carswell in 1964 on a voting case, the Judge displayed hostility to northern lawyers. Asked by a Senator about the Judge's reputation for giving a fair trial to minority group members or civil rights workers, Mr. Rosenberger said: "His reputation was bad . . . his reputation was one of obstruction in civil rights litigation."

Norman Knopf, a young Justice Department lawyer who had also worked in Florida as a volunteer in 1964, found "extreme hostility" existing between the judge and northern volunteers. He "lectured a civil rights attorney in a high voice a long time," Knopf said, denouncing lawyers who came down South to "rouse" the local people. Mr. Knopf also recalled that in regard to a group of voter registration workers, Judge Carswell said "he would not let them out of jail and as long as he had the power to do that, he would keep them in. It wasn't until he was shown that he had to let them out that he did."

Professor Leroy D. Clark of New York University, who had represented the NAACP Legal Defense Fund in Florida during the sixties, said of Mr. Carswell, "he was probably the most hostile judge I've ever appeared before; he would rarely let me finish a sentence," and on occasion turned his back on Mr. Clark when he was arguing a case. "It was not unusual for Judge Carswell to shout at a black lawyer who appeared before him while using a civil tone to opposing counsel."

He was so "insulting" and "hostile" to Negro lawyers, Mr. Clark said, that when newcomers were getting ready to go before the court, he would spend the night before having them "go through their argument while I harassed them, as preparation for what they would meet the following day."

Judge Carswell's standing among other Southern judges was analyzed in a political science dissertation that Mrs. Myron P. Curzan submitted to Yale University in 1968. Mrs. Curzan considered the civil rights decisions of 31 Federal District judges appointed to posts in the deep South between 1953 and 1963. When she ranked them in terms of the number of times they ruled in favor of Negro plaintiffs, Judge Carswell ranked 23rd. Her study showed that 60 per cent of his civil rights decisions were reversed on appeal.

HIS TREATMENT OF DEFENDANTS

If Judge Carswell exhibited hostility to civil rights lawyers, he was scarcely kinder to those fighters for civil rights who got into trouble with the law and appeared before him.

Mr. Rosenberger recalled that in 1964 when he was representing 9 clergymen arrested at the Tallahassee airport for their activities as freedom riders, Judge Carswell sought to circumvent justice. The Judge suggested to the city attorney that the clergymen be freed at once, not for humanitarian reasons but because by freeing the men, he would deprive them of any standing to sue for habeas corpus and leave them with permanent criminal records from which there could be no appeal.

Other witnesses recalled that when a group of civil rights workers was transferred from federal to city court, somehow, through the agency of Judge Carswell's court, the sheriff was informed that he could rearrest them immediately after they were free and he did just that.

HIS LACK OF PROFESSIONAL QUALIFICATIONS

Judge Carswell has another serious disability: his undistinguished record as a legal scholar or jurist. When the Judiciary Committee asked him for a list of his legal articles and writings he said he had none.

Commenting on the appointment when it was first announced, the New York Times observed, "Judge Carswell is so totally lacking in professional distinction, so wholly unknown for cogent opinions or learned writings, that the appointment is a shock. It almost suggests an intention to reduce the significance of the Court by lowering the caliber of its membership."

In a recent column, Joseph Alsop said: "It was predictable, in fact, that if Judge Haynsworth should be beaten, President Nixon would find an even worse nominee . . . To all appearances, the President has found just that sort of man in Judge Carswell."

Two professors, William Van Alstyne of Duke Law School (who, incidentally, testified in support of Haynsworth) and Gary Orfield of Princeton's political science faculty, examined Judge Carswell's record and concluded his appointment was "an insult to the legacy of the Warren court."

Louis H. Pollak, Dean of Yale Law School, after studying Judge Carswell's legal opinions between 1965 and 1969, said he found "no signs of real professional distinction" in them and told the Judiciary Committee "I am compelled to conclude that this nominee presents more slender credentials than any nominee for the Supreme Court put forth in this century."

HIS LACK OF SENSITIVITY

The impression that emerges with great clarity from as much of Judge Carswell's record as is known is of a man insensitive to the great social issues of the day and indeed even hostile to them.

In 1958, when he was nominated as a Federal District judge, Senator Eastland demanded that he take an oath in effect never to declare an act of Congress unconstitutional. Judge Carswell took such an oath, thus satisfying Senator Eastland and winning confirmation.

In the 1962 case involving the Pensacola School system, he went out of his way to insult the black children who brought the suit. They alleged, and the appellate court later upheld them in their plea, that they were suffering because the faculties of their schools were segregated. In an opinion that seems to mock their plight, Judge Carswell wrote, "Students can no more complain of injury to themselves of the selection or assignment of teachers than they can bring action to enjoin the assignment to the school of teachers who were too strict or too lenient."

In 1966, he and his wife sold a bayfront lot with a provision in the deed that it could be sold to white persons only. He did that, even though he was a U.S. District Court judge at the time and had been one for eight years; and even though the U.S. Supreme Court had outlawed such restrictive covenants and ruled they were unenforceable by the courts.

A number of women's groups have called attention to Judge Carswell's insensitivity to their problems, as expressed in a 1969 appellate court decision in which he voted to deny a rehearing to Ida Phillips, who lost her job solely because she was the mother of preschool children. (Phillips v. Martin Marietta Corp.). Testifying against the Carswell nomination, Rep. Patsy Mink (D., Hawaii) said that vote showed a "total lack of understanding of the concept of equality." On February 11, 1970, the Justice Department urged the Supreme Court to reverse the decision (endorsed by Judge Carswell) saying, it "will cause unwarranted hardship" to families with working mothers if permitted to stand.

Only a few months ago, in a speech to the Georgia Bar Association in Atlanta, he shocked some of the members by telling a racist joke: he said he asked "a dark-skinned person" "Are you from Indo-China?" and got the reply, "No suh. Ah's from Outdo' Georgia."

To stoop to that sort of cheap, minstrel-show humor in 1969 suggests Judge Carswell is oblivious to what has been happening in America during the last 20 years.

It seems that all of this suggests in countless numbers of ways that we are dealing with a nominee who simply does not possess the stature that would be required in ordinary times and certainly

falls short in these times of racial crisis and division in our country.

So I commend my colleague, the gentleman from Massachusetts (Mr. HARRINGTON), and I particularly commend the fine comments that have been made in this discussion by the gentleman from New York (Mr. LOWENSTEIN), and the comments made by the gentleman from Indiana (Mr. JACOBS), and many others who have felt constrained to make what I think is an important and perhaps, although we might not know it at this point, crucial contribution to the public evaluation turning on this question.

It is my hope, and I want to state now that it is my belief, that this nomination will ultimately be rejected by the U.S. Senate. If this does occur, I think the discussion here on the floor of the House of Representatives today will most certainly have had at least some small impact on what I hope will be this favorable result.

I now yield to my good friend and colleague from Indiana (Mr. JACOBS).

Mr. JACOBS. I wish to commend my colleague, also, for his contribution to the national enlightenment concerning this very important subject which is not just before the other body but is really before our entire country at this time.

I would also like to commend my colleague who has on numerous other occasions when it was even more difficult than on this occasion spoken out for decent and sensible priorities for our entire country.

Mr. CONYERS. Mr. Speaker, I thank the gentleman.

Mr. BURTON of California. Mr. Speaker, I should like to commend my distinguished colleague from Michigan, JOHN CONYERS, for his timely remarks concerning the confirmation of Judge Harrold Carswell and to associate myself with them.

I am opposed to the appointment of Judge Carswell to the Supreme Court. This is not a mere partisan opposition nor is it one prompted by regional prejudice or differences in political philosophy.

The overwhelming impediment to Judge Carswell's ability to serve on the Supreme Court is his repeated demonstration that he denies the self-evident truth—"that all men are created equal." The denial of so basic a tenet of our democracy must disqualify him in the eyes of all men who would preserve and defend the Constitution.

The Court and the Nation has been served over the years by liberals and by conservatives, by northerners and by southerners, by Republicans and by Democrats. This Nation has even endured and survived mediocrity in its public servants at various times in our history.

I oppose Judge Carswell's appointment by the President and urge the Senate to reject it not because of any of these considerations but, because to confirm him would be to confirm and approve of those things for which he stands.

To confirm Judge Carswell is to put the stamp of approval on a concept of racial superiority which is repugnant and contradicts all that our institutions have sought to uphold.

To confirm Judge Carswell is to return to the bitter days of the past and to hold back the natural surge of this Nation toward greater freedom for all of its people.

Judge Harrold Carswell should not sit on the highest court of this Nation.

Mrs. CHISHOLM. Mr. Speaker, there are only two aspects of the Carswell nomination with which I desire to concern myself.

The first is the obvious judicial ineptitude of the nominee. Even Judge Carswell's most enthusiastic supporters are forced to concede that ineptitude. Their only defense of supporting him is that others appointed to the Supreme Court have been just as inept.

It seems to be that this type of logic is both infantile and dangerous behavior. No responsible public official who is cognizant of the explosive racial situation in this Nation ought to, by his actions, indicate such total insensitivity to the problems which are, in essence, deteriorating the total American society.

The second aspect is the fact that Judge Carswell has, in my belief, demonstrated through his public and private actions that he was and is a racist. Therefore, I would be inclined to question the attitudes of those who support him.

FARM SUBSIDIES

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

Mr. CONTE. Mr. Speaker, I want to join my colleague from Michigan and certainly endorse what he has said here today.

As the gentleman from Michigan knows—and my good friend from New York and others have joined me in the House on two separate occasions on this—we passed an amendment to the agriculture bill providing for a $20,000 subsidy ceiling that would save the taxpayers——

Mr. CONYERS. Is that a limitation?

Mr. CONTE. A limitation of $20,000 which would have saved the taxpayers over $300 million a year. Today we are fighting with everything we have for the bare necessities for this country in education, water pollution, and air pollution control projects. It certainly would be very helpful if we could have this limitation passed by both branches. It was unfortunately defeated in the Senate last time. I hope tomorrow when this RECORD is printed my colleagues will read this voluminous record beginning with some people receiving $4,370,000 a year not to plant crops when there are millions of Americans going hungry every night. This is really ridiculous, and I hope that the American public will rise in indignation when they see these statistics in the RECORD.

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

Mr. CONTE. I yield to the gentleman.

Mr. LOWENSTEIN. I want to congratulate the gentleman from Michigan (Mr. CONYERS) on his statement today, and I want also to congratulate the gentleman from Massachusetts (Mr. CONTE) who has rendered a great service by bringing to the attention of this House this detailed record of the facts which everyone in the United States ought to know about so that we can legislate the end of this injustice and abuse of our resources.

I hope the fact that the gentleman has brought this to the attention of the Members will lead to a demand that the House again pass a ceiling on subsidies which we have twice before passed and that at this time there will be such public pressure that the Senate will concur and we will have a change in the agricultural support program.

I thank the gentleman for yielding to me.

Mr. CONTE. Mr. Speaker, I ask unanimous consent to include tabular material at this point in the RECORD.

1969 ASCS PROGRAM PAYMENTS OF $25,000 OR MORE EXCLUDING PRICE SUPPORT LOANS AND WOOL AND SUGAR PAYMENTS

J. G. Boswell Co., Corcoran, Ca, $4,370,657.
Giffen Inc., Huran, Ca, $3,333,385.
South Lake Farms, Fresno, Ca, $1,788,052.
Salyer Land Co., Corcoran, Ca, $1,637,961.
Mt. Whitney Farms, Five Points, Ca, $1,-152,294.
Kern County Land Co., Bakersfield, Ca, $974,163.
S. A. Camp Farms Co., Shafter, Ca, $928,917.
Vista Del Llano Farms, Firebaugh, Ca., $778,624.
Delta and Pine Land Co., Scott, Ms, $731,772.
Westlake Farms, Stratford, Ca, $697,360.
Farmers Inv. Co., Sahuarita, Az, $673,410.
Boston Ranch Co., Lemoore, Ca, $643,006.
State of Montana, Helena, Mont., $641,341.
Bud Antle Inc., Red Rock Az, $596,293.
Telles Ranch Inc., Firebaugh, Ca, $503,285.
Lee Wilson & Co., Wilson, Ar, $500,005.
Jack Harris Inc., Coalinga, Ca, $475,924.
C. & V. Growers Inc., Maricopa, Az, $468,899.
Hamilton Farms, Eloy, Az, $432,206.
H. B. Murphy Co., Brawley, Ca, $431,733.
Vernon L. Thomas Inc., Huron, Ca, $392,790.
Red River Land Co., Stanfield, Az, $391,237.
Youngker Farms, Buckeye, Az, $382,786.
McNair Farms, Laurinburg,, NC, $366,584.
Airway Farms Inc., Fresno, Ca, $360,823.
BKW Farms Inc., Marana, Az, $350,607.
John D. Singh, Casa Grande, Az, $345,064.
Tx. Dept. of Corr., Sugarland, Tx, $343,654.
A. K. Chin Farms, Maricopa, Az, $336,796.
Barkley Co. of Arizona, Somerton, Az, $332,642.
Tom J. Moore, Navasota, Tex, $325,886.
J. K. Griffith, Morton, Tx, $322,355.
Wilco Produce, Blythe, Ca, $314,402.
H. H. Moore & Sons, Navasota, Tx, $310,411.
Baughman Farms Inc., Liberal, Ks, $310,255.
Gila River Farms, Sacaton, Az, $303,898.
Gilkey Farms Inc., Corcoran, Cal, $295,415.
B. V. Fms. & Miller & Lux, S Francisco, Ca, $292,961.
Bogle Farms Inc., Chandler, Az, $280,911.
Goodyear Farms, Litchfield Park, Az, $275,654.
Raymond, Thomas Inc., Madera, Ca, $272,280.
John B. McKee, Jr., Friars Point, Ms, $271,743.
Arizona Farming Co., Eloy, Az, $269,198.
W. B. Camp & Sons, Bakersfield, Ca, $267,559.
J. G. Stone Land Co., Stratford, Ca, $266,968.
F. J. McCarthy & Sons, Tulare, Ca, $262,890.
Riverview Farm & Cattle, Blythe, Ca, $262,114.
Newhall Land & Farming, Firbgh, Ca, $258,555.
Potter Bros Inc., Arcola, Ms, $248,244.
Kirby Hughes, Tucson, Az, $245,643.

W. J. Deal, Mendota, Ca, $244,755.
Santiaga Ranch, Bakersfield, Ca, $243,366.
Timco, Mendota, Ca, $241,965.
W. T. Golston Farms, Stanfield, Az, $239,469.
West Haven Farming Co., Tulare, Ca, $238,201.
Howe Lumber Company, Inc., Wabash, Ar, $237,251.
Houchin Bros Farming, Buttonwillow, Ca, $232,163.
Bruce Church Inc., Yuma, Az, $229,638.
Giumarra Vineyard Corp, Bksfld, Ca, $227,539.
Gragnani Bros, Tranquillity, Ca, $227,451.
Ridgeside Farms, Bakersfield, Ca, $226,709.
C. J. Vignolo, Shafter, Ca, $225,797.
Ben Simmons, Parker, Az, $225,151.
Southern National Bank, Lumberton, NC, $224,254.
Worsham Bros, Pecos, Texas, $222,487.
Hill Farms, Hart, Tx, $221,359.
R. A. Pickens & Son Co., Pickens, Ar, $221,325.
Roy Flowers, Mattson, Ms, $221,228.
Elmore Co, Brawley, Ca, $218,565.
David A. Shumway, Queen Creek, Az, $215,684.
Schramm Ranches, Inc., San Joaquin, Ca, $215,435.
J. E. O'Neill Inc, Fresno, Ca, $215,295.
L–4 Ranches Inc, Queen Creek, Az, $213,273.
M. J. & R. S. Allen, Coalinga, Ca, $209,819.
W. E. Young & W. E. Young, Jr., Calipatria, Ca, $209,531.
Mazzie Farms, Arvin, Ca, $207,146.
Clarence Matheson, Mendota, Ca, $205,755.
Sherrill-Lafollette, Phoenix, Az, $202,602.
Crowe Farms, Arcola, Ms, $202,041.
Twin Farms, Buttonwillow, Ca, $201,683.
Campbell Farming, Hardin Mt, $201,260.
Taft McGee, Hereford, Tx, $200,309.
Three Way Land Co., Dekalb, Tx, $198,879.
Borba Bros Riverdale, Ca, $196,986.
Joe Mendiburu, Oildale, Ca, $195,290.
Patherburn Co, Ms, $194,960.
J. W. Olberg and Son, Yuma, Az., $194,624.
Sinclair Rches, Calipatria, Ca., $193,869.
Topanga Caine Farm, Lake Cormorant, Ms., $193,671.
John A. Wheeler, Lorenzo, Tx., $193,645.
C. Cury Bros., Mesa, Az., $193,196.
Nichols Farms, Hanford, Ca., $190,944.
Rancho Tierra Prieta, Eloy, Az., $187,815.
Bill Hilburn, Bowie, Az., $187,574.
R. A. Ingram, Leland Ms., $186.397.
W. R. Mayes, Mayesville, S.C., $185,089.
William C. Maloney, Itta Bena, Ms., $184,630.
Emma Lawrence, Hobbs, N.M., $184,580.
I. F. Lee, Hale Center, Tx., $183,638.
Sam Hamburg Farms, Los Banos, Ca., $183,380.
D. M. Bryant, Jr., Pond, Ca., $182,994.
Halsell Cattle Co., Kansas City, Mo., $180,907.
Buckhorn Planting Co., Greenwood, Ms., $180,440.
John Garrett and Sons, Clovis, NM., $179,598.
Boyett Farming, Corcoran, Ca., $179,401.
R. A. Rowan & Co., Stratford, Ca., $178,975.
Coit Ranch, Inc., Mendota, Ca., $178,949.
Community Gin, Scottsdale, Az., $178,790.
Roberts Farms, Inc., Porterville, Ca., $178,408.
John J. & Ola V. Lord, Tucson, Az., $176,760.
Trail Lake Plantation, Tralake, Ms., $174,602.
Irvine Co., El Centro, Ca., $174,408.
Winston Farms, Parker, Az., $172,391.
Jimmy Cluck, Hart, Tx., $172,359.
Ercell Givens, Abernathy, Tx., $172,152.
George Yarbrough, Sicily Island, La., $171,967.
State of Wa., Ephrata, Wa., $171,781.
Coberly-West Co., Los Angeles, Ca., $171,367.
Redfern Ranches, Inc., Dos Palos, Ca., $171,289.
Kenneth Lindemann, Pecos, Tex., $170,334.
James D. Russell, San Benito, Tx., $169,964.
Wesson Farms, Inc., Victoria, Ar., $166,762.
Southmountain Farms, Inc., Laveen, Az., $166,696.
George B. Willoughby, El Centro, Ca., $165,889.
Jack Elmore, Brawley, Ca., $165,708.
Thunderbird Farms, Phoenix, Az., $163,779.
Engelman Farms, Elsa, Tex., $162,222.
Roscoe Farm Co., Scottsdale, Az., $161,122.
So. Pac. Company, San Francisco, Ca., $161,068.
Fowler E. Daniel, Tulia, Tx. $160,849.
John Kai, McDaniel, Tulia, Tx., $160,849.
M & I Farms, PO Bx 700, Delano, Ca., $159,-463.
Diwan Ranches Inc., Rt 1 Box 485, Casa Grande, Az., $158,895.
E. F. Nunn and Co., Shuqualak, Ms., $158,-423.
S. K. Ranch, 12021 Ave 328, Visalia, Ca., $158,308.
J. H. Williams, Rt. 1 Box 211, Natchitoches, La., $158,174.
Reynold M. Mettler, PO Bx 473, Bakersfield, Ca., $156,566.
J. A. Roberts, Rt 1 Box 207, Casa Grande, Az., $156,415.
Talla Farms Inc, Box 668, Stanfield, Az., $156,190.
Allen Gray Estate, Benoit, Ms., $155,976.
Russell Bros Rches Inc, Box 275, Calipatria, Ca., $155,583.
V. C. Britton Co., PO Box 397, Firebaugh, Ca., $155,252.
Wolfsen Land and Cattle, Box 311, Los Banos, Ca., $154,466.
Marion Harris, 20421 Rd 44, Tulare, Ca., $154,156.
Oakhurst Company, Box 335, Clarksdale, Ms., $153,734.
Em H. Mettler & Sons, Bx 1298, Shafter, Ca., $152,902.
Kesey Bros, Box 1368, Pecos, Texas, $151,294.
Amana Society, C/o Roy Moser, Amana, Ia., $149,172.
Ar State Penal Farm, Box 500, Grady, Ar., $148,628.
J. H. Benson Rchs Inc., Box 239, Brawley, Ca., $148,545.
Waddell Ranch Co., Waddell, Az., $148,543.
C&A Equipment Co., Drawer KK, Casa Grande, Az., $148,039.
Comfort Farm, Inc., PO Box 215, Dos Palos, Ca., $147,462.
Garrett Corporation, Box 520, Clovis, N.M., $147,319.
McQueen Smith Farms, RR 1, Prattville, Al., $147,272.
Eastland Plantation Inc, Doddsville, Ms., $146,792.
Clarence Martin, Rt 2 Box 146, Friona, Texas, $145,722.
Coelho Farms, PO Box 645, Riverdale, Ca., $144,954.
Clark and Roberts, 1927 Jackson, Pecos, Texas, $144,458.
Wildwood Plantation, RR 3, Greenwood, Ms., $144,288.
Coyanosa Farms, Box 235, Coyanosa, Tx., $143,993.
Shuklian Bros Inc., 26591 Hwy 99, Tulare, Ca., $143,701.
Texas Hill Farms, PO Box 1283, Yuma, Az., $143,243.
H. K. Hammett and Sons, Box 512, Greenville, Ms., $143,003.
McKittrick Ranch Inc., 1921 Bradford, Bakersfield, Ca., $142,358.
Vahlsing Christina Corp., Box 386, Mathis, Texas, $142,088.
Leyton Woolf, 4323 W Laurie Lane, Glendale, Az., $142,061.
Krenmueller Farms, Rt 1 Box 77, San Juan, Tex., $141,971.
Broughton Land Co., PO Box 27, Dayton, Wa., $141,688.
F. C. Layton, Bx 175, Tolleson, Az., $141,324.
Indian Creek Planting Co., Robinsonville, Ms., $141,155.
Hugh Hudson Ranches, PO Box 201, Calipatria, Ca., $140,943.
G. W. Nickel, Jr., Wasco, Ca., $140,768.
Bill Weaver, Lamesa, Tx, $140,462.
Hyneman Farms Inc., P O Box 30, Trumann, Ar, $139,709.
W. T. Waggoner Trust Est, Vernon, Tx, $139,651.
Summer Peck Ranch Inc., Mondota, Ca, $139,100.
Schwartz Farms Inc, Stratford, Ca, $139,075.
J. and M. Planting Co., Shaw, Ms, $138,757.
Arena Co of Ariz, Glendale, Az, $138,494.
West Inc., Sidon, Ms, $138,022.
Roundaway Planting Co, Alligator, Ms, $137,286.
Bidart Bros., Bakersfield, Ca, $137,096.
Arthur Blohm, Wellton, Az, $135,785.
Hugh Bennett, Buckeye, Az, $135,734.
E. Ritter and Company, Marked Tree, Ar, $134,432.
Highland Lake Farm, Helena, Ar, $134,351.
Tejon Ranch Co., Bakersfield, Ca, $133,501.
Annapeg Inc., Minter City, Ms, $132,818.
H. C. Hitch, Jr., Guymon, Oklahoma, $132,717.
Holland Porter, Caldwell, Tx, $132,441.
Wood Rhances, Lemoore, Ca, $132,139.
C. T. Dearborn, Calipatria, Ca, $131,032.
Homer Hill, Hart, Tx, $130,979.
Abbay and Leatherman Inc., Robinsonville, Ms, $130,486.
Newton Brothers, Stratford, Ca, $130,120.
Isom & Isom, Casa Grande, Az, $130,115.
Murphy Jones, Nitta Yuma, Ms, $129,481.
Charles Lakin, W. Dodge, 129,148.
Perrin Bros., Hereford, Tx, $129,124.
Husbandville Pltn., Holly Ridge, Ms, $129,052.
Charles Roos III, Grande City, Tx, $128,983.
Glen Holt, Parker, Az, $128,928.
Four Fifths Plantation, Greenwood, Ms, $128,878.
Overmyer Farms, Francesville, In, $128,586.
W. A. Sullivan, Pecos, Tx, $128,375.
Ed. Ambrose, Buckeye, Az, $127,912.
Torrey Wood and Son, Hollandale, Ms, $127,835.
Jerry Lynn Hilburn, Columbus, NM, $127,637.
Martori Bros, Glendale, Az, $127,526.
Finley Bros., Gilbert, Az, $127,087.
Clarence Robinson, Blythe, Ca, $127,025.
Cote Farms Inc., St. Anne, Il, $126,895.
Kennedy Bros., Indio, Ca, $126,458.
Kline Planting Company, Alligator, Ms, $126,082.
Britz Chemical Co., Five Points, Ca., $125,804.
C. L. Ranch, Dell City, Tex., $125,740.
James E. and John Garrett, Clovis, N.M., $124,899.
Hammonds Ranch, Inc., Firebaugh, Ca., $124,691.
Duncan Farms, Inc., Inverness, Ms., $124,350.
Billups Pltn., Inc., Indianola, Ms., $124,118.
C. L. Willis, Jr., Dimmitt, Tx., $123,572.
Glen Miller, Colfax, Wa., $123,532.
Asbury Wright, Pinehurst, Ga., $123,156.
Est. Geo. C. Chance, Bryan, Tx., $122,724.
Schuh Bros., Chowchilla, Ca., $122,642.
John A. Abbott, Harlingen, Tx., $122,397.
W. T. Touchberry, Glen Allan, Ms., $122,327.
J. E. Mayes, Mayesville, S.C., $122,198.
King & Anderson, Inc., Clarksdale, Ms., $122,117.
Jr. & J. W. Cullison, Wellton, Az., $122,053.
Raymond Schnepf, Queen Creek, Az., $121,978.
John Norton Farms, Blythe, Ca., $121,803.
Ryan Bros., Mendota, Ca., $121,525.
Harris Cattle Co., Queen Creek, Az., $121,412.
J. Levingston Est., Inc., Ruleville, Ms., $121,349.
R. T. Hoover Farms, Fabens, Tx., $121,314.
Standard Oil Co., Oildale, Ca., $121,254.
W. P. Hunter, Bell City, Mo., $121,058.
Oscar Mayfield & Sons, Taft, Tx., $120,887.
Kelly R. Mahan, Drew, Ms., $120,734.
Franklin Trotter, Greenville, Ms., $120,699.

C. M. S. Farming Co., Phoenix, Az., $120,624.
Brazos A. Varisco, Bryan, Texas, $120,624.
Brooks Griffin, Elaine, Ar., $120,537.
Hill Farms, Inc., Indianola, Ms., $120,276.
Midway Farms, Inc., Osceola, Ar., $120,178.
The Delta, Company, Belzoni, Ms., $120,165.
Rodgers Bros., West Memphis, Ar., $119,806.
Claude P. Polston, Jr., Blenheim, S.C., $119,570.
Carl C. May, W. Helena, Ark., $119,144.
Meadowlark Fms., Sullivan, In., $118,973.
Delmar R. Durrett, Amarillo, Tx., $118,789.
E. F. Mauldin, Town Creek, Al., $118,654.
Fred Tavoleti & Sons., Clarksdale, Ms., $118,228.
Voth Farms, Inc., Wasco, Ca., $118,150.
Hagan and Bruton Farm, Hollandale, Ms., $117,999.
Wheeler Farms, Bakersfield, Ca., $117,869.
Dave Mendrin & Sons, Madera, Ca., $117,-539.
Belding Farms Inc., Ft. Stockton, Tx., $117,209.
J. C. Mills, Abernathy, Tx., $117,201.
Rabb Bros., San Joaquin, Ca., $117,072.
Griffin & Griffin, Coalinga, Ca., $116,892.
Lee Moor Farms, Clint, Tx., $116,798.
Woods Co., Yuma, Az., $116,531.
The Mirasol Co., Buttonwillow, Ca., $116,-516.
Delmer Zweygardt, Burlington, Co., $116,-483.
Greater Ariz. Rch. Inc., Ariz. Cty, Az., $116,-341.
South Fork Ranch Inc., Lemoore, Ca., $116,202.
Earl Hughes, Gadsden, Az., $115,891.
Roger Davidson, Marks, Ms., $115,597.
Ward Walton and Asso. Inc., Upper Sandusky, Oh., $115,235.
Peterson Farms, Corcoran, Ca., $115,130.
The Brown Farm, Schlater, Ms., $114,179.
Hubert Cheek Jr., Bowersville, Ga., $114,-065.
Lawrence E. Pence, McColl, S.C., $114,020.
Pilibos Bros. Inc., Fresno, Ca., $113,548.
O'Neill Farms Inc., Huron, Ca., $113,546.
Race Track Plantation, Greenwood, Ms., $113,286.
Elmer Heiskell, Dalhart, Tx., $112,990.
Basil Abate, Bremond, Tx., $112,932.
Carl E. Weiler, Phoenix, Ariz., $112,421.
Lockmiller and Son, Clovis, Nm., $112,051.
W. H. Gentry, Hereford, Tx., $111,921.
O. F. Bledsoe Pltn. Est., Greenwood, Ms., $111,781.
Busby Farms, Olton, Tx., $111,711.
C. & W. Ranches Inc., Marana, Az., $111,-599.
Glenn Lane, Coolidge, Az., $111,064.
Willis & Kurtz, Bakersfield, Ca., $110,574.
C and C Farms, Ft. Stockton, Tx., $110,-372.
James H. Jones, Hearne, Tx., $110,069.
Correia Brothers, Visalia, Ca., $109,805.
John B. Ford, Darling, Ms., $109,773.
E. T. Jordan & Sons, Yazoo City, Ms., $109,-621.
Joe I. McHugh, Orville, Al., $109,505.
Warner Reid, Tulia, Tx., $109,374.
Lakeview Pltg. Co., Yazo City, Ms., $109,-338.
Carl J. Kuper, Dalhart, Texas, $108,810.
Elvin Crow, Pecos, Tx., $108,758.
Cameta Plantation Inc., Auguilla, Ms., $108,294.
Davis Ranch Co., Chandler Hts., Az., $108,-147.
Patterson Farms Inc., Maitland, Mo., $108,112.
Harold H. Hogue, Dalhart, Tx., $107,964.
Smallwood Farms, Pecos, Tx., $107,664.
W. J. Scott, Yuma, Az., $107,327.
Morris Bros., Higley, Az., $107,184.
Armorel Planting Co., Armorel Ar., $107,147.
Lee Ross Hammond, Clovis, N.M., $106,863.
Fridenmaker Farms, Phoenix, Az., $106,771.
McCarthy Hildebrand Frms, Eloy, Az., $106,609.
Alexander Farms Inc., Helena, Ar., $106,371.
Wesley Hansen, Corcoran, Ca., $106,312.
Banks & Co., Hernando, Ms., $106,176.
H. L. Anderson, Peoria, Az., $106,126.
James E. Coleman, Yazoo City, Ms., $106,-035.
Sam Sparks, Santa Rosa, Tx., $105,737.
Barham Inc., Oak Ridge, La., $105,702.
C. H. Moore Trust Est., Clinton, Ill., $105,-428.
H. L. Yocum & Sons, Hanford, Ca., $105,-332.
Carlson Brothers, Marion, Ark., $105,243.
Guy H. Shivers, Sr., Norwood, Ga., $105,031.
George Hammond, Clovis, N.M., $104,926.
Ben Estes Bearden, Santa Rosa, Tx., $104,-874.
M. T. Hardy, Webb, Ms., $104,792.
Stephen H. Elmore, Brawley, Ca., $104,733.
Empire Farms, Eloy, Az., $104,640.
Walter J. Williams, Las Vegas, Nv., $104,-537.
Cedarville Corp, Pecos, Tx., $104,447.
Geo. T. Helle, Mission, Tx., $104,309.
Mike P. Sturdivant, Glendora, Ms., $104,-261.
Fred Enke, Casa Grande, Az., $104,222.
H. R. Watson and Sons, Tunica, Ms., $104,-202.
Eldon Blackburn, Melrose, N.M., $104,069.
Kenneth Reynolds, Calipatria, Ca., $104,-023.
Olive W. Garvey, Colby, Ks., $103,726.
J. F. Bland, Jr., Mayesville, S.C., $103,725.
John Valov, Tulare, Ca., $103,442.
J. A. Howarth, Jr., Cleveland, Ms., $103,325.
Heidrick Farms Inc., Woodland, Ca., $103,-101.
Weeth Ranches Inc., Coalinga, Ca., $103,-085.
M. B. McFarland & Sons, McFarland, Ca., $102,872.
J. H. Sherard & Son, Sherard, Ms., $102,-695.
Mitco Inc., Crosbyton, Tx., $102,667.
G. L. Pratt, Visalia, Ca., $102,554.
Gaddis Farms, Inc., Raymond, Ms., $102,502.
William E. Armstrong, Lubbock, Tx., $102,222.
Epps Plantation, Epps, La., $102,181.
Lattner and Mills, Pecos, Tx., $101,834.
Carl C. Bamert, Muleshoe, Tx., $101,763.
J. L. Hodges Farming Co., Buckeye, Az., $101,721.
Rio Farms, Inc., Edcouch, Tx, $101,580.
Sill Prop, Inc., Bakersfield, Ca., $101,559.
Baker Planting Co., Leland, Ms., $101,471.
J. C. Sides, Sr., Coffeeville, Ms., $101,110.
W. D. Patterson, Rome, Ms., $100,854.
Norment Foley, Uvalde, Texas, $100,836.
J. L. Golightly, Jr., Mesa, Ariz., $100,698.
Bond Pltg. Co., Clarkedale, Ark., $100,676.
John Fuson, Bakersfield, Ca., $100,121.
Baretta & Little Farms, Calipatria, Ca., $100,073.
Ranches of the SW, Stockton, Tx., $100,025.
H. G. Carpenter, Rolling Fork, Ms., $100,000.
Egypt Planting Company, Cruger, Ms., $99,876.
Melcombs Ranch, Inc., San Joaquin, Ca., $99,803.
Gordon Bros., Tranquillity, Ca., $99,739.
Gladden Farms, Cashion, Az., $99,639.
Reetex Farms, Pecos, Tex., $99,582.
Hooper Farms, Inc., Chowchilla, Ca., $99,413.
Rossi Farms, Inc., Bakersfield, Ca., $99,140.
C. C. Slaughter Farms, Morton, Tx., $98,870.
Enrico Farms, Inc., Firebaugh, Ca., $98,567.
Jones Farms, Stratford, Ca., $98,468.
J. D. Rankin, Canton, Ms., $98,407.
J. Boyd White, Marana, Az., $98,241.
Roebuck Plantation, Sidon, Ms., $98,039.
Cornerstone Farm & Gin Co., Pine Bluff, Ar., $98,010.
I. D. Nunnery, Jr., Arcola, Ms., $97,963.
P. Hansen Ranch, Corcoran, Ca., $97,631.
C. B. Box Company, Midnight, Ms., $97,613.
Jack Ralston, Maricopa, Az., $97,491.
Sarah P. Sanders Extr., Walls, Ms., $97,472.
William J. Asmussen, Agar, SD, $97,142.
Virgil F. Marsh, Hereford, Tx., $96,915.
Charles A. Russell, Beulah, Ms., $96,743.
John W. Nigliazzo, Hearne, Tx., $96,650.
Coleman Farms, Okolona, Ms., $96,423.
Richard Gumz, North Judson, In., $96,238.
Belluomini Bros., Buttonwillow Ca., $96,-113.
Bibb, Inc., Tunica, Ms., $96,092.
Linneman Ranches, Inc., Palos, Ca., $95,-940.
David C. McAteer, Ft. Stockton, Tx., $95,-920.
Donald K. Donley, Yuma, Az., $95,916.
Walker Farms, Inc., Stoneville, Ms., $95,858.
Bowles Farming Co., Los Banos, Ca., $95,-808.
Dean Pruett, Altoona, Al., $95,738.
Peter J. Robertson, Coolidge, Az., $95,729.
M. L. Earnheart Co., Tunica, Ms., $95,699.
White Farms & Cattle Co., Canyon, Tx., $95,383.
Vence Corpora, Heane, Tx., $95,331.
Hoparka Plantation, Sumner, Ms., $95,203.
James S. Garvey, Colby, Ks., $95,113.
Pacific Farms Co., Firebaugh, Ca., $94,876.
Harold Senter, Wilson, Ar., $94,856.
Hollybrook Land Co., Inc., Lake Providence, La., $94,701.
Wm. J. Schulte, El Reno, Ok., $94,559.
Gilnockie, Pltg. Co., Leland, Ms., $94,369.
Ranza Boggess, Friona, Texas, $94,120.
Dudley, Pillow, Jr., Delta, La., $93,960.
Goodland Farms, Inc., Hearne, Tx., $93,909.
W. H. Haggard, Jr., Buckeye Ariz., $93,759.
W. A. Rountree, Dublin Ga., $93,432.
W. W. Hill, Pecos, Tex., $93,428.
L. Z. Farms, Inc., Casa Grande, Az., $93,-389.
Simpson & Wilson, Rio Hondo, Tx., $93,027.
Fifield Land Co., Brawley, Ca., $92,793.
Kriesant Operating Co., Inc., Mendota, Ca., $92,790.
J. W. Wallace & Sons, Edinburg, Tex., $92,-580.
Aden Brothers, Inc., Valley Park, Ms., $92,-566.
E. C. Fedric, Glendora, Ms., $92,555.
Woodrow Lewis, Chandler, Az., $92,521.
L. W. Wade Farms, Inc., Greenwood, Ms., $92,276.
B. Raymond Evans, Tulia, Tx., $92,096.
J. B. Hardwicke Co., Ptn., McCallen, Tex., $92,093.
Winterrowd Bros., Pecos, Tx., $92,045.
Raymond O'Connel & Son, Brawley, Ca., $92,010.
Allen & Brashier Pltg. Co., Indianola, Ms., $91,823.
Fairfax Pltn., Tribbett, Ms., $91,641.
Anthony Denena & Son, Hearne, Tx., $91,-640.
G. H. J. Farms, Ltd., Johnson, Ks., $91,596.
Combs & Clegg Rnchs., Inc., Queen Crk., Az., $91,466.
E. R. McDonald & Sons, Newellton, La, $91,355.
Dulaney Bros., Shallowater, Tx, $91,353.
Ed Hall, Bouse, Az, $91,093.
J. G. Gourlay, Rosedale, Ms, $91,021.
Harp & Hansen, P O Box 295, Corcoran, Ca, $90,860.
F. O. Masten, Sudan, Tx, $90,792.
Hubbard W. McDonald, Rt. 2, McColl, SC, $90,786.
William P. Scamardo, Box 326, Mumford, Tx, $90,733.
Giusti Farms, Inc, Ste 904 2220 Tulare, Fresno, Ca, $90,676.
W. J. Chandler and Sons, Moundville, Al, $90,472.
A. B. Foster, Box 891, Pecos, Tex., $90,268.
San Juan Ranching Co, Rt 1, Box 1718, Dos Palos, Ca, $90,248.
Gilkens Farms, Inc, Rt 1, Box 676, Edwards, Ms, $90,247.
C. B. Shields, Jr, Rt. 1, Box 284, Edcouch, Tex, $90,028.
E. O. Mitchell, Inc., P. O. Box 195, Arvin, Ca, $89,985.
M. K. & J. F. Rieves, Jr., Box 9, Marion, Ar, $89,924.
E. D. Graham, Sumner, Ms, $89,809.

C. J. Ritchie, 12021 Ave 328, Visalia, Ca, $89,602.
Paul Pilgrim, 666 Sycamore St, Shafter, Ca, $89,582.
Douglas Mallette, Indianola, Ms, $89,581.
Cass Edwards II, 725 Commerce Bldg, Ft. Worth, Tex, $89,341.
Thomas L. Moran, Hartley, Tex., $89,178.
Vernon B. Clinton, Box 58, Rupert, Id, $89,125.
Pacco Inc., Turrell, Ar, $89,120.
G. J. Parkhill, Jr., Box 275, Crosbyton, Tx, $88,994.
Joe Lee McMahon, Box 68, Verhalen, Tx, $88,883.
Fifield Farms, 229 Main St, Brawley, Ca, $88,397.
Cunningham Sheep Co., Box 1184, Pendleton Or, $88,305.
Howard & Blythe Plt, Lake Cormorant, Mi, $88,188.
Dearmont Oliver, RR 1, East Prairie, Mo, $88,099.
McMurchy Farms, Box 181, Duncan, Ms, $88,062.
Power Ranches Inc., Rt 1 Box 72, Higley, Az, $88,031.
Frank Robinson, Panhandle, Tx, $87,999.
Gus Pugh Sons, Inc., Portland, Ar, $87,873.
D. T. Reed, Rt 5, Hereford, Tx, $87,677.
F. H. Hogue Prod Co., Box 654, Litchfield Park, Az, $87,638.
Donald H. Cox, 560 N 8th, Brawley, Ca, $87,505.
Beckwith Farms, Drawer 616, Progreso, Tex, $87,160.
Post Montgomery, 921 Austin St, Levelland, Tx, $87,106.
S. E. Lowrance Ranch, Box 36, Tranquillity, Ca, $87,026.
Owen Brothers, RR 1 Box 108A, Tunica, Ms, $87,008.
Cattani Bros., RR 6 Box 215, Bakersfield, Ca, $87,008.
Fred Nussbaumer, P. O. Box 186, Wellton, Az, $86,991.
Ruby Walker, Bentonia, Ms., $86,882.
Bruce Parr, Friona, Texas, $86,881.
Dossett Plantation, Inc., Beulah, Ms., $86,733.
Elms Planting Corporation, Altheimer, Ark., $86,720.
Abatti Bros., El Centro, Calif., $86,568.
Ben Wood Farms, Joiner, Ark., $86,515.
Miller Farms Co, Tulia, Texas, $86,462.
Griset Bros., Santa Ana, Calif., $86,393.
A. Angeletti, Inc., Crawfordsville, Ark, $86,363.
C. Mettler, Bakersfield, Calif., $86,349.
Ballard and Hurt, Plainview, Texas, $86,180.
W. W. Clem, Pecos, Texas, $85,959.
Ruby Planting Co., Money, Ms., $85,945.
Dunn Farms, Maricopa, Ariz, $85,860.
John & Alex Kochergen, Fresno, Calif., $85,801.
Dan Claborn, Courtland, Ala., $85,783.
P&W Inc. & Santo Monica Farms, Brownsville, Texas, $85,725.
Pirani & Sons, Turrell, Ark., $85,723.
Sunset Ranches, Inc., Eloy, Ariz., $85,683.
Marshall Lands, Inc., Charleston, Mo., $85,354.
P. S. Thompson, Eloy, Ariz., $85,332.
H. S. Swayze, Benton, Ms., $85,230.
Loy Kilgore, Pecos, Texas, $85,190.
Stimson Veneer & Lumber Trust, Dumas, Ark., $85,107.
Jacob S. Stephens, Buckeye, Ariz., $85,043.
M. Lane, Shafter, Calif., $84,908.
W. S. Heaton, Jr., Lyon, Ms., $84,669.
H. & H. Farms, Inc., Bakersfield, Calif., $84,622.
Salton Sea Farms, Calipatria, Calif., $84,514.
Tallmadge Ranch, Inc., Momence, Ill., $84,498.
D. M. Brown, Phoenix, Ariz, $84,495.
Hobson Gary, Schlater, Ms., $84,441.
Little Panther Plantation, Leland, Ms., $84,440.
J. F. Twist Plantation, Twist, Ark., $84,404.
M. Curti & Sons, Waukena, Calif., $84,335.
D. H. Dew, Jr., Eden, Ms., $84,334.
D. E. Reynolds, Jr., Glendora, Ms., $84,139.
Paul Battle, Jr., Tunica, Ms., $84,069.
Albemarle Corporation, Courtland, Ala., $84,045.
Lee J. Fazzino, Bryan,Texas, $83,963.
Inco Farms, Inc., Bonsall, Calif., $83,834.
J. L. Hill & Co., Webb, Ms., $83,689.
M. L. Dudley & Co, Fresno, Calif., $83,672.
Wolf Island Farms, Wolf Island, Mo., $83,489.
Rogers Farming Co., Pville, Ca., $83,385.
Miller Lumber Co., Marianna, Ar., $83,365.
Martin Talla, Stanfield, Az., $83,364.
C. Elton Green, Clovis, N.M., $83,262.
W. L. Corcoran, Eufaula, Al., $83,235.
Daniel D. McDaniel, Cameron, Tx., $83,120.
Hugh Stephens, New Albany, Ms., $82,850.
Jerry Skelton, Collierville, Tenn., $82,779.
White Face Farms, Inc., Levelland, Tx., $82,705.
Duane Ellsworth, Chandler, Az., $82,649.
Rowe and Turnbough, Balmorhea, Tx., $82,628.
F. J. Higgins Farms, Inc., Schuyler, Ne., $82,593.
Cal.-Tenn. L. & C. Co., Calipatria, Ca., $82,587.
Lewis Barksdale, Jr., Duncan, Ms., $82,527.
Antongiovanni & Jarrard, Bkafld, Ca., $82,512.
H. L. Holland, Coolidge, Az., $82,486.
Wilbur Wuertz, Casa Grande, Az., $82,479.
Riggan Planting Co., West Mphs, Ar., $82,339.
Scott & Knappenberger, Blythe, Ca., $82,316.
Independent Gin Co., Casa Grande, Az., $82,261.
Coleman Planting Co., Yazoo City, Ms., $82,248.
J. P. Terrell and Son, Navasota, Texas, $82,203.
Mauldin Mauldin, Yuma, Az., $82,175.
Texas Dept of Corr, Sugarland, Tx., $82,155.
R. C. Godwin Farms, Inc., Hereford, Tx., $82,140.
D. W. & B. H. Malcom, Bostwick, Ga., $82,026.
J. F. Martin, Hereford, Tex., $82,004.
Tracy Ranch, Inc., Buttonwillow, Ca., $81,894.
A. E. Panetta Farms, Tipton, Ca., $81,707.
Elwood Elkins, Dekalb, Tx., $81,675.
Payne Valley Farms, Inc., Hamburg, Ia., $81,656.
Delton Caddell, Ralls, Tx., $81,618.
Willson Farms, Inc., Fresno, Ca., $81,542.
A. W. Langenegger, Hagerman, N.M., $81,531.
Price Giffen Ranch, Firebaugh, Ca., $81,482.
Anderson-Palmisano Fms., Maricopa, Az., $81,427.
Larry Chapman, Chowchilla, Ca., $81,400.
Garden Cy Company, Garden Cy, Ks., $81,166.
Leonard & Henry Franz, Lind, Wa., $81,156.
James E. Kemp, Dallas, Tx., $81,145.
Sierra Dawn Farms, Firebaugh, Ca., $80,971.
Billy Wayne Sisson, Hereford, Tx., $80,920.
Avra Land/Cattle Co. Partnership, Tucson, Ariz., $80,893.
Barney-Mecham, Queen Creek, Ariz., $80,775.
C. Ray Robinson, Eloy, Ariz., $80,720.
O. F. Gremaud, Perryville, Mo., $80,671.
T Cattle Co., Eagle Lake, Tex., $80,492.
Aladdin Ranch, Fresno, Calif., $80,456.
Mason & Godwin, Monroe, La., $80,437.
E. L. Wallace, Woodland, Calif., $80,429.
L. A. Robertson Farms, Inc., Shafter, Calif., $80,304.
Tunney Stinnett, Elaine, Ark., $80,253.
Davis & Gandy, Edinburg, Tex., $80,244.
Wesley Kroeker, Enid, Okla., $80,048.
J & J Ranch, Firebaugh, Calif., $80,035.
Rlds. Church Independence, Mo., $80,034.
John Garrett, Jr., Clovis, N. Mex., $79,893.
W. G. Trotter and Son, Winterville, Mass., $79,619.
DBA D. L. Smith Farms, Harlingen, Tex., $79,611.
Sweet Brothers, Widener, Ark., $79,533.
W & Q Farms Inc., Calipatria, Calif., $79,530.
Phil Taber, Casa Grande, Ariz., $79,515.
R. W. Owen, Inc., Tunica, Miss., $79,514.
C J & L. Farms, Stanfield, Ariz., $79,506.
Heirs of Jos. F. Green, Taft, Tx., $79,493.
Lynchfield Planting Co., Tchula, Miss., $79,438.
Cowan Bros., LaGrange, Tenn., $79,392.
Sunrise Dairy, Cleveland, Miss., $79,344.
Leon C. Bramlett, Clarksdale, Miss., $79,254.
Bruins Plng. Co., Hughes, Ark., $79,176.
Garrett & Son, Clarksdale, Miss., $79,136.
W. M. Terry, Martin, S.C., $79,037.
J. E. Mayes, Mayesville, S.C., $78,979.
W. A & T. A. Calloway, Bosco, La., $78,835.
A. M. Mabus, Philipp, Miss., $78,812.
Ben F. Bowden, Eufaula, Ala., $78,657.
Joe Pugh, Itta Bena, Miss., $78,654.
John & Ray Brorman, Adrian, Tx., $78,440.
Hicks Graves, Petty, Tex., $78,284.
Wedel Farms, Wasco, Calif., $78,255.
Wagner Brothers, Inc., Lewiston, Idaho, $78,236.
Mission Planting Co., Ida, La., $78,144.
John W. Bookout, Hartley, Tex., $78,104.
R. D. Hughes, Blytheville, Ark., $78,056.
Graydon Flowers, Mattson, Miss., $78,021.
Luis Garcia/Sons, Inc., Spur, Tx., $78,005.
Kenmar Farm, Arvin, Ca., $77,981.
George B. Doshier, Vega, Tx., $77,973.
Bozeman Farms, Inc., Flora, Ms., $77,972.
Howard Hurd, Brownfield, Tx., $77,965.
Fox Brothers, Lyon, Ms., $77,912.
Framack Farms, Amarillo, Tx., $77,904.
H. T. Dillahunty & Sons, Hughes, Ar., $77,899.
Cotton Dixie, Inc., Webb, Ms., $77,898.
Dan Crumpton, Jr., Clarksdale, Ms., $77,879.
Lakeland Farms, Hollandale, Ms., $77,769.
Carr Planting Co., Clarksdale, Ms., $77,727.
Raymond Brown and J. M. Brown, Anguilla, Ms., $77,663.
Sutton Bros., Phoenix, Az., $77,650.
Stonewall Planting Co., Thornton, Ms., $77,585.
Dale Steele, Ford, Ks., $77,573.
John H. Spearman, Clovis, N.M., $77,535.
Horace Hutton, Muleshoe, Tx., $77,499.
Palm Farms, Inc., Bksfld, Ca., $77,488.
Frank Bounds, Pecos, Tx., $77,463.
Wayne Sniffin, Firebaugh, Ca., $77,446.
S. A. Arnold, Jr., Tunica, Ms., $77,412.
C. Bruce Mace Ranch, Inc., Davis, Ca., $77,358.
H. T. Bonds, Shelby, Ms., $77,318.
Frank Schuster, San Juan, Tx., $77,244.
Collier Bros., Inc., Spearman, Tx., $77,226.
Cerro Bros., Bakersfield, Ca., $77,218.
Ben Riggs & Son, Chandler, Az., $77,175.
O. B. Nerren, Isola, Ms., $77,159.
Gordon V. Waldrop, Lamesa, Tx., $77,143.
Holcomb & Black, Weslaco, Tx., $77,085.
Forrester Ranch, Inc., Amarillo, Tx., $77,081.
M. C. Braswell Farms, Battleboro, N.C., $77,037.
Don & Vern Thiesen, Kingsburg, Ca., $77,011.
G. T. Hamilton, Hillsboro, Al., $76,970.
King Plantation, Greenwood, Ms., $76,901.
Charles Vonderahe, Brawley, Ca., $76,792.
T. K. Williamson, Morton, Tx., $76,641.
Parrott Inv. Co., Chico, Ca., $76,636.
Dale Elliott, Clovis, N.M., $76,548.
C. J. Lowrance & Sons, Driver, Ar., $76,543.
Runnymede Plantation, Itta Bena, Ms., $76,467.
Mashburn Farms, Inc., Paris, Tx., $76,349.
C. W. Neely, Gilbert, Az., $76,319.

James Blythe, Jr., Courtland, Al., $76,192.
Standefer-Gray, Inc., Lubbock, Tx., $76,170.
Rhodell Farms, Inc., Avondale, Az., $76,162.
Michael Giffen Ranch, Inc., Fresno, Ca., $76,142.
Sanders Farms, Bakersfield, Ca., $76,113.
W. C. Huffaker, Jr, Tahoka, Tx., $76,070.
Clarence Winger & Sons, Johnson Ks., $76,058.
James Cannon, Lockney, Tx., $75,999.
Arnold Farms, Inc., Tunica, Ms., $75,964.
Alex Curtis, Leland, Ms., $75,880.
Phelps & Palmer, Mesa, Az., $75,854.
Hocke Propst, Anson, Tx., $75,807.
Reinauer Bros., Hereford, Tx., $75,719.
Parsons Ranch, Buttonwillow, Ca., $75,678.
J. R. Flautt & Sons, Swan Lake, Ms., $75,575.
Panola Co., Newellton, La., $75,547.
Delta Ranches, Inc., Blythe, Ca., $75,480.
Williams & Burkhardt, Taft, Tx., $75,353.
Lone Oak Ranch, Corcoran, Ca., $75,339.
Cokers Ped Seed Co., Hartsville, S.C., $75,293.
Herbert C. Harris, Jr., Cherokee, Al., $75,216.
Chas. Urrea & Sons, Mesa, Az., $75,153.
Lipe Farms, Inc., Indianola, Ms., $75,091.
Joe Reistino, Jr., Calvert, Tx., $75,088.
J. D. Smith, Littlefield, Tx., $75,078.
B. S. Baldwin & Sons, Bksfld, Ca., $75,015.
Pinal Farms, Inc., Stanfield, Az., $75,000.
R. W. Neely, Florence, Az., $74,966.
J. C. Mills, Abernathy, Tx., $74,944.
Jason H. Allen, Lubbock, Tx., $74,759.
Elmo, Stephens, Plainview, Tx., $74,748.
R. Creecy & T. Tate, Osceola, Ar., $74,559.
Charles E. Lynch, Bville, S.C., $74,522.
W. T. Millen, Muleshoe, Tx., $74,448.
Kirkland & Best, Ulmers, S.C., $74,412.
Mohead Planting Company, Lula, Ms., $74,380.
California Sturges Ginning Co., Yuma, Az., $74,371.
L. A. Strawberry & Veg. Dist. Co., McAllen, Tex., $74,352.
E. W. Merritt Farms, Porterville, Ca., $74,348.
H. H. Twiford, Alligator, Ms., $74,299.
Skousen & Hastings, Queen Creek, Az., $74,253.
John C. Alford, Petersburg, Tx., $74,190.
Travis H. Jones, Buckeye, Ariz., $74,135.
Wallace Bales, Buckeye, Ariz., $74,076.
L. J. Barksdale, Marks, Miss., $74,036.
Valley Onions, Inc., McAllen, Tex., $3,994.
Raymond Beauchamp, Pecos, Tex., $73,935.
McGregor Land & Livestock Co., Hooper, Wash., $73,930.
M. B. M. Farms, Phoenix, Ariz., $73,879.
Harriett Veck, Animas, N. Mex., $73,844.
Carr-Mascot Planting, Inc., Clarksdale, Miss., $73,612.
Ray Tribble, Money, Miss., $73,579.
E. Batsch, Strathmore, Calif., $73,563.
C. H. & G. Farms, Inc., Fresno, Calif., $73,-545.
Millhaven Co., Sylvania, Ga., $73,515.
Dalton R. Pittman, Shreveport, La., $73,-423.
Shannon Bros. Enterprises, Memphis, Tenn. $73,400.
D. E. Phillips, Lind, Wash., $73,400.
Daniel Gustafson. Lyford, Tex., $73,392.
Carl Bruegel, Dimmitt, Tex., $73,324.
H. L. Kendrick, Eloy, Ariz., $73,312.
Grady Shepard, Hale Center, Tex., $73,058.
Moore & Taylor, Waddell, Ariz., $72,955.
Roseta Farms, Eagle Pass, Tex., $72,940.
J. Antongiovanni & Sons, Bakersfield, Calif., $72,885.
Alex & Norman Pretzer, Eloy, Ariz., $72,-862.
Reyher Farms, McClave, Colo., $72,770.
W. W. Boswell, Jr., Corcoran, Calif., $72,610.
L. L. Lawson, Lubbock, Tex., $72,560
M. C. Ewing Co. Inc., Anguilla, Miss., $72,-391.
Sam & D. M. Biancucci, Firebaugh, Calif., $72,385.
Mallory Farms, Chatfield, Ark., $72,361.
Charles Hill, Chandler, Ariz., $72,350.
Albert J. Hoelscher, Pecos, Tex., $72,270.
A. C. T. Ranches, Inc., Eloy, Ariz., $72,127.
Richard Berry & Sons, Cutler, Calif., $72,-103.
Twilight Planting Co., Glendora, Miss., $72,052.
Pappas & Co., Inc., Mendota, Calif., $71,930.
Rio Grande Equipment Co., Harlingen, Tex., $71,920.
George H. Moore, Canton, Miss., $71,908.
Roy Smith, Corpus Christi, Tex., $71,900.
Bear Kelso Plt. Inc., Valley Park, Miss., $71,877.
Dan L. Smythe, Tribbett, Miss., $71,762.
L. R. Layton, Chandler, Ariz., $71,708.
Ralph T. Hand, Jr., Glendora Miss., $71,706.
Snodgrass and Carlisle, Roswell, N. Mex., $71,678.
Wood-Sanderlin Farm, Crumrod, Ark., $71,673.
Jay Wilson, Casa Grande, Ariz., $71,658.
Wayne Kirschenmann, Bakersfield, Calif., $71,460.
J. Bert Williams, Farwell, Tex., $71,445.
W. A. Heiden & Son, Buckeye, Ariz., $71,428.
O. D. Bingham, Amarillo, Tx., $71,418.
G. H. Barker, Marks, Miss., $71,407.
Bouziden Bros., Alva, Okla., 71,385.
J. G. Adams and Son, Hughes, Ark., $71,384.
M. P. Moore, Senatobia, Miss., 71,365.
Dunn Farms, Yuma, Ariz., 71,347.
Johnson Bros. & Jones, Cambridge, Nebr., $71,077.
Melvin May, Hereford, Tx., $71,032.
G. G. Passmore, Pecos, $70,975.
Garone Brothers, Bakersfield, Calif., $70,907.
Muldrow Farms, Brownfield, Tex., $70,834.
P. M. B. Self Estate, Marks, Miss., $70,753.
Self & Co., Marks, Miss., $70,732.
Hardesty Bros., Buckeye, Ariz., $70,660.
Allen B. Helms, Clarkedale, Ark., $70,612.
Wayne Q. Winsett, Altus, Okla., $70,605.
Crouch Bros., Maricopa, Ariz., $70,544.
Morris Stuhaan, Visalia, Calif., $70,389.
Gerald, L. Morris, Jr., McCrory, Ariz., $70,323.
Clide Barnett, Keiser, Ariz., $70,300.
Fredlo Farms, Arvin, Calif., $70,201.
Milo Erwin, Fresno, Calif., $70,141.
R. A. Hildebrand, Bakersfield, Calif., $70,116.
Clarence D. Carnahan, Hereford, Tex., $70,106.
T. C. Buford, Glendora, Miss., $70,098.
Davis Beauchamp, Calipatria, Calif., $70,084.
Elvis Jones, Lovington, $70,057.
W. T. Jamison, Jr., Tiptonville, Tenn., $70,047.
First Nat. Bank of E N C., Dun, N.C., $69,943.
Gene Reeves, Americus, Ga., $69,810.
Jack Hart, Gruver, Tex., $69,777.
Carter Brothers, Rolling Fork, Miss., $69,767.
W. C. Skates & Son, Avon, Miss., $69,747.
Torrigiana Bros., Buttonwillow, Calif., $69,645.
George Gabel, Dimmitt, Tex., $69,630.
Mike A. Burkholder, Pecos, Tex., $69,570.
W. P. Scruggs Estate, Doddsville, Miss., $69,490.
Schoeneck Farms Inc., Nazareth, Pa., $69-453.
First National Bank, Dumas, Tex., $69,415.
W. H. Lovett, Dublin, Ga., $69,403.
James O. Payne, Wasco, Ca., $69,402.
Noel Williams, Cordele, Ga., $69,381.
John W. Dawson, Hawkinsville, Ga., $69,-299.
W. H. Morgan and Son Inc., Greenwood, Ms., $69,284.
H. Buller Farms, Bakersfield, Ca., $69,251.
Equen Planting Co., Minter Cty, Ms., $69,-244.
McIntosh and Sons, Lewiston, Id., $69,-147.
F. L. Gerdes Jr., Leland, Ms., $69,113.
Dean Nelson, Onida, S.D., $69,078.
Garcia Farms Ptns., Tolleson, Az., $69,055.
Warren Mathis, Lockney, Tx., $69,043.
Carl V. Grissom, Le Grand, Ca., $69,021.
Leo Jessen, Oshkosh, Neb., $69,005.
Lake Plantation, Hughes, Ar., $68,975.
Lowrance Bros. & Co., Driver, Ar., $68,966.
Sebastian Cot. & Gr. Corp., Sebastian, Tex., $68,897.
William Hardison, Palo Verde, Az., $68,873.
Lee Wong Farms Inc., Glendale, Az., $68,-863.
J. E. Cunningham, Tchula, Ms., $68,827.
Dorris Jones, Floydada, Texas, $68,798.
Richard Swearingen, Riverdale, Ca., $68,-760.
Ganier Brothers, Hollandale, Ms., $68,674.
Arthur P. Gumz, North Judson, In., $68,-666.
George L. Labar & Sons, Harlingen, Tx., $68,665.
Herbert Friemel, Canyon, Tx., $68,654.
Otto Steinberg, Plainview, Tx., $68,602.
Oaklawn Plantation Inc., Dundee, Miss., $68,541.
R. I. Bennett, Lockney, Texas, $68,532.
T. V. Cardoza & Son, Tulare, Ca., $68,406.
B. L. Davis Ranch Inc., Adams, Or., $68,388.
Verlin O. Lasley, Stratford, Texas, $68,375.
K. V. Jordon & R. B. Coplen, Laveen, Az., $68,320.
Moore Planting Co. Inc., Cary, Ms., $68,285.
Hugh L. Gordon, Dalhart, Tx., $68,252.
T. R. and G. E. King Jr., McBee, Sc., $68,135.
Stanley Snitzer, Phoenix, Az., $68,106.
Starkey & Erwin, Avenal, Ca., $68,106.
McClellan & McClellan, Sunray, Tx., $68,-102.
Lonnie R. Smith, Olton, Tx., $68,099.
D. D. McColl, St. Pauls, N.C., $68,052.
Billy Joe Waldrup, Drew, Ms., $68,026.
Sanders & Sanders, Bakersfield, Ca., $68,011.
Buford Gladden, Casa Grande, Az., $68,011.
Triple M. Planting Co., Sumner, Ms., $67,993.
Knapp Farms, Weslaco, Tex., $67,976.
Donald E. Morris, Fortescue, Mo., $67,964.
Opal Fry & Sons, Bakersfield, Ca., $67,880.
Vincent Kovacevich, Fresno, Ca., $67,880.
Garst Company, Coon Rapids, Ia., $67,860.
J. C. Andresen, Fresno, Ca., $67,846.
Leon Marks, Clovis, N.M., $67,821.
Vernon Swearingen, Riverdale, Ca., $67,778.
J. C. Reed, Leland, Ms., $67,765.
John C. Reistino, Hearne, Tx., $67,687.
Claremont Farms, Huron, Ca., $67,658.
Neil Fifield Co., Brawley, Ca., $67,647.
X. Y. Ranch Co., Granada, Co., $67,603.
Sugarland Ind. Inc., Sugarland, Tx., $67,591.
E. H. Clark & Co., Hughes, Ark., $67,543.
Aubrey L. Lockett, Ropes, Tx., $67,510.
William M. Pitts, Indianola, Ms., $67,468.
Larry R. Scott, Arizona City, Az., $67,436.
Jimmy Millar, Morton, Tx., $67,309.
R. D. Hines, Yazoo City, Ms., $67,278.
Trans Pecos Farms, Inc., Pecos, Tx., $67,269.
Jack Hale, Blytheville, Ar., $67,263.
Hanes and Demaio, Clovis, N.M., $67,240.
Maryland Planting Co., Clarksdale, Ms., $67,154.
Melvin McConnell Fms., Wasco, Ca., $67,088.
K. L. & D. E. Morrow Ptns., Lyford, Tx., $67,061.
Marlin Hamilton, Florence, Az., $67,044.
Rainbow Planting Co., Webb, Ms., $66,976.
John Gray Kelly, Fairbanks, In., $66,969.
Paul Hays, Kress, Tx., $66,928.
Larry Woodard Farms, Inc., Lepanto, Ar., $66,879.
T. J. Wilson, Pecos, Tex., $66,866.
H. Fox Tindal, Pinewood, S.C., $66,852.
Pat Scates, Sr., Shawneetown, Il., $66,852.
J. T. John Co., Inc., Laurinburg, N.C., $66,850.
James F. Davis, Jr., Lorenzo, Tx., $66,801.
C. O. Pitrat & Sons, Laveen, Az., $66,762.
Kinard Bros., Willcox, Az., $66,745.
Wm. M. Harrison, Yuma, Az., $66,710.

A L Cone, Lubbock, Tx, $66,709.
A D Swindell, Pantego, N.C., $66,692.
Thomas L James, Canton, Ms, $66,688.
M H Rich, Jr., Chatham, Ms, $66,673.
Henson & Sons, Bakersfield, Ca, $66,618.
E A Houston, Abernathy, Tx, $66,593.
R. E Smith & Sons, Pixley, Ca, $66,589.
Tollie Barton, Bakersfield, Ca, $66,571.
James U Yeldell, Jr., Mer Rouge, La, $66,562.
Porter Land Co., Bakersfield, Ca, $66,445.
Adamek & Dessert, Seeley, Ca, $66,406.
H D Smith, Hart, Tx, $66,336.
J Melvin Taylor, Tallahassee, Al., $66,297.
C H Pattison, Clovis, N. M., $66,280.
Starr Produce Farm Acct, Grande City, Tx., $66,251.
J B Baird, Inverness, Ms., $66,242.
Donald Damon Est, Warden, Wa., $66,141.
Robbins & Long, Rosedale, Ms, $66,139.
F R Trainor, Lambert, Ms, $66,138.
W W & Earl Cochran, Portland, Ar, $66,092.
Vernon Denson, Hereford, Tx, $66,071.
Western Vly Ranches Inc., Los Banos, Ca., $66,055.
H L Palvado, Morton, Tx., $65,976.
Ivanhoe Assoc. Inc., Natchez, Ms., $65,936.
W C Bradley Co., Columbus, Ga., $65,929.
Ray Scroggins, Yazoo City, Ms., $65,865.
Quien Sabe Farms, Hereford, Tx., $65,781.
G E Paxton, Tulare, Ga., $65,753.
Herbert W. Bode, San Benito, Tx., $65,744.
Chanan Singh, Casa Grande, Az, $65,743.
Green Top Farms, Inc., Richmond, Mo., $65,722.
Bryants Incorporated, Barton, Ga., $65,717.
R E Hart, Sinton, Tx, $65,694.
Angelo & Eugene Fanucchi, Bksfid., Ca., $65,665.
Ashley Plantation, Tallulah, La., $65,629.
Byron Campbell Est., Raymondville, Tx., $65,606.
Singletary Farms, Blakely, Ga., $65,605.
R. L. Calhoun, Taft, Ga., $65,585.
Johnny Dentz, Madera, Ca., $65,556.
Wilbur F Johns Farms, Joiner, Az, $65,510.
Sloan Osborn, Friona, Tx., $65,503.
W E Taylor, Greenville, Ms., $65,496.
Davidson Bros., Pecos, Tx., $65,468.
Joe H. Wolf, La Feria, Tx., $65,398.
El Dorado Rnch Inc., Stanfield, Az., $65,389.
Warren Spikes, Hugoton, Ks., $65,383.
K. K. Skousen, Chandler, Az., $65,324.
Crosthwait Farms Inc., Osceola, Ar., $65,244.
Rusconi Farms, San Joaquin, Ca., $65,191.
A. H. Wegis & Sons, Buttonwillow, Ca., $65,177.
Carl Schuster, San Juan, Tex., $65,151.
Guerra Bros, Linn, Tex., $65,133.
Pauline V. Adair, Doddsville, Ms., $65,102.
Diablo Farms, Arvin, Ca., $65,062.
Pecan Grove Pltn, Indianola, Ms., $65,016.
W. J. Denton Est, Wilson, Ar., $65,005.
Tom Passmore, Pecos, Tex., $65,000.
West AC Farms, Inc., Hereford, Tx., $64,974.
Clements Corp., Lubbock, Tx., $64,940.
J. C. Moore Mercantile Co., Marion, Al., $64,934.
S. M. Fewell & Co., Vance, Ms.,$64,925.
Jack Phillips, Delano, Ca., $64,891.
Elbert Harp, Abernathy, Tx., $64,850.
M. & S. Rnchs, Inc., Stanfield, Az., $64,834.
Milton Addison, Brownfield, Tx., $64,771.
E. E. Gasque and Son, Elloree, Sc., $64,764.
Santa Cruz Farms Inc., Eloy, Az., $64,710.
Kalcevic Farms Inc., Aurora, Co., $64,624.
Clinton P. Owen, Robinsonville, Ms., $64,614.
T. A. Densford & Son, Millington, Tn., $64,590.
B. W. Smith Jr., Louise, Ms., $64,566.
S U. Smith, Louise, Ms., $64,566.
Dave M. Thompson, Friona, Texas, $64,557.
Erma Griffith, Morton, Tx., $64,527.
Buffalo Farms Inc., Goodland, Tx., $64,502.
C. C. & Jack Harbison, Mercedes, Tex., $64,497.
Antongiovanni Bros., Bakersfield, Ca., $64,484.
Bill Jim Stclair, Muleshoe, Tx., $64,479.
Donald J. Wright, Dimmitt, Tx., $64,450.
J. Carter Caldwell, Slaton, Tx., $64, 398.
J. Kroeker Sons, Shafter, Ca., $64,398.
W. S. Taylor Jr., Como, Ms., $64,381.
F. T. Leavell, Minter City, Ms., $64,367.
Roy Barefield, Alexander, Ga., $64,358.
Devin Devin & Patterson, Tulia, Tx., $64,346.
J. O. E. Beck Trust, Hughes, Ar., $64,313.
H. S. Mitchell, Millington, Tn., $64,297.
Arcola Planting Co., Arcola, Ms., $64,294.
Glenn Schott & Sons, Pixley, Ca., $64,259.
J. E. Polvado, Morton, Tx., $64,236.
William E. Glotz, Tranquillity, Ca., $64,072.
Schlindler Brothers, Ripley, Ca., $64,059.
James W. Dixon, Friona, Texas, $64,045.
Maryland Plantation, Inc., Shelby, Ms., $63,942.
Zumbro Planting Co., Cleveland, Ms., $63,817.
Marshall Cator, Sunray, Tx., $63,799.
Melvin R. Bryce, Pima, Ariz., $63,747.
John M. Welch, Indianola, Ms., $63,688.
Jack Bros. & McBurney, Inc., Brawley, Ca., $63,676.
J. L. Francis, Kress, Tx., $63,672.
James Middleton, Darlove, Ms., $63,670.
Texas Technological Research F., Pantex, Tex., $63,654.
Weeks Plantation, Inc., Clarksdale, Ms., $63,654.
Bonard Stice, Brownfield, Tx., $63,650.
Joe B. Mercer, Silverton, Texas, $63,649.
Schmitt Bros. Farms Ptn., Los Fresnos, Tx., $63,584.
Wheeler Robertson, Idalou, Texas, $63,507.
T. C. Clanton, Plainview, Tx., $63,423.
Pluto Planting Company, Thornton, Ms., $63,356.
Refuge Pltn., Greenville, Ms., $63,342.
Gilbreath Farm Co., Dimmitt, Tx., $63,329.
Burke Bros. & Giltz, Inc., Charleston, Mo., $63,313.
A. D. Murphree, Jr., Shelby, Ms., $63,313.
Camp & Lachenmaier, Shafter, Ca., $63,291.
L. O. Weaks, Silverton, Tex., $63,255.
M. E. Lee, Somerton, Az., $63,254.
J. H. Farms, Coolidge, Az., $63,237.
Ralph C. Dickson, McCamey, Texas, $63,227.
Valley Acres, Santa Rosa, Tex., $63,225.
Charles H. Mayo, Taft, Tx., $63,223.
Evans Townes Plantation, Minter City, Ms., $63,222.
Joseph A. Meyer, Adrian, Tx., $63,219.
John Smith, Maricopa, Az., $63,196.
R. E. and Rue Sanders, Spearman, Tex., $63,192.
H. B. Barker, Morton, Tx., $63,134.
Jerry Block, Mission, Tex., $63,023.
Kenneth Heard, Littlefield, Tx., $63,012.
Henry L. Voss, Phoenix, Az., $62,998.
Frank & Dorothy Sturdivant, Minter City, Ms., $62,993.
D. C. Parker, Tunica, Ms., $62,973.
Tracy Hutchins, Casa Grande, Az., $62,971.
Frank Wicks, Clovis, N. M., $62,964.
W. A. Fulford, Brownfield, Tx., $62,943.
Flowers Brothers, Dublin, Ms., $62,939.
Herman Koehler, Robinsonville, Mi., $62,884.
Garrard Est, Indianola, Ms., $62,875.
Barker Brothers, Soda Springs, Id., $62,861.
J. W. Bryan, Pecos, Tx., $62,817.
Douglass & Vandiver, Madison, Al., $62,802.
Ben E. Pittman, Darling, Ms., $62,774.
Broyles Pecos Farm, Ft. Stockton, Tx., $62.769.
Batman Farms Co., Grain Valley, Mo., $62,756.
Bell, Bros., Elsa, Tex., $62,688.
Mitchener Farms, Inc., Sumner, Ms., $62,673.
Barling Bros., Wasco, Ca., $62,662.
N. S. Garrott & Sons, Proctor, Ar., $62,642.
Broadwell, Inc., York, Ne., $62,628.
Sam C. Jenkins, Lamesa, Tx., $62,609.
Harry Brorman, Hereford, Tx., $62,580.
M. and V. Farms, Ehrenberg, Az., $62,570.
Strafford Hannon, Brawley, Ca., $62,522.
J. A. Pickett, Morrow, La., $62,506.
Evanna Plantation, Inc., Cary, Ms., $62,494.
Dowco Land Co., Cairo, Il., $62,492.
Bloemhof Hay Co., Button Willow, Ca., $62,491.
Robert F. Ashley, La Feria, Tx., $62,473.
John D. Hamilton, Chandler, Az., $62,462.
C. E. Atkinson, Bishopville, S.C., $62,450.
Heglar Ranch, Inc., Burley, Id., $62,427.
Thomas A. & Charles O'Neal, Blenheim, S.C., $62,424.
Carl & Paul Shannon, Visalia, Ca., $62,402.
L. C. Hewitt, Littlefield, Tx., $62,337.
S. C. Wilson & Son., Dundee, Ms., $62,333.
D. H. Dew, Sr., Eden, Ms., $62,312.
Nash Brothers, Redstone, Mt., $62,256.
Fuller Farms, Weslaco, Tx., $62,237.
Vernon Porter, Dos Palos, Ca., $62,224.
Edward Ray Hooper, Columbus, N.M., $62,219.
Robert W. Brooks, Queen Creek, Az., $62,201.
D. & R. Farms, Chandler, Az., $62,180.
Penny Ranch, Burlington, Co., $62,114.
Goodman Traction Ranch, Tranquillity, Ca., $62,099.
Floyd Warren Inc., Hardin, Mt., $62,080.
Trail Lake Gin Co., Tralake, Ms., $62,058.
Floyd Robbs, Willcox, Az., $62,053.
S & P Farms Inc., Gila Bend, Az., $62,045.
John T. Dillard, Leland, Ms., $62,008.
Walter B. Shaw, Tanner, Al., $62,003.
Menezes Bros., Tulare, Ca., $61,997.
M. E. Little, Muleshoe, Tx., $61,984.
Doe Cattle & Land Co., Visalia, Ca., $61,981.
Powers Co., Inc., Cary, Ms., $61,976.
Paul Morgan Lamesa, Tx., $61,968.
W. E. Austin, Indianola, Ms., $61,939.
Kempton & Snedigar, Tempe, Az., $61,921.
Bill White, Pixley, Ca., $61,879.
Withers & Seabrook, Tunica, Ms., $61,846.
Hugh M. Arant, Ruleville, Ms., $61,839.
Z. V. Pate Inc., Laurel Hill, N.C., $61,835.
A. R. Dillard, Hereford, Tx., $61,809.
Hinkhouse Bros, Burlington, Co., $61,784.
Yarbrough Bros., Sicily Island, La., $61,776.
J. C. Conn Inc., Coalinga, Ca., $61,774.
James J. Mullis, Chester, Ga., $61,770.
CCG Farms Inc., Glendale, Az., $61,752.
Era Mae Barnes, Chandler, Az., $61,724.
Grady Easley, Calhoun City, Ms., $61,707.
J. R. Durrett Trusts, Amarillo, Tx., $61,697.
Lloyd Kontny, Goodland, Ks., $61,696.
J. Walter Hobgood, Anton, Tx., $61,671.
Dearborn & Maraccini, Calipatria, Ca., $61,663.
Morris L. Hunt, Dumas, Tx., $61,631.
Tule Ranch A Pts., Corcoran, Ca., $61,629.
Glen Cox, Lenorah, Tx., $61,613.
Sam Degelia, Sr., Hearne, Tx., $61,586.
James M. Hamilton, Chandler, Az., $61,539.
Stanley Asmussen, Agar, S.D., $61,450.
John Valpredo, Bakersfield, Ca., $61,445.
Highland Pltn., Greenville, Ms., $61,442.
R. S. Barlow, Lemoore, Ca., $61,433.
Mahan, Mahan & Radcliff, Parma, Mo., $61,432.
Billy W. Clayton, Springlake, Tx., $61,407.
James A. Bullard, Hereford, Tx., $61,337.
Johnson Bros., Friars Point, Ms., $61,306.
Drew Farms Inc., Firebaugh, Ca., $61,299.
H. C. Berry, Dexter, N.M., $61,264.
Kleymann Brothers, Tribune, Ks., $61,177.
C. H. Fletcher, Lycan, Co., $61,153.
Ralph Wheeler, Edmonson, Tx., $61,141.
Hal Bogle, Dexter, N.M., $61,135.
Joe Friemel, Umbarger, Tx., $61,102.
Alazan Farms, Harlingen, Tx., $61,059.
James M. Warner, Waco, Tx., $61,046.
Otis Whitlock, Bostwick, Ga., $61,027.
Lloyd Gambrel, Ralls, Tx., 061,022.
W. D. Scarborough Jr., Petersburg, Tx., $60,995.
Leslie H. Laffere, Batesville, Tx., $60,945.
Jerry Cluck, Dimmitt, Tx., $60,941.
Maricopa Growers Gin, Maricopa, Az., $60-924.
John Trimmier Jr., Hale Center, Tx., $60,-911.
Odus Rush, McAlister, N.M., $60,897.
Marathon Farms, Casa Grande, Az., $60,868.

Lone Butte Ranches, Gilbert, Az., $60,851.
Coyne E. Killian, Lorenzo, Tx., $60,845.
A. S. Perry & Sons Inc., Tunica, Ms., $60,771.
Harry Schmidt Farms, Brawley, Ca., $60,699.
Scopena Plantation, Bossier City, La., $60,685.
C. E. Roemer III, Bossier, City, La., $60,685.
Wayne Watkins, Cruger, Ms., $60,671.
Warren W. Sullivan, Walls, Ms., $60,655.
T. R. Joines, Abernathy, Tx., $60,647.
Tyline N. Perry, Kress, Tx., $60,619.
Randy Johnson, Muleshoe, Tx., $60,619.
Frank Moore, Plainview, Tx., $60,613.
Jean D. Smith, Ralls, Tx., $60,610.
Funk Farms Inc., Harlingen, Tx., $60,609.
E. T. Schaefer, Yazoo City, Ms., $60,602.
Jerry Falls, Webb, Ms., $60,592.
Billy Ray McInroe, Levelland, Tx., $60,590.
Seward and Harris, Midnight, Ms., $60,552.
Baconia Plantation Inc., Cary, Ms., $60,531.
Slaughter Hill Co., Levelland, Tx., $60,522.
W. F. Ponder, Hereford, Tx., $60,468.
Riggs Bros., Blytheville, Ar., $60,398.
J. W. Lynn Plantation, Gilliam, La., $60,368.
Robert D. Bechtel, Coolidge, Az., $60,352.
Thompson Farms Inc., Decker, In., $60,336.
Lloyd M. Hale, Tulia, Tx., $60,311.
Rex Neely Trst., Chandler, Az., $60,298.
Clyde Curry, Somerton, Az., $60,249.
L. R. Allison Co., Tornillo, Tx., $60,209.
Reuben Crosno, Selma, Ca., $60,171.
Mahalitc Bros., Eagle Lake, Tx., $60,167.
Jones Ranches, Bowie, Az., $60,133.
L. R. Talley, Texico, N.M., $60,112.
Dick Barrett, Indianola, Ms., $60,111.
Jeanne L. James, Burlington Co., $60,099.
E. Bar S Ranch, Mesquite, Tx., $60,072.
B. A. Holaday Company, Louise, Ms., $60,028.
Barton Ingram, Arcola, Ms., $60,022.
James E. Crabtree, Dalhart, Tx., $59,980.
Lynn T. Smith, Crosbyton, Tx., $59,975.
Andrew E. Larson, Garden City, Ks., $59,922.
Lugoff Farms Inc., Lugoff, S.C., $59,910.
E. J. Graff, Hurricane, Ut., $59,898.
Homer Ruthland, Mt. Olive, Ms., $59,868.
Dan P. Logan, Gilliam, La., $59,866.
W. J. Roberson, Minter City, Ms., $59,860.
Hershel Carthel, Lockney, Tx., $59,817.
Davis Drier & Elevator Inc., Firebaugh, Ca., $59,807.
Joe Freitas Jr., Bakersfield, Ca., $59,768.
Robert G. Bafus, Adams, Or., $59,748.
Chas. E. Armstrong, Dimmitt, Tx., $59,733.
Swiney & Sons, Catron, Mo., $59,711.
H. Miller Tr. V. Chinn, Bakersfield, Ca., $59,690.
Bartels Farms Inc., St. Marys, Mo., $59,685.
Cobb Bros., Cameron, Tex., $59,681.
Parish Farms, Springlake, Tx., $59,671.
Favier Bros., Merced, Ca., $59,661.
W. H. Haggard Jr., Buckeye, Az., $59,616.
H. T. Bond Jr., Shelby, Ms., $59,600
Harold Worrell, Altus, Ok., $59,599.
W. Darrell Kilton, Litchfield, Il., $59,596.
Joe Lyons & Lyons, Hereford, Tx., $59,574.
R. E. Jones, Lubbock, Tx., $59,560.
S. A. Barrett, Kress, Tx., $59,557.
Lindemann Farms Inc., Los Banos, Ca., $59,503.
Eddy Farms, Daytona Beach, Fl., $59,479.
Beers Brothers, Tyler, Al., $59,466.
Svoboda & Hannah, Ogallala, Ne., $59,461.
Paul Spanbauer, Burley, Id., $59,420.
Kay Planting Co., Indianola, Ms., $59,413.
Jess Croft & Son, Idaho Falls, Id., $59,403.
Hunter Brothers, Fayettville, Tn., $59,397.
Bennett Bros Inc., Pearsall, Tx., $59,349.
Graham Farms Inc., Washington, In., $59,330.
Homer A. Hill, Dimmitt, Tx., $59,329.
Halbrook Farms, Belzoni, Ms., $59,313.
Andy Wheat, Corcoran, Ca., $59,297.
D. D. Myrick, Clovis, N.M., $59,289.
Harold O. Banion, Dos Palos, Ca., $59,287.
Dean and Co., Tribbett, Ms., $59,283.
Grant-Vaughn Ellsworth, Mesa, Az., $59,228.
Leland L. Crist, Holcomb, Ks., $59,217.
Fonnie F. Dickens, Jr., Watkinsville, Ga., $59,176.
A. B. Jones, Jr., Belzoni, Ms., $59,154.
Dannie Weaver, Burlington, Co., $59,089.
Seward & Son, Louise, Ms., $59,082.
Lynn & Jon Hart, Gruver, Tx., $59,061.
Eugene Elson, Miami, Mo., $59,050.
Wheeler-Graham, Coahoma, Ms., $59,009.
Barnard Bros., Bakersfield, Ca., $59,000.
Allen M. Shook, Red Springs, N.C., $58,984.
Benjamin Schaible, Mott, N.D., $58,979.
Brorman Bros., Hereford, Tx., $58,961.
S. C. Dulaney and Son, Canton, Ms., $58,934.
T. W. Harrington, Bradshaw, Ne., $58,919.
W. R. Cottrell, Meade, Ks., $58,915.
W. O. Chadwick, Farwell, Tx., $58,914.
S & S Seed, Raymondville, Tx., $58,892.
George Arakelian Farms, Inc., Blythe, Ca., $58,838.
Buckshot Farms, Inc., Stanfield, Az., $58,836.
Lonnie Cannon, Center, Tx., $58,833.
Carl L. Kemp, Dimmitt, Tx., $58,785.
Richland Plan, Inc., Hughes, Ar., $58,782.
J. S. Hale, Jr., Floydada, Tx., $58,756.
C. B. Robinson, Osceola, Ar., $58,746.
Viney Ridge Farms, Clarksdale, Ms., $58,629.
Joe G. Fanucchi & Sons, Bakersfield, Ca., $58,616.
Anthony Pashel, Hereford, Tx., $58,594.
A. C. Woodward, Tarzan, Tx., $58,529.
J. H. Hill, Indianola, Ms., $58,503.
Kirk Haynes, Jonestown, Ms., $58,500.
K. & P. Farms Inc., Edison Ca., $58,500.
Ethel M. Martin, Syracuse, Ks., $58,468.
Pichacho, Buttes Farms, Casa Grande, Az., $58,463.
J. H. Pruett, Lyons, Ms., $58,457.
David Turner, Texico, Nm., $58,405.
E. G. Melo, Stephen, Mn., $58,398.
Baskett Farms, Glendale, Az., $58,268.
J. M. Montgomery, Jr., Inverness, Ms., $58,262.
E. L. Howard, Friona, Tx., $58,211.
Joe R. Murphy, Tanner Al., $58,186.
Sid Pipkin, Clovis, Nm., $58,176.
Waccamaw Bank and Trust Co., Lumberton, N.C., $58,134.
Donald Aycock, Lorenzo, Tx., $58,132.
D. C. Crawford & Son, Wasco, Ca., $58,130.
The Sheffels Co., Inc., Wilbur, Wa., $58,124.
Leroy Edwards, Holtville, Ca., $58,106.
Sidney Warner, Cimarron, Ks., $58,091.
Odell J. Wilson, Holly Springs, Ms., $58,049.
C. E. Yancey & Sons, Marianna, Ar., $58,044.
Arid Zone Farms, Phoenix, Az., $58,024.
Ezra F. Fisk, Texhoma, Ok., $57,989.
Tejon Potato Co., Arvin, Ca., $57,941.
Reynolds Metals Co., Henderson, Ky., $57,930.
R. W. Mabry, Tutwiler, Ms., $57,923.
Taylor Bros., Essex, Mo., $57,901.
Cameron Sides, Casa Grande, Az., $57,859.
Fangman Farms, Inc., Friona, Texas, $57,856.
Jesse L. Reese, Ralls, Tx., $57,849.
Olen J. Burton, Vienna, Ga., $57,829.
Walter Mattiza, Est., Robstown, Tx., $57,813.
Kern Valley Farms, Lamont, Ca., $57,725.
E. L. Polvado, Morton, Tx., $57,722.
Reality Plantation, Inc., Rolling Fork Ms., $57,719.
R. Bruce Walker, Plainview, Tx., $57,719.
Edgar R. Smith, Weslaco, Tex., $57,671.
Phil Ladra, Glendale, Az., $57,661.
J. R. Russell, Weslaco, Tex., $57,612.
Grady E. Miller, Jr., Fort Hancock, Tex. $57,610.
Edward Pretzer, Eloy, Az., $57,559.
McKamey Farms, Gregory, Texas, $57,532.
Harold House, Clovis, Nm., $57,531.
Edward Barnes, San Simon, Az., $57,515.
Lyons Planting Co., Inc., Altheimer, Ark., $57,509.
Dan C. Palmer, Coolidge Az., $57,500.
Ludd Payne, Marana Az., $57,499.
Martha B. Lowe, Glendora Ms., $57,436.
Charles N. Plowden, Summerton SC., $57,433.
A. E. Schletze Farms, Pearsall Texas, $57,418.
Spencer H. Barret, Belzoni Ms., $57,410.
William M. Wisener, East Tallassee Al., $57,401.
Louis, Muse, Hearne Tx., $57,349.
William E. Colwell, Lincoln Ne., $57,329.
John Fish, Garciasville Tx., $57,309.
Arcola Plantation, Inc., Hollandale Ms., $57,248.
J. D. Andreas & Sons, Delano Ca., $57,234.
Otice Self, Stanfield Az., $57,228.
W. J. Waits, Goodman Ms., $57,224.
Max K. Schnepf, Queen Creek Az., $57,206.
H. L. Hill, Seagraves Tx., $57,200.
N. H. Kitayama, Donna Tex., $57,185.
Benford Brown, Charleston Ms., $57,182.
Bardin Reddett, Greenwood Ms., $57,166.
Eugene Allison, Willcox Az., $57,157.
John F. Swindler, Mott ND., $57,156.
F. M. Gorrell, Buckeye Az., $57,145.
Pandol & Sons, Delano Ca., $57,132.
N. H. Bruckerhoff, Perryville Mo., $57,104.
Frank Wise, Dimmitt Tx., $57,085.
B. J. Gable, Muleshoe Tx., $57,083.
Eugene McCleskey, Pinehurst Ga., $57,074.
J. A. Stubblefield, Anton Tx., $57,064.
Schuman Farm, Inc., Dumas Tx., $57,051.
Raman L. Chandler, Dalhart Tx., $57,049.
Van Peavy, Pinehurst Ga., $57,046.
Billy J. Robbins, Idalou Tx., $57,022.
Otis S. Waters, Richey Mt., $57,009.
H. W. Herndon, Bamberg SC., $56,999.
Grote Farms, Inc., Prescott Wa., $56,980.
T. E. Pemble Farms, Inc., Merigold Ms., $56,949.
Three H Ranch, Bakersfield Ca., $56,937.
H. L. Schlottman, Paris Tx., $56,934.
PI-Land & Cattle Co., Blythe Ca., $56,918.
P. H. B., Inc., Indianola Ms., $56,915.
P. F Williams & Sons, Clarksdale Ms., $56,854.
Tommy B. Willis, Brownsville Tn., $56,846.
C. B. Player, Jr., Bishopville SC., $56,760.
G. L. Rouse, Sylvania, Ga., $56,747.
Neal Caswell, Anton, Tex., $56,742.
Red-Bud M. W. Jefcoat, Lake Cormorant, Miss., $56,735.
Milham Farms, Bakersfield, Calif., $56,733.
Watson Farms, Marana, Ariz., $56,717.
Jorde Farms, Hereford, Tex., $56,683.
Robert May, Brickeys, Ark., $56,664.
Rex L. McGarr, San Benito, Tex., $56,640.
Dougherty Ranch, Phoenix, Ariz., $56,637.
Poindexter Brothers, Inverness, Miss., $56,627.
Wells Agricultural Corp., Dumas, Tex., $56,617.
Robert Cockrill, Phoenix, Ariz. $56,600.
Clayton Farms, Ehrenberg, Ariz., $56,568.
Don Bridges, Dawson, Ga., $56,560.
H. F. Beyer, Dimmitt, Tex., $56,549.
J. W. Graham, Dimmitt, Tex., $56,537.
T. F. Arbuthnot, Springfield, Colo., $56,520.
Shamrock Farms, Donnell, Tex., $56,507.
John W. League, Toney, Ala., $56,506.
Arvel Glinz, Eldridge, N. Dak., $56,506.
Connell & Company, Clarksdale, Miss., $56,435.
Herman Grusing, Amarillo, Tex., $56,425.
Chase & Harmon Farms, Arvin, Calif., $56,419.
James J. Walton, Breckenridge, Minn., $56,409.
Fisher Ranch, Blythe, Calif., $56,403.
M. M. Snell, Clovis, N. Mex., $56,398.
L. H. Woodruff, McDade, La., $56,393.
Sommerville Farms Inc., Huron, Calif., $56,381.
E. P. Coleman, Jr., Sikeston, Mo., $56,306.
Malcolm Garrett, Clovis, N. Mex., $56,282.
Quinn Bros., Salisbury, Mo., $56,244.
C. W. Sanders, Brawley, Calif., $56,237.
R. S. Jarratt, Walls, Miss., $56,221.
L. J. Welch, Muleshoe, Tex., $56,212.
A. B. Farms Inc., Hughes, Ariz., $56,188.
Ned Johnson, Madison, Ala. $56,179.
H. A. Pipes, Jr., Oak Ridge, La., $56,167.
Bradshaw and Meador, Dalou, Tex., $56,148.
Verney Towns, Lubbock, Tex., $56,087.
George D. Wynn, Pickens, Miss., $56,079.
Jimmie O. Brewster, Dalhart, Tex., $56,072.

Marvin Shurbet, Petersburg, Tex., $56,030.
Jennie W. Ash, Holly Springs, Miss., $56,029.
T. J. Carter, Money, Ms., $55,979.
Meacham Land and Cattle Co., Lapwai, Id., $55,975.
Rubye Morgan & Sons, Sunflower, Ms., $55,-937.
Wise Bros., Jonestown, Ms., $55,892.
Leonard Feldhousen, Burlington Co., $55,-875.
B. N. Word Co., Inc., Altheimer, Ar., $55,-867.
G. Buster Brown, Casa Grande, Az., $55,-860.
G. W. Lee, Silverton, Tx., $55,832.
Shurden and Owens, Drew, Ms., $55,821.
Margie L. Hanna, Coolidge, Az., $55,797.
J. A. Crosthwait, Osceola, Ar., $55.794.
Haas Inv. Co., Inc., Bunkie, La., $55,784.
Noel E. Martin, Casa Grande, Az., $55.771.
Bernard Farms, Earle, Ark., $55.752.
H. R. Wood & Son, Inc., Grady, Ar., $55,749.
John Henry Jones, Welch, Tx., $55,738.
Frank Flanders, Swainsboro, Ga., $55,725.
Ronnie Mitchell, Clovis, N.M., $55,725.
Hosea Foster Estate, Canyon, Tx., $55,716.
Elijah B. Adams & Sons, Harlingen, Tx., $55,707.
Quinton Rogers, Waynesboro, Ga., $55,654.
A. L. Rosener & Sons, Daykin, NE., $55,582.
Bost Farms, Altheimer, Ar., $55.581.
J. Weldon Youngblood, Waco, Tx., $55.576.
R. L. Porter Est., Spearman, Tx., $55.566.
James Delong, Orefield, Pa., $55,562.
Richard L. Kagele, Ritzville, Wa., $55,551.
James House, Rosedale, Ms., $55,546.
Olen Edwards, Plains, Tx., $55.517.
O. H. Acom Farms, Inc., Wardell, Mo., $55.-515.
D. A. and J. E. Williams, Cleveland, Ms., $55.489.
Floyd Webb., Jr., Mathis, Tx., $55,460.
Horne Brothers, Plainview, Tx., $55,441.
W. C. Harper, Plainview, Tx., $55,440.
C. E. Presley, Jr., Rena Lara, Ms., $55,423.
Claude Higley, Dumas, Tx., $55,417.
David Anway, Marana, Arizona, $55,417.
Martin Planting Co., Inc., Anguilla, Ms., $55,393.
Hinton Brothers, Happy, Tx., $55,393.
George Oliver Jackson, Abernathy, Tx., $55,391.
Jennie Lee Lands, Seminole, Tx., $55,380.
Jackson & Reinert, Paso Robles, Ca., $55,-378.
Ned Fachorn, Hearne, Tx., $55,363.
Creighton Bros., Warsaw, In., $55,358.
Peters & Nall, Blythe, Ca., $55,340.
E. S. Willis, Jr., Florence, S.C., $55,336.
T. A. King, Jr., Sudan, Tx., $55,319
C. S. Simmons, Jr., Inverness, Ms., $55,317.
J. R. Shumate, Jr., Clovis, N.M., $55,303.
Dudley Pillow, Schlater, Ms., $55,301.
High & Mighty Farms, Blythe, Ca., $55,282.
Dublin Farm, Madison, Al., $55,253.
S & S Ranch, Inc., Mendota, Ca., $55,233.
Deandale, Tribbett, Ms., $55,221.
BI County Farms, Prosser, Wa., $55,206.
Kirschenmann Farms, Bksfld, Ca., $55,187.
L. E. Culp dba Culp Ranches, Coalinga, Ca., $55,182.
King Farms, Buckeye, Az., $55,168.
Marion J. Malazzo, Caldwell, Tx., $55,153.
Henderson and Son, Lamesa, Tx., $55,150.
Lawrence E. Taylor, Bradley, Ar., $55,105.
Arrowhead Ranches, Glendale, Az., $55,080.
Bill Burns, McAllen, Tex., $55,044.
Tulana Farms, Klamath Falls, Or., $55,006.
L. B. Pate and Sons, Cleveland, Ms., $54,994.
Solomon Bros., Hereford, Tx., $54,977.
Onstad Grain Co., Carter, Mt., $54,977.
Ray D. Ross, Gilmore, Ar., $54,952.
T. M. Simmons, Jr., Belzoni, Ms., $54,935.
Avila Bros. J. L. C., Hanford, Ca., $54,886.
J. R. Stump, Elsa, Tex., $54,875.
R. C. Smith, Casa Grande, Az., $54,867.
Haskell Land Co., Sublette, Ks., $54,844.
Dick Sheffield, Webbers Falls, Ok., $54,842.
Brights Nursery, Inc., Le Grand, Ca., $54,815.
B. C. Rhyne, Benton, Al., $54,785.
J. F. Humber, Jr., Farrell, Ms., $54,764.
Ray Dawson, Lexa, Ar., $54,739.
D. L. Hadley, Chandler, Az., $54,713.
Charles L. Walker, Atoka, Tn., $54,707.
Weinacht Bros., Pecos, Tex., $54,694.
W. J. Linn, Houston, Ms., $54,682.
H. R. Burden, Ennis, Tx., $54,669.
Clyde V. Gault, Leland, Ms., $54,662.
G. B. Morris, Crosbyton, Tex., $54,640.
S. Wayne Gamble, Lane, S.C., $54,622.
Russell J. Ogrady, Bksfld, Ca., $54,607.
Swindler Bros., Mott, N.D., $54,602.
W. L. McAdams, Augusta, Ar., $54,600.
Jim Presley, Senatobia, Ms., $54,592.
Frank Sayle, Charleston, Ms., $54,571.
Samuel E. Durant, Gable, S.C., $54,571.
Garmon Farm, Marks, Ms., $54,561.
Salle Bros. Farm & Grain Co., West Alton, Mo., $54,557.
L. E. Devore, Rossville, Tn., $54,542.
J. W. Henderson, Clarksdale, Ms., $54,538.
E. B. McCutchen, Bishopville, S.C., $54,493.
Livio Palla, Bksfld, Ca., $54,480.
Louis E. Stevens, Colfax, Mo., $54,444.
Heirs Edwards Est., Ft. Worth, Tex., $54,439.
R. H. A. McCleskey, Jr., Pinehurst, Ga., $54,432.
R. W. Jones & Sons, Inc., Lula, Ms., $54,408.
Morgan, Shillington Farms Co., Rupert, Id., $54,404.
Alpe Brothers, Crawfordsville, Ark., $54,390.
Lynn E. Campbell, Crosbyton, Tx., $54,386.
Sherman Brothers, Brickeys, Ar., $54,368.
Miller Brothers, Paso Robles, Ca., $54,355.
L. S. McColl, Jr., Little Rock, S.C., $54,351.
John A. Edrington, Osceola, Ar., $54,349.
Kerrick Land & Cattle Co., Kerrick, Tx., $54,321.
Sam W. Smith, Jr., Shreveport, La., 54,319.
Mike Maros, Fabens, Tx., $54,315.
Charles J. Wilson, Beulah, Ms., $54,307.
E. J. Ganier, Percy, Ms., $54,275.
M. N. White, Bishopville, S.C., $54,215.
Claude Botkin Co., Inc., Arvin, Ca., $54,205.
Fortson Farms, Rice, Tx., $54,191.
Bigham Farms, Lockney, Tx., $54,186.
Maxwell Plantation, Mound, La., $54,157.
A. J. Givens, Plainview, Tx., $54,147.
Bell Road Farms, Peoria, Az., $54,139.
Ralphs Farms, Inc., San Elizario, Tx., $54,128.
Kenneth House, McDonald, Ks., $54,123.
Paul Wilson, Tchula, Mc., $54,117.
Keith Brothers, Lake Village, Ar., $54,115.
John Carmichael, Laurinburg, N.C., $54,099.
Buron Briffin, Helena, Ar., $54,090.
Garrison Bros. & Nelson, Hereford, Tx., $54,020.
Swann Pettit, Hale Center, Tx., $54,007.
Murray R. Williams, Altus, Ok., $54,002.
Brewer Morgan, Sunflower, Ms., $53,990.
J. B. Pollock, Hargill, Tx., $53,989.
Billy E. Graham, Olanta, SC., $53,982.
C. H. Clawson, Gruver, Tx., $53,976.
Glenn Phillips, Farwell, Tx., $53,964.
John Miller, Holcomb, Ks., $53,903.
H. H. Lawler, Rosedale, Ms., $53,863.
Dan F. Portis, Lepanto, Ar., $53,862.
C. O. Price, Lovington, NM., $53,852.
Jeffries & Lachenmaier, Shafter, Ca., $53,-827.
H. N. Watson, Jr., Ralls, Tx., $53,819.
Dan J. Heard, Dimmitt, Tx., $53,777.
Wm. H. Noble, Kerman, Ca., $53,776.
W. W .Draper, Jr., Forrest City, Ar., $53,-774.
R. Lewis Fillmore, Boone, Co., $53,772.
E. Bud Johnson, Ririe, Id., $53,768.
Otto Engen, Minot, ND., $53,736.
Gregory Farm Inc., Augusta, Ar., $53,735.
B. L. MoorJe, Dimmitt, Tx., $53,732.
Turberville Farms, Elsa, Tx., $53,691.
T. O. Earnheart Co., Inc., Tunica, Ms., $53,-687.
Cope and Neff, Hollandale, Ms., $53,675.
Max Nichols, Casa Grande, Az., $53,663.
Quitman Fortenberry, Transylvania, La., $53,646.
Henry V. Macomb, Los Fresnos, Tx., $53,-626.
Charles S. Riggan, West Memphis, Ar., $53,594.
A. Caratan & Son, Delano, Ca., $53,571.
Murray Farms Inc., Hanford, Ca., $53,569.
J. W. Gardenhire, O'Donnell, Tx., $53,558.
Wallis Farms, Inc., Marana, Az., $53,557.
McClintock Farms Inc., Tunica, Ms., $53,-546.
Walter M. Anderson, Turpin, Ok., $53,505.
McCathern & Heck Farms, Hereford, Tx., $53,493.
Posey Mound Planting Co., Marks, Ms., $53,477.
Scarrone Bros., Arvin, Ca., $53,471.
S. M. Montgomery, Rolling Fork, Ms., $53,-458.
Willard W. Garvey, Colby, Ks., $53,448.
Thomas Bros., Lockney, Tx., $53,444.
Hugh T. Lightsey, Brunson, SC., $53,439.
Madison B. Coley, Jr., Vienna, Ga., $53,434.
Sturdivant & Bishop, Minter City, Ms., $53,404.
J. T. Ford, Farwell, Tx., $53,404.
W. W. Wannamaker Seed Farms, St. Matthews, S.C., $53,403.
Wilburn B. Douglass, Huntsville, Al., $53,399.
Frantz & Frantz, Hartley, Texas, $53,389.
W. M. Pool, Muleshoe, Tx., $43,387.
Barton Farms, % Clara Barton, Calvert, Tx., $53,386.
Sid T. Sanders, Hamilton, Ms., $53,342.
Herbert Rice, Webb, Ms., $53,327.
B. B. Provine, Jr., Greenwood, Ms., $53,311.
A. C. Hays, Jr., Dimmitt, Tx., $53,294.
Charlie Caswell, Meadow, Tx., $53,269.
Graham Swain, Brownfield, Tx., $53,257.
Mcleod Smith Ranches & Farms, Nisland, S.D., $53,256.
John M. Williams, Jr., Laveen, Az., $53,249.
Roy J. Davis, Boonville, Mo., $53,237.
Daniel Gilchrist, Courtland, Al., $52,224.
L. G. Guaderrama, Las Cruces, N.M., $53,205.
R. C. Malone, Pace, Ms., $53,175.
Marble Brothers, South Plains, Texas, $53,-173.
Green Bros., Grangeville, Id., $53,172.
Boyd Brothers, Dundee, Ms., $53,134.
Kent Land Co., Inc., Walla Walla, Wa., $53,-132.
Scoggins Brothers, Rio Hondo, Tx., $53,121.
C. S. C. Farms, Inc., Florence, Az., $53,114.
Guy Botsford, Portland, Ar., $53,114.
Carl N. Brollier, Moscow, Ks., $53,107.
Lynndale Planting Co., Inc., Cary, Ms., $53,084.
James Brothers, Brent, Al., $53,076.
L. & R. Plantation, Inc., Rosedale, Ms., $53,071.
Russell Scott, Burlington, Co., $53,059.
M. D. & N. J. Moore, Jr., Weslaco, Tex., $53,-056.
Charles Pikey & Son, Conran, Mo., $53,049.
Marchini Bros., Tranquillity, Ca., $53,042.
Pete J. Scamardo, Caldwell, Tx., $53,023.
J. R. Tucker, Buckeye, Az., $53,023.
Baker Brothers, Chowchilla, Ca., $53,011.
Montierth Farms, Bowie, Az., $52,996.
T. B. Kelly Estate, Louisville, Ga., $52,897.
Daley & Bogle, Casa Grande, Az., $52,855.
Kellogg and Hughey, Hughes, Ar., $52,830.
D. & J. Inc., Crowfordsville, Ark., $52,819.
Reber McGhee & Son, Scott, Ar., $52,818.
J. E. Hays, Tchula, Ms., $52,803.
Rodolfo B. Samano, San Benito, Tx., $52,-790.
P. & C. Planting Co., Drew, Ms., $52,776.
G. C. and Johnny McGahee, Stapleton, Ga., $52,717.
Olane Caswell, Meadow, Tx., $52,678.
Virgle Harrison, Clovis, N.M., $52,678.
Marvin Rayford Hays, Florey, Tx., $52,677.
Robert W. Spencer, Earle, Ar., $52,657.
Frank B. Rogers, Jr., St. Bville, S.C., $52,-624.

D. & R. Farms, Shafter, Ca., $52,552.
Walter R. Mabry, Friona, Texas, $52,545.
Hub Baggett, Levelland, Tx., $52,525.
Big Creek Farms Co., Joes Co., $52,519.
Carl C. Culbertson, Colbert, Ga., $52,489.
Relampago, Inc., Mercedes, Tx., $52,484.
John Kriss, Colby, Ks., $52,471.
Hermon Smith, Sikeston, Mo., $52,455.
Jewell Turner Farms, Buckeye, Az., $52,453.
Frank T. Brumfield, Inverness, Ms., $52,447.
Hood Farms, Inc., Tunica, Ms., $52,423.
M. & W. Farms, Inc., Coolidge, Az., $52,422.
Byars Orton, Portageville, Mo., $52,394.
Raven Land Co., Clarkson, Selma, Ca., $52,-359.
Donald Bartlett, Como, Ms., $52,352.
Rummonds Bros. Ranches, Inc., Indio, Ca., $52,341.
Ernest C. McInnis, Clio, S.C., $52,308.
Martin Bros. Implement Co., Roanoke, Il., $52,288.
Joe A. Sheely, Tolleson, Az., $52,262.
Phillip Fratesi, Indianapolis, Ms., $52,255.
Wm. E. Foster, Casa Grande, Az., $52,186.
C. W. Pardue, Alto, La., $52,175.
Schnitzler Corp., Froid Mt., $52,168.
Stevens Brothers, Glen Allan, Ms., $52,166.
Walnut Bayou Pltg Co., Leland, Ms., $52,-145.
Paul E. Plummer and Sons, Johnson, Ks., $52,141.
R. E. McDaniel, Dimmitt, Tex., $52,130.
W. C. McLean, Inc., Tunica, Ms., $52,100.
Ray & Wayne Vanosdell, Cashion, Az., $52,-087.
James A. Boykin, Delta City, $52,052.
Harland S. Milligan, Hooper, Ne., $52,043.
Harold Wyckoff, Arlington, Co., $52,020.
Fred W. Mercer, Silverton, Tx., $51,949.
Hammond Frms, Nebr. City, Ne., $51,946.
Edgar L. Culler, Orangeburg, S.C., $51,940.
A. C. Caperton, Tunica, Ms., $51,939.
Felix Tusa, Highbank, Tx., $51,927.
Fred Toschi, Madera, Ca., $51,919.
Somerset Pltn., Newellton, La., $51,912.
Bill Logsdon, Guymon, Ok., $51,907.
Ralph S. Crum, Ione, Or., $51,905.
David D. Davis, Pecos, Tx., $51,890.
Harvey Davison, Eloy, Az., $51,876.
Gene Templeton, Earth, Tx., $51,835.
C. C. Floyd, Edwards, Ms., $51,793.
H. P. Watson, Lexington, Ms., $51,774.
T. W. Williams, Yuma, Az., $51,756.
Paul & Chas. Horton, Hollis, Ok., $51,750.
R. L. Pillow, Itta Ben, Ms., $51,729.
Medlock Farms, Inc., Lubbock, Tx., $51,727.
Ivanhoe Plt., Yazoo City, Ms., $51,714.
W. B. Little, Muleshoe, Tx., $51,705.
Bones Hereford Ranch, Parker, S.D., $51,702.
Compton Cornelius, Crosbyton, Tx., $51,685.
Higgins & London, Hereford, Tx., $51,681.
Iron Mueller, Inc., Bird City, Ks., $51,680.
John L. Errecart, Tranquillity, Ca., $51,667.
B. W. Kirsch, Raymondville, Tx., $51,667.
Fred Bruegel, Jr., Dimmitt, Tx., $51,659.
R. W. Anderson & Sons, Decatur, Al., $51,657.
Robert McMillan, Batesville, Ms., $51,631.
R. N. & E. C. Tibbs, Shelby, Ms., $51,629.
R. S. Reese, Westmorland, Ca., $51,567.
Harriss and Sons, Vidalia, La., $51,563.
Foster Farms, Inc., Sugarland, Tx, $51,563.
E. B. Gee, Jr., Portageville, Mo., $51,560.
Corliss H. Currie, Happy, Tx., $51,547.
Coy Fraley, Pecos, Tex., $51,546.
Gordon Taylor, Sunray, Tx., $51,541.
Roscoe Q. Silverthorne, Plainview, Tx., $51,522.
Herman Bott, Palmer, Ks., $51,520.
Harrell and Harrell, Stockton, Tx., $51,513.
R. M. & C. H. McClatchy, Indianola, Ms., $51,504.
Charlie T. Kersey, Elko, Ga., $51,501.
Holly Grove Plantation, Sidon, Ms., $51,500.
Brinkerhoff Ranch, Lovelock, Nv., $51,487.
Bruce D. Watt, Ridgey, Tn., $51,467.
C. Buck Graves, Sarah, Ms., $51,459.
Irwin Company, Inc., Robinsonville, Ms., $51,450.
Shotwell Plantation, Inc., Tchula, Ms., $51,442.
Sam Andrews Sons, Holtville, Ca., $51,439.
Allen & Ritch, Lyon, Ms., $51,438.
Couture Farms, Huron, Ca., $51,427.
Atilio Belezzuoli, Tipton, Ca., $51,424.
John A. & Raymond Smith, Hereford, Tx., $51,424.
J. S. Hoopes, Chandler, Az., $51,412
B. J. Barnett, Inc., Sumter, SC, $51,410.
John M. Clark, Lubbock, Tx., $51,401.
The Hecht Co., Clovis, N.M., $51,399.
Herman Lynch, Harlingen, Tx., $51,399.
Eastside Farms, Stratford, Ca., $51,396.
L. R. Kirby, Jr., Belcher, La., $51,386.
W. M. Wootton, Wellton, Az., $51,373.
Hartley-Moore Farms, Amar, Tx., $51,348.
R. S. Oday, Jr., Great Falls, Mt., $51,346.
Leo C. Andersen, Dakota City, Ne., $51,328.
C. A. Lowman, Bishop, Tx., $51,326.
Geo. B. Franklin & Son, Inc., Holly Ridge, $51,325.
Byron B. Sharpe, Tchula, Ms., $51,274.
L. E. Davis, Clovis, NM., $51,256.
Van Curen Farms, Chowchilla, Ca., $51,235.
Lakeside Farms, Ft. Stockton, Tx., $51,212.
McFarling & Clark, Lubbock, Tx., $51,200.
Gal-CO Farms, Bakersville, Ca., $51,191.
Rodney Kleck, Coolidge, Az., $51,180.
Oscar Connell Farm, Clarksdale, Ms., $51,-173.
Kitchen & Land, Gough, Ga., $51,172.
L. N. Johnson, Lockney, Tx., $51,158.
J. D. Kirkpatrick, Bovina, Tx., $51,158.
H. H. Robinson, Chester, S.C., $51,143.
Jimmy Blair, Sherrill, Ar., $51,122.
Fred R. North, Eloy, Az., $51,116.
N. M. Ryall & Sons, Inc., Star City, Ar., $51,109.
Joe Reistino, Hearne, Tx., $51,093.
R. H. Garlow Farms, Bakersfield, Ca., $51,081.
T. B. Abbey, Jr., Webb, Ms., $51,073.
David Stevens, Wilson Creek, Wa., $51,073.
Ernest McFarland, Phoenix, Az., $51,069.
C. V. Cogburn, Walsh Co., $51,055.
Robert A. Churchill, Lake Village, In., $51,029.
Kenneth Twisselman, McKittrick, Ca., $51,027.
Cecil Porter, Clovis, NM., $51,012.
Kinkead Plantation, Yazoo City, Ms., $50,-986.
Stoner farms, Yazoo City, Ms., $50,967.
Grover A. Walls, Sr., Hampton, Ga., $50,964.
Mitchelllinda Ranches, Alpaugh, Ca., $50,-955.
Tim Hafen Ranches Inc., Pahrump, Nv., $50,936.
Kirby Hobgood, Petersburg, Tx., $50,922.
Southwestern Coal Co., A. K. Thomson, RR 1, Cutler, Il., $50,901.
H. M. Haney Estate, Jonestown, Ms., $50,874.
Billy Huddleston, Clr. Rt., Snyder, Texas, $50,868.
S. A. Adaskavich, Box 460, Shelby Mt., $50,843.
Bill G. Clay, 21626 Robetrson Blvd., Chowchilla, Ca., $50,828.
George Knapple, Box 124, Laveen Stage,, Phx., Az., $50,811.
L. W. Turk, 16382 Ave. 152, Tipton, Ca., $50,808.
Leo H. Moore, RR 3, Box 3007, Dalhart, Tx., $50,807.
Phil Scamardo, 1406 Skrivanek, Bryan, Tx., $50,785.
B. G. McGeary, Box 426, Sidon, Ms., $50,775.
Marvin Grusing, Burlington Co., $50,764.
Dale Lovegrove, Fairmont, NE., $50,763.
Arthur J. Cuelho, Riverdale, Ca., $50,756.
Hawk & Sperber, Box 847, Holtville, Ca., $50,567.
Rosedale, Plantation, Inc., RR 1, Benton, La., $50,746.
Earl Layman, Box 836, Loop, Tx., $50,725.
Henry Watson, 22297 Ave. 10, Madera, Ca., $50,716.
W. R. & J. L Jackson, C/O J L. Jackson, Wrightsville, Ga., $50,687.
Fant Brothers, Coahoma, Ms, $50,683.
Circle M. Ranch Inc., Paulette, Ms., $50,-664.
Ames Plantation, Grand Jct., Tenn., $50,-653.
Rainbow Plantation Inc., Rt 1, Shelby, Ms., $50,646.
Montgomery Farms, Box 287, Vega, Tx., $50,641.
Billy Pullen, RR 2, Town Creek, Al., $50,632.
George P. Smelser, RR 4, Box 283A, Monroe, La., $50,600.
W. K. Jones, Johnson St., Dawson, Ga., $50,588.
Mounds Pltn., C/O Nat. Bk., Box 777, Greenville, Ms., $50,582.
Irvin Clark, Texhoma, Ok., $50,562.
George A. Jacobs, Eads Co., $50,557.
W. C. Hall, RR 5, Water Valley, Ms, $50,549.
H. T. Pittman, 403 Second St., Marks, Ms., $50,548
Ray Wood, Box 575, Sudan, Tx, $50,547.
Robert Cardwell, 8265 W. Annadale, Fresno, Ca., $50,542.
Buckner & Kidd, Rt 3, Box 26, Willcox, Az., $50,538.
J. M. Wright, Rt 5, Dimmit, Tex., $50,535.
Stinson Brothers, P.O. Box 175, Gilliam, La., $50,535.
J. B. & Jas. Underwood, Waxahachie, Tx., $50,515.
W. H. McLemore, Montgomery, Al., $50,495.
Maple Leaf Farms, Wasco, Ca., $50,477.
J. B. Bell, Pantego, N.C., $50,423.
Shimotsu Farms, San Benito, Tx., $50,375.
Walter Gilliam, Littlefield, Tx., $50,372.
Word Planting Co., Leland, Ms., $50,363.
Clyde Quillin, Jr., Tipton, Ca., $50,362.
L. G. Mahagan, Kress, Tx., $50,352.
J. E. Brown & Sons, Lake Providence, La., $50,351.
Marvin M. Porter, Caldwell, Tx., $50,350.
Wm. L. Dillard, Louise, Ms., $50,336.
Van E. Nichols, Friona, Texas, $50,320.
Wendell D. Vardeman, Slaton, Tx., $50,310.
J. Alton Lambre, Natchez, La., $50,308.
C. E. Willhite, Holly, Co., $50,300.
W. C. Matchett, Hamlin, Tx., $50,292.
Clearview Farms, Dumas, Tx., $50,269.
N. J. McMullen, est., Sumner, Ms., $50,249.
Margaret H. Ware, Amarillo, Tx., $50,242.
Taylor Bros., Blytheville, Ar., $50,227.
John W. McCrary, Madison, Al., $50,215.
Charles Nick & Richard Rose, Roseland, Ar., $50,207.
Clyde Cox., Pearsall, Texas, $50,196.
Panola Land Dev. Co., Ferriday, La., $50,192.
Levee Plt., Inc., Rolling Fork, Ms., $50,190.
Poso Dairy Farms, Inc., Firebaugh, Ca., $50,183.
C & W Ranches, Tulare, Ca., $50,175.
James Brothers, Charleston, Ms., $50,160.
C. W. England, Florence, Az., $50,154.
Henderson & Parks, Morse, Tx., $50,145.
Marvin E. Green, Levelland, Tx., $50,130.
J. O. Burns, Eloy, Az., $50,125.
Simon G. Elliott, Happy, Tx., $50,108.
Phil Thornton, Jr., Charleston, Ms., $50,083.
Austin Brothers, Dundee, Miss., $50,076.
Fred E. McNabb, Lubbock, Tx., $50,075.
H. B. Hood, Duncan, Ms., $50,068.
Luke E. Burch, Jr., Inc., Hughes, Ar., $50,065.
Thomas L. Whaley, Friona, Texas, $50,063.
Harold L. Earley, Sr., Csa Grnd, $50,059.
Joe W. Cook, Jr., Ropesville, Tx., $50,050.
Elijah M. Debusk, Idalou, Tx., $50,027.
George H. Noble, Dalhart, Tx., $50,013.
G. T. Meadows, Jr., St. Clair, Al., $50,010.
T. M. Luster, Clarksdale, Ms., $50,000.
John Dermer, Casa Grande, Az., $49,995.
Verburg Brothers, Hanford, Ca., $49,993.
Hundahl Farms, Tekamah, Ne., $49,971.
H. D. Hilley, El Paso, Tx., $49,935.
J. P. Fisher, Jr., Sunflower, Ms., $49,934.
A. H. Nichols, Daytona Beach, Fl., $49,931.
W. O. Hester, Greenville, Ms., $49,928.
Morris W. Blankenship, Hereford, Tx., $49,912.
C. Wilber White, Goodland, Ks., $49,895.
Sherman Thomas, Madera, Ca., $49,886.
E. D. Neufeld, Shafter, Ca., $49,885.
M. J. Koehler, Dell, Ar., $49,845.
Red Eye Farms, Inc., Stanfield, Az., $49,842.

W. L. Craig, Greenwood, Ms., $49,839
Layton Knaggs, Woodland, Ca., $49,837.
B. L. Gibson, Arvin, Ca., $49,833.
Melvin H. McKinney, Pecos, Tx., $49,819.
George Nixon, Los Fresnos, Tx., $49,803.
Wachter Ranch, Bismarck, N.D., $49,796.
Robert V. Phillips, Lind, Wa., $49,764.
George A. Taylor, Jr., Slaton, Tx., $49,759.
Monaghan Farms, Inc., Commerce City, Co., $49,752.
Charles W. Bowles, Osceola, Ar., $49,741.
Leo V. Smith, Olton, Tx., $49,740.
R. Gordon Preuit, Tuscumbia, Al., $49,728.
R. P. Anderson, Coolidge, Az., $49,725.
Winston T. Jones, Plainview, Tx., $49,714.
R. M. Buckles Ind. Exec., Stratford, Tx., $49,708.
Prudhome Bros., Natchez, La., $49,700.
Parr Bros., Inc., Rupert, Id., $49,666.
Gammons Farm, Belzoni, Ms., $49,662.
J. L. Chambers, Hickory Valley, Tn., $49,661.
Morrison Bros., Earle, Ar., $49,652.
Edward L. Irwin, Tulare, Ca., $49,642.
Gilfoil Farms, Inc., Lake Providence, La., $49,624
England & England, Coolidge, Az., $49,604.
John David Clark, Holly Hill, S.C., $49,565.
I. T. McIntyre III, Itta Bena, Ms., $49,544.
R. L. Perryman, Lula, Ms., $49,529.
B. C. Hodges, Vega, Tx., $49,527.
E. E. Moore, Senatobia, Ms., $49,526.
Simmons Planting Co., Clarksdale, Ms., $49,507.
B. E. McDearman, Jr., Cleveland, Ms., $49,482.
Pfaff Bros., Inc., Garfield, Wa., $49,472.
Howard Arthur Wuertz, Coolidge, Az., $49,467.
E. T. Wells, Inc., Helena, Ar., $49,467.
B. G. Collins, Waynesboro, Ga., $49,464.
Ethel Lyon, Shaw, Ms., $49,456.
Davenport Bros., Mer Rouge, La., $49,454.
C. E. Christian, Farwell, Tx., $49,449.
N. H. McMath, Isola, Ms., $49,446.
J. A. Moore, Monroe, La., $49,437.
Bill McCarter, Galata, Mt., $49,417.
Bass Farms, Tuscola, Il., $49,414.
Fred Rau, Fresno, Ca., $49,397.
E. C. Mingenback, McPherson, Ks., $49,394.
J. P. White, Jr., Roswell, N.M., $49,392.
Baker Bros., Earlimart, Ca., $49,358.
J. G. Arnn, Muleshoe, Tx., $49,358.
E. L. Goodspeed, Buttonwillow, Ca., $49,343.
Ferguson and Sons, Yuma, Az., $49,330.
Tract-o-Land Pltn., Lake Cormorant, Mi., $49,316.
M. B-R. B. Stanton Pts., Lorenzo, Tx., $49,296.
Fred J. Ferrara, Hearne, Tx., $49.296.
Wm. Erickson, Fresno, Ca., $49,292.
Golden West Seed Co., Texico, N.M., $49,290.
Jack G. Foster, Happy, Texas, $49,283.
C. D. Noble, Edwards, Ms., $49,282.
Earl C. Recker Co., Mesa, Az., $49,281.
Ralph Gering & Sons, Ritzville, Wa., $49,272.
Johnny Greer, Heth, Ark., $49,267.
Robert N. Aldridge & Sons, Hollandale, Ms., $49,266.
Verne Wuertz, Ripley, Ca., $49,257.
R. & J. J. Blasdell Ptshp., Phx, Az., $49,254.
El Peco Ranch, Madera, Ca., $49,252.
Patterson & Hale, Bksfld., Ca., $49,232.
Shary Farms, Inc., Mission, Tex., $49,229.
Walter O. Swiney, Morehouse, Mo., $49,225.
Ritchie Bros., Crystal City, Tex., $49,222.
Fred Horne, Jr., Atkinson, Ne., $49,221.
Lenard Schritter, Aberdeen, Id., $49,221.
G. A. Frierson, Shreveport, La., $49,219.
D. E. Benham, Morton, Tx., $49,212.
Stoller Bros., Inc., Bksfld., Ca., $49,211.
Dippel Bros., Garfield, Ga., $49,207.
Barker Farms Inc., Marianna, Ar., $49,207.
F. L. Tindall, Indianola, Ms., $49,181.
Meyer & Schuring, Marengo, Il., $49,169.
Dulaney Farms, Inc., Clarksdale, Ms., $49,157.
New Harmony Realty, New Harmony, In., $49,135.
Brooks Griffin, Elaine, Ar., $49,133.
H. G. Ritchie, Jr., Taft, Tx., $49,102.
Hutterian Brethren, Inc., Espanola, Wa., $49,099.
Bonanza Farms, Bakersfield, Ca., $49,078.
Haney Tate, Clovis, N.M., $49,069.
Bob Kimbrough, Ralls, Tx., $49,066.
R. B. Tucker, Arvin, Ca., $49,053.
F. M. Smith, Sudan, Tx., $49,034.
John A. Bell, Plainview, Tx., $49,022.
Thomas Michael Jenkins, Seminole, Tx., $48,962.
Norman Caswell, Meadow, Tx., $48,938.
Julius Huxsol, Chas. City , Iowa, $48,918.
Joe B. Lovelace, Abernathy, Tx., $48,917.
Charles Warren, Lamesa, Tx., $48.890.
Eastover Plantation, Boro, Ms., $48,877.
Robert G. Sruggs, Gaffney, S.C., $48,872.
Earnest L. Barnett, Amarillo, Tx., $48,862.
Keener Howard, Lake Providence, La., $48,858.
Grant W. Squire, Hanford, Ca., $48,822.
Valley Farms Co., Presidio, Tx., $48.822.
Metcalfe and Weathers, Metcalfe, Ms., $48,812.
William H. Farris, Dekalb, Tx., $48,798.
George Lawson Elder, Ripley, Tn., $48,796.
B. E. Walker, Fort Hancock, Tex., $48,788.
Geo D. Brown—Sons, Pomeroy, Wa., $48,772.
F. E. Motley, Hollis, Ok., $48,754.
D. H. Cole & Son, Coolidge, Az., $48,741.
Eugene V. Blythe, Leighton, Al., $48,739.
Jack S. Hamilton, Inc., Providence, La., $48,728.
Gammon Bros., Bakersfield, Ca., $48,725.
Roy D. Murray, Earlimart, Ca., $48,725.
H. T. Miller Pltg. Co., Inc., Drew, Ms., $48,709.
Osceola Plant Co., Arcola, Ms., $48,701.
Watson Jones, Floydada, Tex., $48,701.
Deavenport Ranches, Inc., Fresno, Ca., $48,674.
Holthoff Brothers, Gould, Ar., $48,667.
Gene Belt, Lockney, Tex., $48,665.
McFarland & Hanson Ranches, Coolidge, Ariz., $48,638.
H. T. Crenshaw, Levelland, Tex., $48,633.
Shelby Farms, Shelby, Miss., $48,614.
F. E. Mitchell, Rome, Miss., $48,595.
Jack Nutter, Casa Grande, Ariz., $48,584.
Gossetts, Inc., Dumas, Tex., $48,571.
B. F. B. Farms, Bakersfield, Calif., $48,564.
Wayne Barrett, Blythe, Calif., $48,533.
Eugene L. Thompson, Munday, Tex., $48,510.
Nickey-Eason Plantation, Hughes, Ariz., $48,509.
Ivan, Rush, Melrose, N. Mex., $48,502.
Pitts Pltg. Co., Inc., Indianola, Miss., $48,489.
A. C. Dominick, Jr., Mira, La., $48,482.
Keith Garner, Bovina, Tex., $48,471.
H. H. and Edgar Baker, Somerville, Tex., $48,462.
Elsberry & Nowell, Coolidge, Ariz., $48,456.
J. W. Furgeson, Petersburg, Tex., $48,452.
Melvin Przilas, Dalhart, Tex., $48,433.
Cecil Dorman, Tahoka, Tex., $48,426.
Travis Howard, West Monroe, La., $48,422.
Marvell W. Goza, Mayesville, S.C., $48,419.
Aluminum Co. of America, Newburgh, Ind., $48,414.
Vierhus Farms, Coalinga, Calif., $48,393.
J. Wayne Bush, Schlater, Miss., $48,379.
Bianco, Bros., Casa Grande, Ariz., $48,363.
H. T. Cochran & Son, Hollandale, Miss., $48,338.
Four C Land Co., Gordon Crowe, Hollandale, Miss., $48,306.
Jimmy McLaughlin, Plainview, Tex., $48,306.
Elvis O. Martin, Ralls, Tex., $48,282.
Thomas D. Wilson, Hearne, Tex., $48,281.
Ward Brothers, Floydada, Tex., $48,259.
G. C. Cortright, Rolling Fork, Miss., $48,250.
C. B. Emeny, Amarillo, Tex., $48,237.
A. R. McMillan, Jr., Wagram, N.C., $48,236.
A & B Farms, Inc., Shelby, Miss., $48,234.
J. W. Suttle, Orrville, Ala., $48,232.
W. J. Estes, Haralson, Ga., $48,226.
E. F. Crenshaw, Walls, Miss., $48,211.
Thetford & Massey, Rogers, N. Mex., $48,207.
M. C. Stovall, Inc., Stovall, Miss., $48,203.
Dobson & Patterson, Mesa, Ariz., $48,201.
Charles H. Kuiper, Union Grove, Wis., $48,187.
James Byrd, Dundee, Ms., $48,184.
Frizzell Farms, Inc., Star City, Ar., $48,154.
Raymond Odom, Iron City, Ga., $48,149.
Germain H. Ball, Phoenix, Az., $48,143.
Tazioli & Son, Buttonwillow, Ca., $48,140.
A. J. Hill Estate, Rome, Ms., $48,132.
Charley Wade, Cruger, Ms., $48,100.
Gathan Reistino, Hearne, Tx., $48,042.
Reginal Stephens, Anton, Tx., $48,038.
H. W. Shaw & Son, Bishopville, S.C., $48,037.
T. C. Potts, Crenshaw, Ms., $48,025.
Floyd M. Krebs, Scott City, Ks., $48,019.
Taylor Grain Co., Inc., Brownsville, Tx., $48,013.
Woodrow Nelson & Sons, Dimmitt, Tx., $48,004.
Verdie & Lloyd Beauchamp, Dumas, Tx., $47,984.
G. O. King, Plainview, Tx., $47,977.
Edwin Axe Farms, Inc., Hereford, Tx., $47,974.
E. D. Mansell, Pickens, Ms., $47,972.
Ballenger & Ballenger, Sebastian, Tx., $47,955.
Sunshine Valley Rnchs, Eloy, Az., $47,953.
Clay Cross, Dumas, Ar., $47,930.
Stiles Farm Foundation, Thrall, Tx., $47,928.
Jones Ranches, Inc., Dillon, Mt., $47,920.
R. Joe and Richard Hearon, Bishopville, S.C., $47,903.
Roy Ingram, Artesia, Nm. $47,878.
Fern Castor, Clovis Nm., $47,867.
Woodward Farms, Inc., Graham, Tx., $47,861.
William Love, Charleston, Mo., $47,855.
Doyle and Wilmans Ptnrs., Diaz, Ar., $47,854.
Murry Lambre, Natchez, La., $47,848.
Homer Richardson, Maple, Tx., $47,848.
Youngblood Company, Dundee, Ms., $47,839.
Robert C. Sims & Sons, Happy, Tx., $47,833.
Edward D. Chitwood, Jr., Muleshoe, Tx., $47,830.
Enbe Ranch, Shafter, Ca., $47,823.
Royce Collins, Olton, Tx., $47,822.
Wm. G. Lumsden, Wilson, Texas, $47,813.
Langston Gin Co., Luxora, Ar., $47,810.
Rogers Hall, Cleveland, Ms., $47,787.
Lawrence J. Lightcap, Hugoton, Ks., $47,784.
Wilcox Investment Company, Portland, Or., $47,763.
M. S. Cox., Jr., Madison, Ms., $47,741.
Robert A. Franz, Ritzville, Wa., $47,727.
R. A. Jacobsen, Shafter, Ca., $47,718.
Beerman Farms, Inc., Dak. City, Nb., $47,715.
Horace D. Estes, Dalhart, Tx. $47,712.
Durant Brothers, Gable, S.C., $47,700.
Ewald Quebe, Lockney, Texas, $47,697.
Logoluso Farms, Madera, Ca., $47,691.
Troyce E. Endsley, Bradley, Ark., $47,689.
W. O. Shurden, Drew, Ms., $47,684.
Anderson Farms, Inc., Encampment Wy., $47,668.
Fraser Farms, Inc., Humboldt, Ia., $47,652.
Fred William Hays, Athens, Al., $47,640.
W. L. Norman, Dougherty, Texas, $47,631.
H. L. King, Brownfield, Tx., $47,624.
Hugh A. Warren, III, Sidon, Ms., $47,610.
Jeff L. Cole, Greenwood, Ms., $47,609.
Sam Cambron, Buckeye, Az., $47,592.
Clayton Terrell, Plainview, Tx., $47,569.
Bruno Baggiani & Lido Isola, Buttonwillow, Ca., $47,567.

L. R. Cherrington, Harlingen, Tx., $47,566.
William B. Rhodes Co., Marion, Ar., $47,551.
L. C. Unfred, Tahoka, Texas, $47,546.
Hoggarth Brothers, Courtenay, Nd., $47,540.
Crowley Land & Dev. Co., Ordway, Co., $47,538.
Moiola Bros., Brawley, Ca., $47,495.
Harrell Hammonds, Hayneville, Al., $47,493.
Howard A. Ragsdale, Lamar, Co., $47,485.
Woods Stone, Wasco, Ca., $47,464.
Harper R. Myres, Mayersville, Ms., $47,459.
Howard L. Alford, Lubbock, Tx., $47,437.
Bonanza Farms, El Centro, Ca., $47,427.
Frank Dilse, Scranton, Nd., $47,418.
J. Ernest Bertrand, Oakley, Ks., $47,401.
M. J. Dattel, Rosedale, Ms., $47,401.
Ballantyne Brothers, Westhope, Nd., $47,396.
James A. McCarthy, Rio Hondo, Tx., $47,357.
B. R. Smith, Dundee, Ms., $47,352.
King & Anderson Ent., Clarksdale, Ms., $47,347.
Mike Hankins, Shafter, Ca., $47.330.
Ike Everett, Pinehurst, Ga., $47,325.
Stahmann Farms, Inc., Las Cruces, NM., $47,320.
R. L. Webster, Waynesboro, Ga., $47,317.
Malvin A. Jarboe, Floydada, Texas, $47,307.
E. W. Hooker, Lexington, Ms., $47,289.
Glenn Southall, Altus, Ok., $47,275.
Billy R. Gowdy, Boise City, Ok., $47,264.
Carter Planting Co., Clarkedale, Ar., $47,261.
Pryor Land Company, Billings, Mt., $47,252.
John J. Peaster, Yazoo City, Ms., $47,251.
James Fangman, Hereford, Tx., $47,250.
J. R. Hays & Son, Inc., Idaho Falls, Id., $47,236.
R. L. McLaurin, Dillon, S.C., $47,234.
D. F. McCasland, Forrest, N.M., $47,226.
Willard Nehls, Juneau, Wi., $47,223.
Higgins Brothers, Inc., Forrest City, Ar., $47,217.
Vince Court, Bryan, Tx., $47,213.
E. A. Baalman & Sons, Menlo, Ks., $47,197.
Duke Shackelford, Bonita, La., $47,194.
Pirsig Bros., Blue Earth, Mn., $47,191.
Donald Parrish, Lexington, Ms., $47,167.
Dale Toone, Verhalen, Tx., $47,144.
Morris Scamardo, Bryan, Tx., $47,137.
John Tobin & Sons, Tekamah, Ne., $47,134.
Herman & Carl Myers, Casa Grande, Az., $47,129.
Leroy S. Epps., Jr., Greeleyville, S.C., $47,125.
Riverside Farm, Helena, Ar., $47,100.
Lake Dick Elms Farming Co., Altheimer, Ar., $47,095.
Pirkle Farms, Sycamore, Ga., $47,067.
W. H. Maynard, Jr., Clarksdale, Ms., $47,065.
Leopold J. Schmidt, Sr., Dalhart, Tx., $47,058.
Vollmer-Bayne, Prosser, Wa., $47,028.
J. M. Pratt, Sr., Monroe, La., $47,028.
Sam T. Schrock, Jr., Elm Creek, Ne., $47,025.
The McLaughlins, Ralls, Tx., $47,002.
Wayne E. Tallman, Brandon, Co., $47,002.
Turner Ranches, Mesa, Az., $47,000.
Walter O. Heinrich, Slaton, Tx., $46,976.
A. R. Mims, Lydia, S.C., $46,972.
R. J. Gillespie, Luxora, Ar., $46,966.
W. F. McFarlane, Clovis, Ca., $46,956.
J. E. Crain Est, Wilson, Ar., $46,945.
Ben Stribling, Canton, Ms., $46,933.
W. H. Howarth, Skene, Ms., $46,881.
Jack B. Eastham, Waxahachie, Tx., $46,858.
W. J. Light, Rolla, Ks., $46,835.
A and M Plantation, Somerville, Tx., $46,832.
O. L. & James Whitfield, Edcouch, Tx., $46,831.
M. C. Sparks & Son, Lake Cormorant, Ms., $46,822.
J. N. Osterkamp Rches, Brawley, Ca., $46,817.
Jesse Snead, Laurinburg, N.C., $46,802.
Davis & Huey Inc, Tranquillity, Ca., $46,795.
Carleton Davis, Dalhart, Tx., $46,795.
R. F. & Robert Stovall, Floydada, Tx., $46,777.
L. Berry Farms, Inc., Holland, Mo., $46,761.
Marion F. Baugh, Star City, Ariz., $46,746.
Milton Lubin, Turrell, Ariz., $46,728.
Weidenbach Bros., Shafter, Calif., $46,727.
Bryant Farms, Inc., East Prarie, Mo., $46,710.
A. L. Brady, Lula, Ms., $46,709.
Ervin Schneider, Tribune, Ks., $46,700.
B. C. Land Co., Leachville, Ariz., $46,697.
J. W. Huff, Dumas, Tex., $46,696.
Earl Schwartz Co., Kenmare, N.D., $46,695.
Bob Riley, Abernathy, Tex., $46,691.
Frank Burnside, Newellton, La., $46,674.
James W. Phillips, Keo, Ariz., $46,673.
Harlan Russell, Casa Grande, Ariz., $46,669.
R. P. Hairston, Silver City, Ms., $46,657.
Ralph Abramson, Holly Grove, Ark., $46,649.
McCloy Brothers, Morse, Texas, $46,639.
W. D. Bradford, Itta Bena, Ms., $46,634.
S. Everett Dennis, Scottsbluff, Ne., $46,628.
J. W. Shadden, Idalou, Tex., $46,604.
J. C. Hardy, Charleston, Ms., $46,575.
Henry W. Golden, Dimmitt, Tex., $46,557.
James H. Ferebee and Son, Shawboro, N.C., $46,554.
Andrew Blake, Woodrow, Co., $46,545.
A. G. Mahalitc, Rolling Fork, Ms., $46,516.
Paul D. Moore, Jr., McAllen, Tex., $46,514.
M. C. Montgomery, Scottsdale, Ariz., $46,506.
Iverson Leake, Canyon, Tex., $46,505.
Haddad Bros Fms., Encino, Calif., $46,502.
Gene Thomas Burgreen, Madison, Al., $46,492.
Lloyd Glenn, Tulia, Tex., $46,486.
J & R Enterprises, Blythe, Calif., $46,485.
J. T. McKinney, Pecos, Tex., $46,471.
Ralph S. Shepard, Glendale, Az., $46,454.
Graham C. Holmes, Lubbock, Tex., $46,425.
Young Brothers, Brent, Al., $46,401.
Silva Farms, Isleton, Calif., $46,390.
Russell Gill, Osceola, Ar., $46,370.
Big Oak Farms, East Prairie, Mo., $46,364.
L. J. & Clovis Stafford, Keyes, Ok., $46,358.
Jack Gunn, St. Vrain, N.M., $46,357.
Worth K. Bartlett, Coolidge, Az., $46,347.
Dell Sellers, Coolidge, Az., $46,341.
Frank Lang, Casa Grande, Az., $46,335.
Doyle Moss, Brownfield, Tx., $46,334.
Prairie Planting Company, Stovall, Ms., $46,325.
B. H. Virden, Jacksonville, Ms., $46,324.
Riverside Ranches, Poston, Az., $46,315.
Fairview Farms Company, Tyronza, Ar., $46,278.
Edward M. Wavers, Yuma, Az., $46,277.
Sossaman Farms, Higley, Az., $46,229.
J. E. Ely Est. A. E. Larson Adm., Garden City, Ks., $46,222.
Jimmie Sekhon, El Centro, Ca., $46,220.
American Farm, Inc., Donna, Tex., $46,213.
Owsley Hill, Los Fresnos, Tx., $46,197.
Eugene Cook, Harrison, Ga., $46,177.
James W. Young, Jr., Crawfordsville, Ar., $46,166.
Reed Ranches, Burlington, Co., $46,155.
Kenyon Farms Co., Kenyon, Mn., $46,142.
Lee Dobbins, Anderson, S.C., $46,142.
Kenneth Hancock, Seagraves, Tx., $46,133.
Riley H. Graham, Wisner, La., $46,130.
Pearson Bros., Webber Falls, Ok., $46,123.
Billy J. Cleavinger, Wildorado, Tx., $46,105.
O. D. Rhodes, Lubbock, Tx., $46,100.
Alden Johnson, Lyford, Tx., $46,099.
H. D. Harvey, Lake Providence, La., $46,081.
F. M. Wannamaker, St. Matthews, S.C., $46,079.
Lawrenc Chaffin, Blythe, Ca., $46,075.
Chatom Co., Modesto, Ca., $46,074.
James D. Green, Jr., Chicago, Il., $46,070.
Evans-Wortham, Houston, Tx., $46,066.
Billy Frank Morris, Stanton, Tn., $46,064.
S. A. Hodges, Jr., Happy, Tx., $46,024.
W. J. Hutchinson Sons, Caspiana, La., $46,010.
Barnard & Barnard, Bksfld., Ca., $46,006.
W. R. Jackson, Jr., Vienna, Ga., $45,993.
V. R. Cazier & Sons, Toston, Mt., $45,987.
John B. Wyrill, Jr., Kirwin, Ks., $45,975.
Gladden Farms A Part, Marana, Az., $45,974.
Guy Rorick, Manter, Ks, $45,970.
W. D. Storie, Maricopa, Az, $45,953.
Wm. A. Davis and Sons, Goodlands, Ks, $45,953.
Fletcher Brothers, Indianola, Ms, $45,951.
Brooks & Brooks, Hereford, Tx, $45,937.
Oneway Farms, Hereford, Tx, $45,930.
Growers Finance Gin, Marana, Arizona, $45,920.
Davis & Sons Pts, Lubbock, Tx, $45,902.
H. M. Gable, Muleshoe, Tx, $45,899.
Carter Farms Inc, Brownfield, Tx, $45,895.
Donald Wiechens, Glendale, Az, $45,892.
Donald Kimball, Amarillo, Tx, $45,891.
Joe Scarpinato, Hearne, Tx, $45,879.
W. C. Stout, Muleshoe, Tx, $45,864.
W. C. Cabe, Brownfield, Tx, $45,854.
Jack R. C. Vincent, Amarillo, Tx, $45,825.
R. M. Buckles, Stratford, Tx, $45,814.
John Bridges, Earth, Tx, $45,812.
Draper Brantley, Carlsbad, NM., $45,811.
Burl & Jearl Mahan, Falcon, Ms, $45,807.
E. C. Apodac Est, Indio, Ca, $45,801.
Jimmie Icardo, Bakersfield, Ca, $45,797.
Frank T. Williams, Va. Beach, Va., $45,797.
W. F. and W. H. Hardin, Duncan, Ms, $45,792.
Herron Bros, Connell, Wa, $45,777.
W. Homer Tate, Huntsville, Al, $45,765.
Golden Wheat Ranch, Goodland, Ks, $45,759.
Charles Flowers, Shallowater, Tx, $45,742.
B. G. Free, Muleshoe, Tx, $45,740.
J. H. Magee & Sons, Batesville, Ms, $45,730.
Lake Henry Pltn, Greenwood, Ms, $45,714.
Ray Fuller, Marvell, Ar, $45,696.
Funk Brothers, Harlingen, Tx, $45,680.
Gladstone B. Mortimer, Belzoni, Ms, $45,678.
Orville Chapin, Burlington, Co, $45,678.
Geo & Kenneth Fry Ptnshp, Friona, Tx, $45,673.
O. A. & C. E. Webb, Abernathy, Tx, $45,671.
D. L. Martin, Jr., Courtland, Al, $45,669.
Henson & Landers, Bakersfield, Ca, $45,669.
A. K. Baker, Madera, Ca, $45,665.
Eldorado Planting Co, Yazoo City Ms, $45,653.
R. V. Segars, Sr., Oswego, S.C., $45,641.
Pinal Ranches, Queen Creek, Az, $45,640.
Cleve Cypert, Ralls, Tx., $45,601.
Quinton Rives, Coahoma, Ms., $45,559.
John H. Johnston, Wynne, Ar., $45,527.
Wiles Farm, Ft. Motte, S.C., $45,524.
Billy Brewer, Inverness, Ms., $45,523.
John Renner, Friona, Texas, $45,511.
Dunaway Brothers, Hawkinsville, Ga., $45,504.
Jimmy P. Wallace, 607 Lakeshore Dr., Bville, S.C., $45,498.
Dinsdale Bros., Inc., Palmer, Ne., $45,492.
James Greener, Lubbock, Tx., $45,486.
Jack Johnson, Jr., Morse, Texas,$45,485.
Sunrise Farms, 500 N. Broadway Suite 3, Blythe, Ca., $45,474.
Henry Battle, Joiner, Ar., $45,470.
Robert L. Pickens, Madison, Al., $45,467.
Sandrini Bros., McFarland, Ca., $45,457.
Tim E. Field, Dalhart, Tx., $45,449.
L. S. Frierson, Jr., Shreveport, La., $45,439.
Sullivan Bros., Burdette Ar., $45,427.
Dale D. Hanna, Burlington, Co., $45,420.
Famuliner Brothers, Carrollton, Mo., $45,412.
Parker Cattle Co., Box 599, Canyon, Tx., $45,410.
J. V. Pace, Chandler, Az., $45,396.
Wilbur, Gamble, Dawson, Georgia, $45,373.
Torigiani Fms., Buttonwillow, Ca., $45,369.
Chas. M. Herndon, Hawley, Tx, $45,356.
Drew Gillen, Blooming Grove, Tx., $45,355.
Johnny Jesko, Hereford, Tx., $45,349.
Monty Clayton, Crandall Tx., $45,341.
Herman Dennler, Reno, Nv., $45,335.
O'Neal & Son, Inc., Crawfordsville, Ar., $45,329.

E. D. Adcock, Lameso, Tx., $45,327.
J. F. Furgeson, Morton, Tx., $45,326.
Robert Beasley, Meadow, Tx., $45,313.
King-Wells Farm, Helena, Ar., $45,312.
Adele M. Schmidt, Lyford, Tx., $45,310.
J. Noel Reed, Greenwood, Ms., $45,310.
Horace E. Moore & Sons, Frenchman's Bayou, Ark., $45,304.
Earl Lane estate, Stanfield, Az., $45,292.
Harry and A. P. Jones, Louisville, Ga., $45,283.
A. K. Maxwell, Moorhead, Ms., $45,282.
Stalder Cattle Co., Salem, Ne., $45,265.
Paul Ollerton, Casa Grande, Az., $45,250.
James Beall, Waynesboro, Ga., $45,242.
Fred Welch, Muleshoe, Tx., $45,228.
R. T. Hardeman, Cruger, Ms., $45,198.
Paul Schniederjan, Bushland, Tx., $45,198.
Sam Kotara, Groom, Tx., $45,191.
Clawson Bldg. Co., Lubbock, Tx., $45,188.
Dixie Farm Company, Crumrod, Ar., $45,185.
George Elland, Lamesa, Tx., $45,174.
Tommy Wheelis, Maricopa, Az., $45,173.
Robert Nippert, Quanah, Tx., $45,170.
Council Bend, Inc., Rolling Fork, Ms., $45,153.
Luther C. Holladay, Ft. Stockton, Tx., $45,143.
Jack Falco, Marlin, Tx., $45,130.
R. I. Oliver, Seagraves, Tx., $45,106.
Bob Morgan, Artesia, N.M., $45,094.
D. S. Riggs, Roscoe, Tx., $45,077.
J. J. Johnson, Leighton, Al., $45,049.
Earl C. Beck, Jr., Hughes, Ark., $45,047.
J. L. Stribling & Son, Clarksdale, Ms., $45,031.
Lorenzo Lee, Hart, Tx., $45,009.
R. M. Watsons Sons, Ridge Spring, S.C., $45,008.
Loyd Heigle, Mayersville, Ms., $44,992.
Cholick Farms, Rio Hondo, Tx., $44,977.
Sherman Land & Cattle Co., Tulare, Ca., $44,965.
John N. Covington, Jr., Coffeeville, Ms., $44,950.
Greenlee Farms, Lubbock, Tx., $44,946.
Edwin Y. Harrill, Jr., Shelby, N.C., $44,930.
Alan Spinks, Midland, Tx., $44,930.
J. S. Parker, Jr., Sunflower, Ms., $44,907.
Eubanks Brothers, Santa Rosa, Tx., $44,895.
Mott & Mott, Oak Ridge, La., $44,890.
Alf B. Claridge, Safford, Az., $44,877.
Stuart Denman, Charleston, Ms., $44,874.
Fletcher S. Haynes, Lambert, Ms., $44,868.
E. B. Price, Jr., Wrightsville, Ga., $44,855.
E. M. Otuel, Bville, S.C., $44,851.
Stribling Planting Co., Clarksdale, Ms., $44,844.
James W. Barnett, Friona, Tx., $44,842.
George L. Potter, Lafayette, In., $44,841.
Robert M. Davis, Casa Grande, Az., $44,831.
The Dunlap Co., Lubbock, Tx., $44,831.
J. M. Bryant, Calipatria, Ca., $44,829.
Luke Restivo, Caldwell, Tx., $44,822.
W. M. Thacker, Yuma, Az., $44,806.
Midvale Farm Co., Tucson, Az., $44,805.
B. N. Simrall and Son, Inc., Redwood, Ms., $44,804.
Ragland Plant, Inc., c/o C. G. Morgan, Hughes, Ar., $44,796.
B. J. Hutcheson, Wolfforth, Tx., $44,795.
Jack Cash, Batesville, Ms., $44,788.
Taylor Farms, c/o J. R. Saunders, Doerun, Ga., $44,788.
R. M. Mason, Hereford, Tx., $44,784.
M. S. Dale, Greenwood, Ms., $44,779.
Robison L and L Co., Walla Walla, Wa., $44,775.
J. B. Laney, Lyons, Ms., $44,765.
Chappell & Moore, Forrest City, Ar., $44,759.
C. A. Barth and Robert Barth, Holly Co., $44,745.
Tom Caldwell, Farwell, Tx., $44,743.
Waymon W. Elrod, Dekalb, Tx., $44,726.
Craig Silverthorne, Plainview, Tx., $44,718.
Wood B. Craig, Sunray, Tx., $44,718.
W. O. Lockwood, Lorenzo, Tx., $44,713.
Barry Armes, Littlefield, Texas, $44,701.
Clint B. McFarland, Tart, Tx., $44,700.
Harris Farms, Navasota, Tx., $44,675.
Jack Schuster, Muleshoe, Tx., $44,674.
Elmer E. Meek, Los Fresnos, Tx., $44,665.
Irby Abercrombie, Kerman, Ca., $44,657.
Robert F. Bowman, Corcoran, Ca., $44,641.
Peter Cook, Jr., Rio Vista, Ca., $44,618.
Reeves Farms, c/o J. E. Good, Hamburg, Ia., $44,615.
C and V Growers, Inc., Maricopa, Az., $44,596.
Jack Duke, Pecos, Tex., $44,590.
J. P. Beck, Ralls, Tx., $44,581.
W. H. Vanlandingham, Seminole, Tx., $44,560.
Curtis Clark, Helena, Az., $44,559.
J. V. Spigener, Allendale, S.C., $44,558.
Kraetzer Cured Lumber Co., Greenwood, Ms., $44,548.
H. V. Wheeler, Slaton, Tx., $44,513.
Ralph Owens, Metcalfe, Ms., $44,499.
E. H. Neill, Greenwood, Ms., $44,492.
David P. McBryde, Stratford, Tx., $44,488.
Del Testa Farms, Tranquillity, Ca., $44,483.
L. J. & J. A. Williams, Mason, Tn., $44,481.
Isola Plantation, H. W. Branton, Leland, Ms., $44,479.
C. H. Block and Co., Tunica, Ms., $44,475.
John R. Rials, Crockett, Tx., $44,468.
Hattendorf Bros., Scott City, Ks., $44,460.
G. L. Rouse, Luray, S.C., $44,455.
Jimmy Brown, Hereford, Tex., $44,447.
Howard Seiple, 40 and Wm Penn Hwy, Easton, Pa., $44,425.
Hudgens Jeter, RR 1, Altheimer, Ark., $44,419.
Archie Mellon, 1185 4th Ave., Yuma, Ariz., $44,391.
Dave Inebnit, R. 2 Box 92, Holly Grove, Ar., $44,355.
Webb & Webb, RR 1 Box 210, Shreveport, La., $44,354.
Norman Kuhr, 5574 Ave 22½, Chowchilla, Ca., $44,349.
Frank Blackburn, RR 2, Clovis, NM., $44,346.
Charley Roy Best, Grady, N.M., $44,332.
Belen Planting Co., Box 40, Marks, Ms., $44,301.
Vernon Hutsell, 20600 Road 36, Tulare, Ca., $44,290.
Glenn Thorne, Holdman Rt., Pendleton, Or., $44,287.
Harris & Thrush Sales Co., 701 N. Ave. N., Lubbock, Tx., $44,284.
M. J. Bowen, Metter, Ga., $44,279.
B. C. Kesey, 1826 Jackson, Pecos, Tex., $44,279.
David Solomon, Crestwood, Helena, Ar., $44,271.
L. G. Byford, RR 1, Proctor, Ark., $44,265.
Rowland Bros., RR 2, Monroe, La., $44,253.
Frank Abate, Box 203, Maricopa, Az., $44,252.
W. S. Patrick, RR 3, Box 153, Canton, Ms., $44,246.
Green Incorporated, Anguilla, Ms., $44,246.
Bert Johnson, Walhalla, N.D., $44,235.
Farm Inc. W. Wilcynski Pres., 1413 7th, Aurora, Ne., $44,230.
James Cruce, Star Rt., Kress, Tx., $44,219.
Franklin D. Seitzinger, 1611 Sunset Dr., Onawa, Ia., $44,216.
Edward Sanders, RFD 3, Cuthbert, Ga., $44,205.
Miller Farms, Inc., Marianna, Ar., $44,189.
Stribling & Smith, Box 83, Clarksdale, Ms., $44,171.
S. L. Newton DBA Newton Farms, Box 133, Stratford, Ca., $44,169.
Dick Ellis, Rt. 2, Hereford, Tx., $44,161.
French Bend Pltn, Box 274, Greenwood, Ms., $44,149.
Jerome Thompson, Box 37, Dateland, Az., $44,146.
Gunn Farms, Byron, Ga., $44,130.
Meiwes Bros., Rt. 4, Hereford, Tx., $44,129.
J. A. & R. Blasdell, P.O. Box 277, Litchfield Park, Az., $44,116.
Paul and Beene, Box 588, Parkin, Ar., $44,116.
R. G. Hartman, Plains, Texas, $44,105.
Donnell Echols, St. Rt. 4, Lamesa, Tx., $44,070.
Las Palmas Farms, Box 325, Weslaco, Tex., $44,060.
M. A. Snider, Jr., Box 128, Farwell, Tx., $44,051.
E. D. Wiest, 133 West J. St., Brawley, Ca., $44,034.
Max Dilworth, Shelby, Ms., $44,030.
Rogers Ranches Inc., Helm, Ca., $44,023.
Omega Planting Co., Lyons, Ms, $44,016.
John W. Gunter, Jr., Muleshoe, Tx., $44,004.
T. D. Davis, Goodland, Tx, $43,990.
Gordon McMillan, Levelland, Tx, $43,973.
Luchen Walls, Pine Bluff, Ar, $43,964.
Barton Bros., Earth, Tx, $43,944.
Alex Stafford, Dalhart, Tx, $43,938.
Adams Farm Co., Inc., Rockville, In, $43,932.
D. R. Hopkins, Anton, Tx, $43,931
J. E. Golden, Jay Fl, $43,916.
Russell, Loeflin, Junta, Co., $43,908.
L. J. Jones, Jr., Hereford, Tx, $43,903.
Fred G. Hilvert, Co., Inc, Palo Verde, Az, $43,893.
W. O. Shurden, Inc., Drews, Ms, $43,891.
J. W. Patrick, Jr, Brandon, Ms, $43,890
John E. Crain, Jr., Wilson, Ar, $43,889.
Jack Heil, Stratford, Tx, $43,889.
C. W. Denton, Belen, Ms $43,869.
Richard M. Adams, Gibson, N.C., $43,866.
William R. Ramsey, Pecos, Tx, $43,860.
C. R. Kay, Plainview, Tx, $43,853.
Tye & Son, Kress, Tx, $43,846.
Allendale Planting Co., Shelby, Ms, $43,839.
Gus O. Birdwell, Spearman, Tx., $43,826.
Peppy McKinley, Pecos, Tx, $43,814.
Tipton Bros. and Sullivan, Tiptonville, Tenn, $43,811.
Fred Zimmerman, Jr., Floydada, Tx., $43,800.
E. M. Fedric Farms, Inc., Vance, Ms, $43,799.
San Augustine Ranch, Lubbock, Tx, $43,791.
Fred & Austin Moore, Rensselaer, In, $43,782.
G. L. McWilliams Sr, Clarksdale, Ms, $43,780.
Stuart Rahberg, Clinton, Wi, $43,751.
Horne Bros., Arlington, Tn, $43,768.
Walter Herrick, Johnson, Ks, $43,725.
R. H. Farris, Jr., Crosbyton, Tx, $43,720.
Ben & Edward Pinkert, Levelland, Tx, $43,719.
John Springer Stephens, O'Donnell, Tx, $43,713.
Fred G. Owens, Levelland, Tx, $43,710.
Wilmot Planting Co., Arcola, Ms, $43,700.
Minn Farms Co., Appleton, Mn, $43,698.
Max L. Kelso, Clovis, N.M., $43,696.
H. L. Conger, Grande City, Tx., $43,950.
D. W. King, Inverness, Ms., $43,689.
Johnston Farms, Edison, Ca., $43,686.
John C. Carter, Plainview, Tx., $43,677.
Florence Farms, Inc., Coolidge, Az., $43,661.
N. W. Mott, Oak Ridge, La., $43,650
Fred Fegel, Amarillo, Tx., $43,650.
William Thomas Joines, Lubbock, Tx., $43,649.
D. J. Moses, Crosbyton, Tx., $43,638.
Francis E. Barrett, Hereford, Tx., $43,615.
Charles Speakes, Bendit, Ms., $43,608.
Marvin T. Heinrich, Ralls, Tx., $43,608.
James W. Cox., Tulia, Tx., $43,602.
F. M. Hinson, Bville, S.C., $43,600
M. E. Templer, Eads, Co., $43,599.
A. Tumbling T. Ranch, Goodyear, Az., $43,598.
W. P. Haggard & Son, Laveen, Az., $43,593.
Costerisan Farms, Bakersfield, Ca., $43,590.
Ed Weiler, Buckeye, Az., $43,562.
Johnny Whitley, Altoona, Al., $43,556.
Crettol Farms, Wasco, Ca., $43,546.
Joe H. Ulmer, Blythe, Ca., $43,544.
Cartrite Bros., Sunray, Tx., $43,538.
Joe Rodgers, West Memphis, Ar., $43,528.
B. & B. Industries, Glendale, Az., $43,524.
Banducci & Son, Buttonwillow, Ca., $43,505.
Bisignani Bros., Los Banos, Ca., $43,492.

Dan Felton & Co., Marianna, Ar., $43,477.
Henry Leivas, Poston, Az., $43,462.
Emily Holmes, Tulia, Tx., $43,451.
Evergreen Farms, Inc., Edcouch, Tx., $43,445.
B. F. Urbanczyk, Panhandle, Tx., $43,443.
James Harlan, Terre Haute, In., $43,421.
J. R. Norton Co., Glendale, Az., $43,420.
Alva C. Jasper, Silverton, Tx., $43,396.
A. & H. Farms, Kerman, Ca., $43,394.
Allen C. Kolstad, Ledger, Mt., $43,392.
Leslie Pattison, Clovis, N.M., $43,391.
E. W. and G. W. Stone, Chatham, Ms., $43,361.
Willis Woodham, Bishopville, S.C., $43,357.
L. E. Williams, Jr., Cordele, Ga., $43,349.
J. C. O'Brien, Morton, Tx., $43,349.
Stanley Ellis, Coolidge, Az., $43,335.
H–M Farming Company, Chowchilla, Ca., $43,326.
Lucille & C. W. Fyfe, Jr., Lula, Ms., $43,295.
Jack Robison & Sons, Willcox, Az., $43,289.
R. Gonsalves, Hanford, Ca., $43,280.
H. D. Free, Bamberg, S.C., $43,275.
M. & J. Farms, Loop, Tx., $43,273.
O. J. Turner, III, Belzoni, Ms., $43,273.
Goldmine Plt., Mangham, La., $43,265.
Carl Phillips, Abernathy, Tx., $43,255.
Earl S. Dobson, Chandler Az., $43,245.
W. W. Bomar, Clovis, N.M., $43,229.
Dalton Docter, Amherst, S.D., $43,226.
A. E. Schuyler, Shelby, Ms., $43,199.
Glynn Dodson, Royse City, Tx., $43,179.
Carson Echols, Lamesa, Tx., $43,177.
M. Parker, Bakersfield, Ca., $43,176.
William W. Allen, Stratford, Tx., $43,171.
S. C. Chapin, Trumann, Ar., $43,170.
Willie O. Wall., Texico, N.M., $43,160.
James C. Richards, Caledonia, Ms., $43,158.
C. N. Frierson, Shreveport, La., $43,155.
Jack G. Thomson, Bakersfield, Ca., $43,148.
J. A. Tucker, Jr. & Sr., Utica Ms., $43,148.
Graves Planting Company, Tchula, Ms., $43,122.
Stringer Farms, Inc., Dumas, Tx., $43,118.
Dr. P. F. Hartman, Maricopa, Az., $43,108.
Rex Hall, Jr., Dumas, Tx., $43,103.
J. W. Williamson, Agt., Norway, S.C., $43,095.
Gerald L. Schmidt, Rolla, Ks., $43,091.
Charles Wade, Bowie, Az., $43,080.
Jimmy Goode, Sicily Island, La., $43,076.
J. B. Johnson, Jr., Sterlington, La., $43,071.
Eldon K. Parish, Mohave Valley, Az., $43,065.
Harris and Harris, Inc., Hollandale, Ms., $43,065.
V. L. & L. A. Nunnery, Greenville, Ms., $43,059.
Al Klopek, Dilley, Texas, $43,043.
John V. Merten, Holtville, Ca., $43,038.
Wilcx, Lnd. & Ctl., Willcox, Az., $43,035.
R. J. Renner, Jr., Friona, Texas, $43,032.
John L. Haynes, Ralls, Tx., $43,021.
O. E. Williamson, Plainview, Texas, $43,012.
Eddie Jay, Sr., Willcox, Az., $43,002.
Walter E. Adams, Fremont, Ne., $42,995.
Thayer A. White, Red Rock, Az., $42,987.
Brewer Bros., Eldorado, Ok., $42,681.
David R. Owens, Elora, Tn., $42,675.
Walter E. Bloys, Floydada, Texas, $42,669.
J. W. Foster, Jr., Calvert, Tx., $42,657.
John Torrez, Jr., Tulare, Ca., $42,653.
C. R. Taylor, Lamesa, Tx., $42,633.
Heck Gin, Inc., Plainview, Tx., $42,632.
Elton Fortenberry, Tallulah, La., $42,627.
Bonny Shepherd, Rutledge, Ga., $42,616.
James T. Sanderson, Harvest, Al., $42,614.
Stum & Schuler, Towner, Co., $42,613.
Richland Planting Company, Moscow, Ar., $42,606.
Jim Monroe, Hereford, Tx., $42,603.
David B. Mullens, Clarksdale, Ms., $42,592.
Glen Taylor, Greenville, Ms., $42,591.
L. M. Phillips, Holly Bluff, Ms., $42,576.
Sulcer Planting Company, Inc., Marion, Ar. $42,571.
L. E. Hicks, Perry, Ga., $42,562.
B. T. Spear, Amarillo, Tx., $42,558.
Handley Farms, West Memphis, Ar., $42,552.
Jack Windle, Nebraska City, Ne., $42,546.
William Howard, Jr., Darlington, S.C. $42,538.
Half Moon Fruit & Pro. Co., Lemoore, Ca., $42,532.
M. Murray Farms, Inc., Hanford, Ca., $42,532.
E. I. & J. E. Jones, Coolidge, Az., $42,525.
H. L. Free, Bamberg, S.C., $42,517.
Henry C. Wehmeyer, Port Lavaca, Tx., $42,517.
James H. Dugan, Greeley, Ne., $42,509.
Walter Kaltwasser, Farwell, Tx., $42,476.
St. Rest Plantation, Inc., Holly Ridge, Ms., $42,475.
Buck Garrett, Plainview, Tx., $42,472.
Tom F. Oats, Ralls, Tx., $42,464.
Eliz O. Barefield, Alexander, Ga., $42,423.
Holly Ranch, Buckeye, Az., $42,419.
Buol Farms, Inc., Burlington, Co., $42,411.
T. L. Black, Millen, Ga., $42,407.
H. W. King, Drew, Ms., $42,404.
John Keil & Sons, Inc., Ledger, Mt., $42,393.
W. H. and C. V. Cross, Unadilla, Ga., $42,378.
F. Earl Hogan, Oak Ridge, La., $42,366.
Delta Plantation, Inc., Helena, Ar., $42,364.
Millard Peavy, Pinehurst, Ga., $42,362.
Hitch Lnd. Cttl. Co., Guymon, Ok., $42,329.
J. H. Kirby and Sons, Hale Center, Tx., $42,980.
James Readheimer, Hereford, Tx., $42,978.
D. & D. Farms, Inc., Queen Creek, Az., $42,975.
V. & C. Farms, Bakersfield, Ca.,$42,968.
Wilbur Welch, Rich, Ms., $42,958.
Lee M. Whittle, Brawley, Ca., $42,954.
Chas Heck, Jr., Nazareth, Tx., $42,952.
L. W. Van Dyke & Co., Marshall, Mo., $42,950.
Rosamond Carpenter, Lake Village, Ar., $42,947.
Harold Boyd, Pullman, Wa., $42,946.
R. O. Pierce, Caruthersville, Mo., $42,943.
H. S. Blitch and Son, Statesboro, Ga., $42,942.
Robert A. Taylor, Florence, Az., $42,934.
Stoughton Farms, DeForest, Wi., $42,916.
Haycreek Range & Cattle, Madras, Or., $42,916.
Hays Bros. & Hall, Sardis, Ms., $42,909.
E. J. Pope, Jr., Abernathy, Tx., $42,896.
Pee Dee Growers, Inc., Latta, S.C., $42,894.
Mark Farms, Greenwood, Ms., $42,891.
B. W. Smith Planting Co., Louise, Ms., $42,882.
Eldon Durrett Trusts, Amarillo, Tx., $42,876.
M. S. Simas, Est., Hanford, Ca., $42,854.
Jimmie R. Robinson, Sardis, Ga., $42,852.
T. W. Keesee, Helena, Ar., $42,851
Harold Whitaker, Humboldt, Kansas, $42,851.
Edwin Adams, Plainview, Tex., $42,842.
Joe M. Lovelace, Coalinga, Ca., $42,835.
Barcellos & Wolfsen, Stratford, Ca., $42,812.
Elo & Vido Fabri, Pond, Ca., $42,790.
R. E. Watkins, Altheimer, Ar., $42,782.
Jerry Jenkins, Pecos, Tex., $42,778.
M. E. Foreman, Webb, Ms., $42,768.
Richins Brothers, Inc., Animas, N.M., $42,764.
Leo Mathis, Plainview, Tx., $42,734.
W. H. Riley, III, Ft. Stockton, Tx., $42,728.
R. N. McWilliams, Clarksdale, Ms., $42,726.
Gordon Montague, Plainview, Tex., $42,717.
Don Brazil, Anton, Texas, $42,710.
Edwinston Clark, Friona, Texas, $42,710.
G. Malcolm Bryant, Hartley, Tx., $42,704.
Donald E. Kolb, Evansville, In., $42,691.
B. A. Watson, Chowchilla, Ca., $42,688.
W. E. Scarborough, Robstown, Tx, $42,688.
Bick Sam Chu, Marana, Az., $42,326.
W. H. Houston, Jr., Tunica, Ms., $42,315.
Jim Fullen, Ashport, Tn., $42,306.
Reed J. Kerby, Chandler, Az., $42,304.
Floyd T. Dyer, Bovina, Tx., $42,298.
George H. Vance, Texarkana, Tx., $42,289.
Clyde Crausbay, McAdoo, Tx., $42,275.
J. T. Brand, Prairie, Ms., $42,255.
Don & Max Hawthorne, Plains, Tx., $42,241.
Keith Vandivere, Brownfield, Tx., $42,241.
A. L. Calhoun, Jr., Co., Clio, S.C., $42,241.
A. C. Ransom & Son, Monroe, La., $42,220.
C. W. Schwerdfeger, Syracuse, Ks., $42,216.
J. T. McAdams, Dalhart, Tx., $42,205.
D. Stratton, Inc., Pine Bluff, Ar., $42,195.
R. M. Middleton, O'Donnell, Tx., $42,193.
John W. & V. A. James, Oakley, Ks., $42,191.
Fort Loring Plantation, Itta Bena, Ms., $42,190.
K. Malofy & Son, Shafter, Ca., $42,187.
Frank Megna, Abernathy, Tx., $42,166.
Burr Farms, Cheraw, S.C., $42,166.
Worth Jeffus, Guymon, Ok., $42,165.
C. J. Beasley and Son, Heth, Ar., $42,165.
Walter H. Provost, Marked Tree, Ar., $42,147.
Johnny Sluder, Bushland, Tx., $42,115.
Joseph J. Trino, Bakersfield, Ca., $42,105.
F. S. Hunter, New Madrid, Mo., $42,105.
Little & Hanes, Wasco, Ca., $42,097.
E. C. R. Corporation, Hereford, Tx., $42,097.
Bruce Brumfield, Inverness, Ms., $42,092.
H. H. White, Water Valley, Ms., $42,072.
Troy Martin, Seagraves, Tx., $42,057.
C. Hart Farms, Inc., Holly, Co., $42,056.
Porter-Peringer, Inc., Echo, Or., $42,046.
Barrier & Barbour, Yazoo City, Ms., $42,035.
R. L. Gibson, Red Springs, N.C., $42,034.
Hudson Ranch, Maricopa, Ca., $42,031.
W. H. Neill and Sons, Leland, Ms., $42,030.
Max Sageser, Hale Center, Tx., $42,016.
Benson Farms, Inc., Hale Center, Tx., $41,998.
Doug Ellison, Petersburg, Tx., $41,992.
James B. Young, Portland, Ar., $41,987.
Mountain Potato Corp., Dumas, Tx., $41,983.
Western Potato Co., Salt Lake City, Ut., $41,964.
Guido Romanini, Buttonwillow, Ca., $41,953.
Walter Pyle, Calvert, Tx., $41,949.
David S. Manker, Clarksdale, Ms., $41,945.
W. O. Markley, Hereford, Tx., $41,932.
Seward & Harris, Midnight, Ms., $41,919.
Ed Vaccaro, Marianna, Ar., $41,918.
Erle M. Barham, Oak Ridge, La., $41,902.
Ed Roche, Dublin, Ga., $41,898.
O. M. Johnson, Shabbona, Il., $41,895.
J. M. Edens Jr., Dalzell, S.C., $41,887.
Ruth G. Fink, Colby, Ks., $41,884.
Vachrel Ridley, Bellview, N.M., $41,879.
L. C. Smith, Hughes, Ar., $41,869.
Red Gum Plantation, Hughes, Ar., $41,866.
E. Q. Vance Jr., Vance, Ms., $41,850.
L. S. Powell Estate Inc., Dundee, Ms., $41,842.
Marcus Vanderslice, Casa Grande, Az., $41,835.
Don Angonia, Bryan, Tex., $41,822.
Queen Cr. Pot & Cold St. Co., Queen Creek, Az., $41,812.
J. G. McFarland, Friona, Tex., $41,805.
YAW Farms, Inc., Champion, Ne., $41,800.
Marathon Pitn., Glen Allan, Ms., $41,778.
C. E. Clifton, Hernando, Ms., $41,762.
D. T. Locke, Firebaugh, Ca., $41,756.
W. M. Kurfees, Plainview, Tx., $41,749.
Christophe Keller Jr., Alexandria, La., $41,744.
E. M. Walton, Beulah, Ms., $41,742.
Judson McNair, Wrens, Ga., $41,742.
Kenneth Smith, Waitsburg, Wa., $41,723.
Charles T. Noland, Hereford, Tx., $41,722.
Kenneth Martin, Moscow, Ks., $41,700.
Troy Phillips, Brownfield, Tx., $41,698.
John M. Norfleet, Hart, Tx., $41,696.
Joe G. Machado Jr., Dos Palos, Ca., $41,695.
Looney Bros., Proctor, Ar., $41,691.
Elton, Ellison, Ralls, Tx., $41,685.
William J. Bryan, Los Fresnos, Tx., $41,683.
Oscar O. Brown, Nineveh, Tx., $41,682.
Dyche Plantation Inc., Blaine, Ms., $41,661.
Candler Farms, Eastman, Ga., $41,659.
B. D. Hargrove, Seibert, Co., $41,656.

Clinton Phipps, Taylorsville, Ms., $41,649.
Guthrie Farming Co., Pville, Calif., $41,634.
Landrum & Leavell, Minter City, Ms., $41,633.
Roman Gonzales, Waco, Tx., $41,631.
Myers, Bros., McCook, Ne., $41,628.
G. M. Newsom, Brownfield, Tx., $41,628.
W. M. Hunter, Lubbock, Tx., $41,626.
Vega Land Cattle Coinc., Amarillo, Tx., $41,619.
Larry J. Woodard, Lepanto, Ar., $41,615.
J. C. Evans, White, Ga., $41,610.
Amon Eugene Holt, Manila, Ar., $41,605.
Paul Pearce, Eloy, Az., $41,599.
Voges & Reisiger, Bovina, Tx., $41,598.
John R. Young, Muleshoe, Tx., $41,593.
Bednar Bros., Garden City, Tx., $41,592.
Harvey L. and Ava L. Balko, Lingo, N.M., $41,584.
Doyle Ritchie, Visalia, Ca., $41,583.
Earl Leslie, Alva, Ok., $41,571.
Jack D. Loring, Tulia, Tx., $41,565.
Gilmore Bros., Sandersville, Ga., $41,558.
W. M. Smith and Sons, Birdeye, Ar., $41,555.
Calvin Joyner, Camden, S.C., $41,546.
Walker E. Downs, Oxford, Ms., $41,536.
Adcock Farming Co., Inc., Lamesa, Tx., $41,535.
Max Bowers Est., Morton, Tx., $41,532.
Murphey & Hardy, Inc., Sumner, Ms., $41,520.
Robert Chappell, Candor, N.C., $41,515.
R. M. Aust, Clarksdale, Ms., $41,513.
Brandt Bros., Brawley, Ca., $41,512.
Robinson Co., Shreveport, La., $41,499.
Harvey Lutrick, Abernathy, Tx., $41.489.
S. D. Long, Shelby, Ms., $41,485'.
Clinton Glenn, Canyon, Tx., $41,480.
Glee S. Smith, Rozel, Ks., $41,477.
Oliver Bros., Proctor, Ar., $41,472.
Darden Company, Inc., Onward, Ms., $41,466
William R. Murrell, Gruver, Tx., $41,463.
James E. Patterson, Jr., Huntsville, Al., $41,460.
Box Elder Farms Co., Denver, Co., $41,455.
R. K. Clark, Drew, Ms., $41,453.
T. J. Pate, Bremen, Al., $41,434.
Costa & Quintel, Inc., Lemoore, Ca., $41,432.
Truman Touchstone, Dimmitt, Tx., $41,429.
Jay Stanton, Shallowater, Tx., $41,395.
P. Maurin & J. T. Maurin, Hondo, Tx., $41,394.
H. R. Hudson, Jr., Pecos, Texas, $41,391.
Jack Moseley, Friona, Texas, $41,377.
Howard Frick, Bakersfield, Ca., $41,375.
James L. Maxwell, Benoit, Ms., $41,362.
Vernon Andrus, Tulia, Tx., $41,360.
M. J. Commer, Jonestown, Ms., $41,354.
Lee C. Oneil, Lubbock, Tx., $41,329.
Martinus & Martinus, Lockwood, Ca., $41,315.
A. K. McCarley, Jr., Colorado City, Tx., $41,308.
C. T. Minchew and Miller Trust, Hale Center, Tx., $41,302.
J. Emanuelli & Sons, Brawley, Ca., $41,301.
Osborne Belsby, Amber, Wa., $41,286.
B C S Corporation, Minter City, Ms., $41,276.
Chrismer Farms, Parker, Az., $41,265.
Robert Brewington, Forrest City, Ar., $41,255.
Wade Minter, Jr., Crockett, Tx., $41,244.
Alton Grant Farms, Turrell, Ark., $41,224.
John M. Stevens, Jr., Dell, Ar., $41,213.
W. C. Luckett Farms, Dublin, Ms., $41,207.
R. J. Young, Poplar Grove, Ar., $41,200.
Rodgers Farms, Belzoni, Ms., $41,199.
Albert Keck Co., Indio, Ca., $41,198.
Hugh V. Newton, Lubbock, Tx., $41,190.
Edgar Campbell, Texico, NM., $41,182.
Buckskin Plantation, Lambert, Ms., $41,179.
R. L. Peaster Company, Tchula, Ms., $41,176.
James A. Minter, Jr., Tyler, Al., $41,174.
Archie Baker, Clovis, NM., $41,160.
Ernest Carpenter, New Madrid, Mo., $41,159.
Wylie A. Byrd, Tulia, Tx., $41,155.
Carl Otsuki & P. W., Inc., Brownsville, Tx., $41,147.
Gum Grove Planting Co., Tchula, Ms., $41,145.
Kermit Cates, Bradford, Tn., $41,142.
B. A. Little, Holcomb, Ms., $41,138.
Max Johnson, Ralls, Tx., $41,131.
Earl Harkins, Hereford, Tx., $41,105.
D. Rigby Family Partnership, Logan, Ut., $41,101.
George C. Camilli, Animas, Co., $41,080.
Hochuli Bros., Terra Bella, Ca., $41,055.
F. F. Bradley, Pecos, Tex., $41,054.
Rio King Land & Inv. Co., San Fran., Ca., $41,024.
C. C. Morschheimer, Jr., Parkdale, Ar., $41,019.
J. A. Ely, Jr., Shaw, Ms., $41,016.
Eugene F. Jones, Midland, Tx., $40,998.
Johnny D. Reid, O'Brien, Tex., $40,994.
H. Joe Schwartz, Ropesville, Tx., $40,994.
Dan Atkinson, Madison, Al., $40,992.
Ruth Hunt, Hastings, Ne., $40,991.
L. W. Bailey, Manter, Ks., $40,988.
Lourence Dormaier, Marlin, Wa., $40,982.
Pucheu Ranch, Tranquillity, Ca., $40,976.
Robert Ellsworth, Queen Creek, Az., $40,973.
John S. Howie, Benton, Ms., $40,966.
H. & A. Andreotti, Grimes, Ca., $40,955.
W. A. Odom, Jr., La Villa, Tex., $40,941.
Hanson Farms, Inc., Columbia, S.D., $40,927.
Thomas J. Bevel & Son., Rochester, Tex., $40,923.
Fred Northcutt, Clovis, N.M., $40,889.
M. E. Watson, Jr., Kirkland, Tx., $40,870.
Preciado Bros., Imperial, Ca., $40,862.
W. S. Conner, Maricopa, Az., $40,858.
Raymond Dienst, Sr., Lakin, Ks., $40,835.
Ed Hunter Steele, Morgan City, Ms., $40,820.
Belle Meade Plantation, Hughes, Ar., $40,818.
Central Alfalfa, Inc., Lexington, Ne., $40,817.
C. W. Barrett, Indianola, Ms., $40,802.
Billie McClaran, Petersburg, Tx., $40,802.
Antone Borchard Co., Brawley, Ca., $40,790.
Bill R. Moore, Glendale, Az., $40,784.
Shafter Wasco Invest. Co., Shafter, Ca., $40,778.
Berryman Farms, Bard, Ca., $40,770.
Maxton Supply Co., Maxton, N.C., $40,767.
Dan & Chester Caldwell, Blytheville, Ar., $40,765.
Robert G. Johnson, Clarksdale, Ms., $40,757.
Billy G. Gardenhire, O'Donnell, Tx., $40,757.
John Richardson, Lovington, N.M., $40,742.
Reedville Farms, Dumas, Ar., $40,743.
Kirtlan Bros., Clarksburg, Ca., $40,731.
C. P. Brown, El Paso, Tx., $40,726.
Jim Bob Curry, Hale Center, Tx., $40,721.
T. R. Rowland, Vidette, Ga., $40,717.
Costa Farms, Bakersfield, Ca., $40,710.
C. Elmer Spafford, Lemoore, Ca., $40,705.
Robert G. Sparks, Bovina, Texas, $40,700.
Kans. Univ. Endow. Assoc., Lawrence, Ks., $40,692.
Gordon Cameron, Buckeye, Az., $40,669.
Louise Planting Co., Louise, Ms., $40,654.
Melborn C. Jones, Farwell, Texas, $40,644.
J. L. Browning, Plainview, Tx., $40,640.
Wall & Sons, Dalhart, Tx., $40,628.
Allen Brothers, Indianola, Ms., $40,625.
Logan Otto, York, Ne., $40,624.
B. L. Davis, Whiteville, Tenn., $40,610.
Harry Banducci, Bakersfield, Ca., $40,607.
C. T. Ingle, Tahoka, Texas, $40,606.
Johnney West, Floydada, Texas, $40,605.
Maud, Collingwood, Est., Meade Ks., $40,604.
Hyles Hagy, Jr., Dauphin, Pa., $40,603.
Solomon Bros., Inc., Helena Ar., $40,600.
Aulton S. Harris, Stanfield, Az., $40,597.
C. C. Whittle, Floydada, Tx., $40,594.
Barlow & Willis Planting Co., Detroit, Tx., $40,588.
Brown and Brown, Texico, N.M., $40,582.
Otha, Lockmiller, Clovis, N.M., $40,574.
Triangle T Ranch, Chowchilla, Ca., $40,574.
John E. Richards, Macon, Ga., $40,572.
F. M. Swanson, Springfield, Co., $40,559.
Lamon & Lamon, Harlingen, Tx., $40,555.
Tharp Farms, Las Cruces, N.M., $40,553.
J. S. Dollahite, Lake Cormorant, Mi., $40,545.
Gaddis & McLaurin, Inc., Bolton, Ms., $40,543.
Kenneth Rice, Montrose, Ar., $40,542.
H. Freimel & Sons Ptn., Hereford, Tx., $40,539.
Tupelo Pltn, Greenwood, Ms., $40,529.
William H. Myre, Greenville, Tx., $40,520.
AVRA Plantations, Inc., Marana, Az., $40,459.
John W. McIntosh, Clovis, N.M., $40,444.
R. Lee, Jr., & R. Lee, Sr., Guymon, Ok., $40,428.
Wheeler Farms, Inc., Hillsboro, Al., $40,421.
Johnny P. Singh, Brawley, Ca., $40,412.
Bruce D. Tarkington, Cotton Plant, Ar., $40,408.
Johns, Smith & Beamer, Athena, Or., $40,408.
Marvin O. Greer, Ralls, Tx., $40,408.
Joe L. Smallwood, Muleshoe, Tx., $40,406.
W. M. & D. L. Colson, Tulare, Ca., $40,370.
G. R. Byrd, Holcomb, Ks., $40,360.
Louie Kehl, Yuma, Az., $40,356.
Cecil Yonce, Johnston, S.C., $40,348.
La Casita Farms, Inc., Rio Grande City, Tex., $40,347.
William Peacock, 309 McClain, Cleveland, Ms., $40,338.
L. B. Shipp, Box 86, Lula, Miss., $40,338.
Dougherty Grain, 800 W. Ky. St., Floydada, Tex., $40,331.
Citizens Gin Co., Inc., Lepanto, Ark., $40,326.
Joe L. Davidson, RR 1 Box 246, Sledge, Miss., $40,316.
Charlie & Kenneth Robinson, Box 235, Vega, Tex., $40,312.
M. T. Glenn, 2832 Avenel St., 10, Los Angeles, Calif., $40,308.
W. K. Kenworthy, 301 East Chanslorway, Blythe, Calif., $40,299.
Charles Spencer, Box 533, Presidio, Tex., $40,296.
David W. Grimsley, Rt. 2, Friona, Tex., $40,276.
J. E. Franklin, RR 1, Lubbock, Tex., $40,272.
Robert L. Dortch, Jr., Box 86, Scott, Ariz., $40,267.
Bill N. Gilbreath, Box 903, Ralls, Tex., $40,250.
W. H. Bullock, RR 1, Epps, La., $40,249.
O. A. Jones, RR 1, Farwell, Tex., $40,246.
Delmar A. Brady, 690 Imperial, El Centro, Calif., $40,236.
Allen C. Evans, Lula, Miss., $40,225.
Emmett Owens, Rt. 1, Huntland, Ind., $40,181.
Calvin Stout, Grady, N. Mex., $40,177.
Jean Eichheim, Nunn, Colo., $40,168.
Taylor & Heidel, Inc., Rt. 1, Box 360, Lovington, N. Mex., $40,152.
Brashier-Allen, Indianola, Miss., $40,151.
George H. Harlan, Rt. 1, Slaton, Tex., $40,145.
Dolphin Land Company, RR 2, Box 120, Steele, Mo., $40,142.
Elm Grove Plantation, Inc., McDade, La., $40,133.
Terrell and Daniel, RR 3, Plainview, Tex., $40,128.
Jack Patterson, Box 938, Roswell, N. Mex., $40,120.
Clyde Mercer, Box 704, Silverton, Tex., $40,106.
W. H. Palser Farms, Inc., Big Springs, Ne., $40,088.
Travis P. Turner, Rt. 3, Colorado City, Tex., $40,070.
Stephen Smith, Box 31, Olton, Tex., $40,068.
J. C. Heinrich, Rt. 1, Idalou, Tex., $40,065.
A. C. Riley, New Madrid, Mo., $40,056.
Sun Vue, Inc., % Ed Vadder Pres., Box 1057, Lockney, Tex., $40,042.
J. R. Ross, Benoit, Miss., $40,023.
Leonard L. Grissom, Rt. 1, Farwell, Tex., $40,012.

Dale Mitchek, Cheyenne Wells, Colo., $40,005.
Ronald W. Thayer, 902 N. Val Vista, Mesa, Ariz., $40,005.
C. P. Smith, RR 1, Hale Center, Tex., $39,986.
W. G. Turnipseed, Rt. 1, Box 620, Lovington, N. Mex., $39,978.
Pee Dee Pltg. Co., % Hunter Chittom, Schlater, Miss., $39,976.
Dean E. Pryor, P.O. Box 165, Burrel, Calif., $39,945.
Forrest Clayton, Ed Nido, Calif., $39943.
Trimble Farms, Tempe, Az., $39,940.
Roy Nall, Boise City, Ok., $39,931.
J. T. Longino, Jr., Jonestown, Ms., $39,914.
Gay and Keith, Gay, Ga., $39,898.
R. C. Good, Glenwood, Ia., $39,898.
S. A. Fangman, Hereford, Tx., $39,896.
W. E. & Bruce Dunlap, Ridgley, Tenn., $39,894.
John W. Sherman, Enid, Ms., $39,884.
Albert Heath, Milan, Mi., $39,878.
J. L. & Bill Gray, Harlingen, Tex., $39,875.
Don C. Day, Meadow, Tx., $39,875.
Clifford Hamilton, Lubbock, Tx., $39,870.
Russell Armstrong, Town Creek, Al., $39,869.
Clayton Brown, Madera, Calif., $39,863.
Dingler Farms Inc., Pecos, Tx., $39,860.
Joe E. Benson, Marks, Ms., $39,857.
Cowan & Franklin, Shelby, Ms., $39,853.
R. I. Abbay, Tunica, Ms., $39,852.
Earl Minderman, Lawrenceville, Il., $39,839.
Ira G. Ashley Osceola, Ar., $39,830.
J. B. James, Olton, Tx., $39,821.
Green Reservoir Farms, Casa Grande, Az., $39,820.
W. W. Hamilton, Hillsboro, Al., $39,817.
H. A. Vossler & Sons, Pville, Ca., $39,812.
June F. Grundfest, Cary, Ms., $39,804.
W. A. Worsham, Charleston, Ms., $39,799.
B. B. Sanders, Vaiden, Ms., $39,797.
Kendrick Farms, Johnson, Ks., $39,789.
Fowler-Moore-Moore-Fowler, Somerville, Tn., $39,779.
W. T. Clark, Jr., Yazoo City, Ms., $39,773.
J. H. Rowland, Midville, Ga., $39,769.
San Pasqual L & C Co., Brawley, Calif., $39,769.
W. W. Walton Jr., Cor Chr., Tx., $39,760.
Morgan Sturgess, Tulia, Tx., $39,754.
Jones Brothers, Inverness, Ms., $39,752.
Tony Varisco Jr., Bryan, Tex., $39,751.
W. S. Reed, Utica, Ms., $39,748.
Stillwater Farming Co., Inc., Altheimer, Ar., $39,741.
M. L. McMillan, Minter City, Ms., $39,729.
Patton Planting Co., Nitta Yuma, Ms., $39,708.
J. H. Felts and Sons, Joiner, Ar., $39,703.
Henry Bennett, Rich Square, N.C., $39,699.
Lloyd Weinreis, Golva, N. Dak., $39,681.
Claude Keasler, Parma, Mo., $39,679.
Warren Taylor, Byromville, Ga., $39,673.
M. A. Rose and Sons, Inc., Altheimer, Ar., $39,673.
William Gehring, Inc., Rensselaer, In., $39,671.
Lakin Ranch, Inc., Onawa, Ia., $39,669.
Milburn & Eddie Haydon, Hart, Tx., $39,660.
Wayne Labar, Harlingen, Tx., $39,654.
Jon A. Tucker, Buckeye, Az., $39,651.
James Bradshaw, Sunflower, Ms., $39,644.
Arvis E. Moore, Crosbyton, Tx., $39,629.
Shelby & Kirby, Hollis, Ok., $39,627.
B. E. Fisher, Portland, Ar., $39,625.
Ralph E. Davis, Abernathy, Tx., $39,623.
Ray Gerk, Hereford, Tx., $39,621.
Homer Slater, Brawley, Ca., $39,615.
James Morgan, Jr., Greenwood, Ms., $39,609.
Edward Kraft, Delano, Ca., $39,607.
Smith Ranch Company, Tribune, Ks., $39,605.
H. B. Robertson, Petersburg, Tx., $39,587.
E. L. Wallace and Sons, Woodland, Ca., $39,583.
Albert Eugene Yarbrough, England, Ar., $39,580.
Robert L. Gabeline, Morning Sun, Ia., $39,570.
J. C. Griffin, Meigs, Ga., $39,556.
Charles Kline, Anguilla, Ms., $39,550.
B. L. Middleton, Odonnell, Tx., $39,544.
C. H. Clowers & Co., Star City, Ark., $39,537.
Tom Cobb, Jr., Clovis, Nm., $39,533.
Pinckney Hill Plantation, Monticello, Fl., $39,525.
Eiland Crawley Palmore, Lamesa, Tx., $39,518.
R. C. Greenway & Virgil Greenway, Jerome, Ar., $39,514.
Wilbert Kalbas, Farwell, Tx., $39,512.
Arlan Youngblood, Lamesa, Tx., $39,512.
William S. Alley, Shandon, Ca., $39,505.
Dawson County Feed Prod., Inc., Lexington, Ne., $39,505.
J. P. Brown, Lake Providence, La., $39,504.
M. and T., Inc., Walnut Grove, Ca., $39,464.
Virgal Pierson, Petersburg, Tx., $39,462.
A. H. Sandeford, Midville, Ga., $39,458.
R. and B. Co., c/o Bronson Corn, Roswell, N.M., $39,456.
Marshall Farms, Brewster, Ks., $39,453.
Gary E. Byrd, Jr., Hartsville, S.C., $39,451.
Wayne E. Tallman Farms Co., Brandon, Co., $39,410.
D. & B. Moore, Bakersfield, Ca., $39,409.
Harral and Marable, Stockton, Tx., $39,405.
Curtis Planting Co., Bossier City, La., $39,401.
W. Carter Reid, Cherokee, Al., $39,396.
Glenn W. Thompson, Morton, Tx., $39,391.
George A. Efseaff, Earlimart, Ca., $39,389.
Marion J. Barnes, Bishopville, S.C., $39,386.
L. A. Garrett, Bartow, Ga., $39,374
Lettunich Farms, Clint, Tx., $39,342.
Kenneth Leck, Galata, Mt., $39,333.
W. & J. Farms, Stanfield, Az., $39,332.
J. C. Goodson, Brent, Al., $39,327.
Mason Snow, Buttonwillow, Ca., $39,324.
Robert L. Smith, Lockney, Texas, $39,315.
R. B. Anderson, Oxford, Ms., $39,311.
Warefield Brothers Farms, Inc., Gunnison, Ms., $39,299.
James Marioneaux, Buckeye, Az., $39,296.
E. E. Cooper, Leland, Ms., $39,292.
J. R. Parkinson, Benoit, Ms., $39,288.
R. T. Wade, Minter City, Ms., $39,268.
Wendell Downen, Lake Providence, La., $39,265.
A. Dargin Kirk, Farwell, Texas, $39,258.
Leroy Grawunder, Shallowater, Tx., $39,257.
W. H. Watts and Son, Sardis, Al., $39,251.
Jesus Acosta, Berino, N.M., $39,248.
Raymond K. Schueler, Friona, Texas, $39,241.
Munn and Morgan, Leland, Ms., $39,234.
Leland Bush & Sons, Tecumseh, Mi., $39,229.
Carthal F. Mock & Son, Altus, Ok., $39,226.
North Ridge Co., Charleston, Mo., $39,212.
Glen A. Cook, Blytheville, Ar., $39,209.
Edwin J. Mullens, Clarksdale, Ms., $39,182.
George Sides, Dimmitt, Tx., $39,176.
Theodore J. Julian, Johnson, Ks., $39,174.
Arthur Jernigan, Amistad, N.M., $39,164.
Charles Noel, Plainview, Tx., $39,159.
Nugenco, Inc., Turrell, Ar., $39,159.
J. E. McCathern, Jr., Hereford, Tx., $39,153.
Kenneth Harley Blackwood, Ripley, Tn., $39,120.
C. B. Robinson, Waterford, Ms., $39,114.
Thomas A. Hollingsworth & Co., Hollandale, Ms., $39,106.
Burson and Burson, Haskell, Texas, $39,102.
Dobson Brothers, c/o R. Dobson, Cedar Rapids, Ne., $39,092.
H. & D. Duenne Farms, Charleston, Mo., $39,074.
Lee Talley, Van Horn, Tx., $39,073.
Brocecky & Lomax, Rio Hondo, Tx., $39,073.
Vernon Griffin, Scurry, Tx., $39,073.
R. D. Crawford, Concord, Ga., $39,063.
Richard Plunkett, Syracuse, Ks., $39,061.
Everett Bell, Mission, Tx., $39,044.
Gerald Sadler, Wisner, La., $39,006.
John H. Rea, Touchet, Wa., $39,001.
J. W. Zellner, Marienthal, Ks., $38,998.
Chester A. Johnson, Lyford, Tx., $38,986.
Saldorose Pltn, Indianola, Ms., $38,949.
Joe E. Yraceburu, Fresno, Ca., $38,939.
Dwelley Jones, Walla Walla, Wa., $38,936.
Nagatani Farms, Delano, Ca., $38,902.
Barr Ewing, Mercedes, Tx., $38,900.
Harry L. Fitzgerald, Levelland, Tx., $38,891.
P. W. Teeter & Sons, Co., Tillar, Ar., $38,890.
Isaac Fransen, Clinton, Ok., $38,888.
William Elbert Reid, Cherokee, Al., $38,879.
Homer Martin, Jr., Belzoni, Ms., $38,872.
D. N. M. Grain Co., Kansas City, Mo. $38,860.
Art W. Adair, Brownfield, Tx., $38,859.
Delbert Lewis, Red Cloud, Ne., $38,856.
Frazier Thompson, Bentonia, Ms., $38,849.
Holmes Farms Inc., Edinburg, Tx., $38,848.
Dan A. Day, Meadow, Tx., $38,842.
Norton Inc., Hereford, Tx., $38,839.
Van Sullivan, Culdesac, Id., $38,839.
B. E. Miles, Lakin, Ks., $38,838.
Kenneth Purtell, Brownfield, Tx., $38,833.
F. Silveira & J. Peterson, Tranquillity, Ca., $38,825.
Gus Pieralisi, Leland, Ms., $38,822.
Royce McFadden, Olton, Tx., $38,822.
Jack Parnell, Paducah, Tx., $38,803.
John H. Garmon, Jr., Clarksdale, Ms., $38,794.
Leon Foote, Seminole, Tx., $38,789.
W. R. Spears, New Hope, Al., $38,771.
James L. Craddock, Buckeye, Az., $38,769.
Fogleman & Son, Marion, Ar., $38,767.
Savich Farms, Rensselaer, In., $38,765.
Larry Nelson, Tulia, Tx., $38,764.
Elott Raffety Farms, Inc., Wyatt, Mo., $38,759.
Gary Crump, Bernie, Mo., $38,755.
R. W. Anderson, Mason, Tn., $38,753.
R. C. Weaver, Chowchilla, Ca., $38,749.
Julian L. Hardin, Marion, Ark., $38,748.
J. L. Wall, Clovis, N.M., $38,747.
Crockett Groves Inc., Harlingen, Tx., $38,746.
W. D. Harrington, Manning, S.C., $38,741.
Burton Merc & Gin Co., Beedeville, Ar., $38,733.
Rebekah Fields Billy Fields, Rolling Fork, Ms., $38,727.
Edward S. Smith Jr., Lorenzo, Tx., $38,721.
Travis H. Taylor Jr., Clarksdale, Ms., $38,716.
J. A. Marshall Est., Firebaugh, Ca., $38,715.
W. C. Adams, Dallas, Texas, $38,715.
Ellis Bros., Centre, Al., $38,699.
Hurdle & Valentine, Lamar, Miss., $38,690.
Davis Beasley, Meadow, Tx., $38,684.
Lelon Kenney, Columbia, La., $38,684.
Earl J. Smoak, Orangeburg, S.C., $38,680.
Dan L. Fedric, Charleston, S.C., $38,680.
Herbert E. Bippus, Hereford, Tx., $38,680.
K. E. Sherman, Durand, Il., $38,675.
Douglas Floyd, Seagraves, Tx., $38,661.
Philip V. Haynes, Roscoe, Tx., $38,648.
J. R. Wade Farms Inc., La Villa, Tx., $38,635.
Bobby H. Kendrick, Floydada, Tx., $38,632.
Lloyd E. Ryals, Dundee, Ms., $38,627.
Sundial Farming Co., Brawley, Ca., $38,604.
Double J Farms, Dos Palos, Ca., $38,580.
Denton Mfg. Co. Inc., Shelby, Ms., $38,570.
C. P. Honeycutt, Maricopa, Az., $38,557.
New Gascony Elms Farming Co., Altheimer, Ar., $38,552.
Robert M. Owen, Pecos, Tx., $38,539.
Pete Pasquinelli, Yuma, Az., $38,536.
Watkins Farms Inc., Hayti, Mo., $38,535.
Billy W. Fulton, Floydada, Tx., $38,533.
Cecil L. Dunbar, Martin, S.C., $38,527.
John Arnn & Son, Dermott, Ar., $38,525.
H. O. Thompson, Plainview, Tx., $38,522.
Bernard Lueking, Oxford, Ne., $38,519.
L. B. Montgomery, Littlefield, Tx., $38,518.
Perez Bros., Firebaugh, Ca., $38,509.
Andrew Price, Kress, Tx., $38,488.
Jerry Rogers, Clint, Tx., $38,484.
Fletchers Gin, Inc., Gideon, Md., $38,479.
Murphey Plantation, Tippo, Ms., $38,473.

Reed Lawson, Lockney, Texas, $38,470.
J. B. McPherson, Sr., Lake Providence, La., $38,463.
Francis L. Decker, Broadview, NM., $38,452.
Odell L. Lowe, Lubbock, Tex., $38,441.
Edward Wuerflein, Muleshoe, Tx., $38,431.
W. A. Albright, Sherrill, Ark., $38,431.
Donald Bellando, San Joaquin, Ca., $38,402.
Hershel L. Hughes, Texico, NM., $38,402.
Allen Glenn, Tulia, Tx., $38,401.
Dee Cash, Crosbyton, Tx., $38,379.
Ross Cash, Crosbyton, Tx., $38,378.
Wadsworth Brothers, Prattville, Al., $38,355.
R. G. Russ, Jr., Hale Center, Tx., $38,354.
H. F. Flemming, Cruger, Ms., $38,353.
Thomas B. Barnes, Darling, Ms., $38,344.
Steve A. Scarmardo, Caldwell, Tx., $38,341.
C. L. Morris, Rayville, La., $38,339.
Dorsey M. Bass, Columbia, Md., $38,338.
James A. Petty, Wayside, Ms., $38,336.
Leo Wikowski, Hereford, Tx., $38,335.
C. M. Cooke, Brickeys, Ar., $38,326.
Crenshaw Bros., Inc., Crenshaw, Ms., $38,323.
Jesse C. Cooper, Dumas, Tx., $38,319.
Rancho Trio, Bakersfield, Ca., $38,309.
Blackwoods Farm, Ft. Motte, S.C., $38,305.
J. A. Welch, Lockney, Texas, $38,298.
Marion F. Wright, Clio, S.C., $38,294.
C. L. Patridge, Schlater, Ms., $38,292.
J. T. Gilbreath, Jr., Hereford, Tx., $38,283.
M. P. Thedford, Littlefield, Tx., $38,283.
David B. Flanagan, Leland, Ms., $38,282.
Webb/Webb/Johnson, PTNP, Stratford, Tx., $38,276.
O. D. Moore, Crosbyton, Tx., $38,275.
Gordon Randolph, Colfax, La., $38,251.
C. Allan Young, Jr., Timmonsville, S.C., $33,245.
James Dyer, Weslaco, Tex., $38,243.
J. A. Grammer, Lamesa, Tx., $38,236.
Otis Harman, Tulia, Texas, $38,209.
Autauga Farming Co., Autaugaville, Al., $38,194.
Carroll Seal, Childress, Tx., $38,192.
Harrison Evans, Shuqualak, Miss., $38,192.
H. S. Smithson Sr., Goodman, Ms., $38,189.
Est. J. Kelly Cain, Corpus Christi, Tx., $38,182.
J. T. Hollingsworth, Cross Hill, S.C., $38,-181.
T. F. Taylor, Bovina, Texas, $38,179.
Charles W. Wiseman, Sudan, Tx., $38,177.
Leonard White, Blakely, Ga., $38,154.
J. David Sullivan, Ulysses, Ks., $38,139.
Blue Sack Pltn Inc., Belzoni, Ms., $38,136.
Darrell J. Dunn, Ralls, Tx., $38,126.
Irby Turner, Belzoni, Ms., $38,125.
C. J. Feagley, Muleshoe, Tx., $38,123.
A. R. Seabolt Jr., Rockwall, Tx., $38,118.
Aubra Wrather, Portageville, Mo., $38,118.
Clark Bros., Inc., Putney, SD., $38,118.
Howard Keeton, Cherokee, Al., $38,113.
Agricultural Investors Co., Farmersville, Il., $38,111.
George Eads, Fabens, Tx., $38,107.
James H. Bradley, Hereford, Tx., $38,107.
Gerald McCathern, Hereford, Tx., $38,103.
Allen M. Nunn, Laconia, Tenn., $38,087.
L. L. Walker & Sons, Minter City, Ms., $38,086.
Ben Fennel Jr., Leighton, Al., $38,081.
Roy Hines, Childress, Tx., $38,056.
Anthony L. Scamardo, Mumford, Tx., $38,-056.
Lester Merrill, Clovis, NM., $38,055.
Dick Ed Thomas, Marianna, Ar., $38,054.
Marion C. Bowers, Brownfield, Texas, $38,-050.
J. W. Hobgood, Holcomb, Ms., $38,045.
Eddie C. Cook, Stanton, Tx., $38,043.
Willard McCloy, Morse, Texas, $38,043.
Ray Teeple, Silverton, Texas, $38,042.
Glenn B. Allred, Wildorado, Tx., $38,040.
Melville Farms, Audubon, Ia., $38,038.
W. E. Jefcoat, Doddsville, Ms., $38,033.
M. L. McFarland, Happy, Tx., $38,030.
Vernon C. Willard, Bovina, Texas, $38,020.
Billy Hatcher, Sale City, Ga., $38,011.
K. E. Probasco, Floydada, Texas, $37,992.
Joe Rice, Jr., Northport, Al., $37,983.
Chester B. Brittain, Sinton, Tx., $37,977.
Frank J. Martin, Madera, Ca., $37,973.
Wright Bros. Farms, Robstown, Tx., $37,-960.
E. & S. Farms, Pharr, Tex., $37,956.
A. T. & J. R. Villard, Delano, Calif., $37,951.
Bill & Ed Koda, South Dos Palos, Calif., $37,949.
Morris S. Smith, Lorenzo, Tex., $37,946.
Johnnie Joiner, Idalou, Tex., $37,936.
Curtis F. Johnson, Midnight, Miss., $37,928.
Bleecker Farms, Bakersfield, Calif., $37,918.
H. L. Porter, Jr., Petersburg, Tex., $37,916.
Clyde Robinson, Providence, La., $37,911.
E. D. Marion, Seminole, Tex., $37,906.
Cedar Hill Farms, Memphis, Tenn., $37,903.
H. R. Colclough, Bishopville, S.C., $37,902.
Tuttle & Tuttle & Mawhirter, Ulysses, Kans., $37,898.
Norman C. Hardy, Eastman, Ga., $37,894.
R5 Ranch Inc., Carter, Mont., $37,892.
Hugo L. Felkel, Elloree, S.C., $37,890.
Sloan Farms, Gore, Okla., $37,871.
Dallas Vaughn, O'Donnell, Tex., $37,870.
Leo M. Kraft, Havre, Mont., $37,866.
Debb Stephens, Casa Grande, Ariz., $37,866.
Paul Smith, Buckeye, Ariz., $37,863.
Victor Edwards, Montrose, Ariz., $37,844.
Olin B. Curry, Lancaster, Tex., $37,840.
Ronda H. Whorton, Roscoe, Tex., $37,840.
Edwin Morrison, Adrian, Tex., $37,837.
B. T. V. Farms, Tranquillity, Calif., $37,830.
Tanke Farms Inc., Mohler, Wash., $37,827.
Maxwell Brothers, Alva, Okla., $37,824.
D. C. Dilley Est., Borger, Tex., $37,815.
Paul J. Condit, Seminole, Tex., $37,814.
J. T. Moore and Son, Pecos, Tex., $37,812.
R. L. Thomas, Tahoka, Tex., $37,811.
Craig McDonald, Ralls, Tex., $37,810.
Mrs. H. A. Torbert & Sons, Opelika, Ala., $37,808.
Paul Shivers, Louisville, Ga., $37,801.
L. M. Betti, Buttonwillow, Calif., $37,799.
J. A. Benthall, Seminole, Tex., $37,796.
Lindsey Brothers, Caldwell, Ariz., $37,792.
Ellis H. Davis, Pinehurst, Ga., $37,784.
McCain Bros., Inc., Widener, Ariz., $37,769.
Robert Mullins, Blaine, Miss., $37,751.
Geo. V. Harren, Weslaco, Tex., $37,745.
R. G. Dunlap, Floydada, Tex., $37,739.
A. B. Ritchie, Jr., Auburn, Nev., $37,738.
Morris & Morr, Inc., Dumas, Tx., $37,725.
W. Harold Tuttle, Towner, Co., $37,720.
Frank Anderson, Heppner, Or., $37,716.
Angie S. Wyrill, Kirwin, Ks., $37,703.
Pittsfield Pltn., Ferriday, La., $37,696.
Mildred Hansen, Shandon, Ca., $37,689.
Kelly Bros., Collinston, La., $37,687.
Glen J. Ellis, Pecos, Tx., $37,687.
Ernest M. Michael, Artois, Ca., $37,671.
Pidgeon Roost Ranch, West Memphis, Ar., $37,668.
B & H Farms, Marked Tree, Ar., $37,668.
Basel Henderson, Coy, Ar., $37,667.
Don Watkins, Ralls, Tx., $37,662.
Jack Keisling, El Indio, Tex., $37,655.
Heath Brothers, Hale Center, Tx., $37,654.
Wesley Stallings, Blytheville, Ar., $37,653.
Lehr Farms, Auburn, Ne., $37,653.
R. L. McMurtry, Amarillo, Tx., $37,626.
J. H. Dorminy, Jr., Fitzgerald, Ga., $37,626
Elmwood Plantation, Inc., Hughes, Ar., $37,608.
Dale Duncanson, Mapleton, Mn., $37,606.
Tommy Lovett, Spearman, Tx., $37,602.
Gould Brothers, Prosser, Wa., $37,596.
Valley Packing Co. of Ca., Yuma, Az., $37,586.
Val Garner, Brownfield, Tx., $37,569.
Humphrey Farm, Ebenezer, Ms., $37,564.
John E. Bingham, Friona, Texas, $37,546.
F. W. Handel Farm Co., Shafter, Ca., $37,546.
McCulloch Planting Co., Dumas, Ar., $37,545.
Bryan Hanks, Edinburg, Tex., $37,542.
Beverly Land, Sioux City, Ia., $37,534.
S. D. Broadbent, Jr., Cadiz, Ky., $37,530.
Sam Balkin Trust Estate, Schlater, Ms., $37,530.
Wyle M. Bullock, Muleshoe, Texas, $37,523.
Gary McQuigg, Hereford, Tx., $37,521.
Kreutz Bros., Inc., Giltner, Ne., $37,518.
Vestring Bros., Burns, Ks., $37,506.
Snake River Equipment, Idaho Falls, Id., $37,505.
Palser & Palser, Big Springs, Ne., $37,494.
E. D. Gregory Co., Parkdale, Ar., $37,490.
D. E. Morris, Harpersville, Al., $37,480.
Melvin Barton, Hereford, Tx., $37,475.
Gene Smith, Lazbuddie, Texas, $37,475.
Robertson Ranch Co., Carter, Mt., $37,474.
D. Arrigo Bros. Co., Brawley, Ca., $37,472.
Alvin Joiner, Idalou, Tx., $37,466.
James Carroll Rollins, England, Ar., $37,-457.
G. W. Smith, Floydada, Texas., $37,452.
Boyd Lane Plantation, Gunnison, Ms., $37,-440.
A. G. Lands, London, Ohio, $37,436.
J. G. Stratton, Sr., Clinton, Ok., $37,430.
Mehrle Farms, Caruthersville, Mo., $37,428.
L. Barrett Johnson, Pecos, Texas, $37,420.
Matsuura Bros. Co. Inc., Blackfoot, Id., $37,402.
Curtis G. Chisum, Dalhart, Tx., $37,399.
Henry Zollner, Royse City, Tx., $37,397.
G. W. Vanhoose, Sr., Shreveport, La., $37,-391.
John T. Hays & Son, Dublin, Ms., $37,376.
Raymond Schulte, Stratton Co., $37,373.
Dale Hull, Blythe, Ca., $37,372.
Lazy S. Ranch, Higgins, Tx., $37,371.
L. M. York, Hartwell, Ga., $37,368.
Barrier Farms, Inc., Yazoo City, Ms., $37,-360.
Alterra Planting Co., Tunica Miss., $37,346.
Tatum Est. & Freddie Tatum, Brownfield, Tx., $37,342.
Dixie Ranches, El Centro, Ca., $37,333.
Knipp Bros., Tipton, Mo., $37,323.
K. L. Flanders, Aiken, S.C., $37,292.
F. Palla, Buttonwillow, Ca., $37,290.
R. L. Walker Farms, Amity, Or., $37,287.
Lucille F. Bowles, Belle Mina, Al., $37,281.
Jake Broyles, Lamar, Co., $37,276.
Louis Pyle, Floydada, Texas., $37,276.
Floerke Bros., Taft, Tx., $37,274.
Donald Sublett, Harvest, Al., $37,266.
W. R. Ware, Lockney, Texas, $37,257.
George B. Kerr, Inc., Bville, SC., $37,257.
Warren E. Cox, Eloy, Az., $37,256.
George Andrews, Burlington, Co., $37,251.
Davis Biggs, Hughes, Ar., $37,250.
H. G. Ritchie Est., Taft, Tx., $37,250.
Barnett Rugg, Inc., Athena, Or., $37,242.
L. L. Banta, Brownfield, Tx., $37,238.
Mark and Howard Moore, Yuma, Az., $37,-215.
J. L. Woolf, Phoenix, Az., $37,210.
Robert L. Felkel, Elloree, S.C., $37,200.
Oval A. Martin, Los Fresnos, Tx., $37,196.
Tom W. Miller, Dimmitt, Tx., $37,194.
Glenn L. Cooper, Corcoran, Ca., $37,182.
G. W. Van Hoose, Jr., Belcher, La., $37,168.
Carl Adams, Jr., Bradley, Ar., $37,166.
J. W. Pope, Abernathy, Tx., $37,165.
Lewis Maiorino, Dos Palos, Ca., $37,161.
Wedderburn, Bros., Lemoore, Ca., $37,159.
John S. Dalrymple, Jr., Casselton, N.D. $37,156.
Twist Grain Co., Twist, Ar., $37,155.
Red Top Ranch, Red Top, Ca., $37,146.
Louis Millen, Drew, Ms., $37,141.
Birt and Keel, Williston, S.C., $37,140.
W. H. Jarnagin, Peoria, Az., $37,136.
Earl G Beach, Hale Center, Tx., $37,129.
O. P. Woodruff, Lowndesboro, Al., $37,123.
L. A. Grant & Sons, Wasco, Ca., $37,120.
J. A. Killebrew, Cruger, Ms., $37,119.
Choat & Sons, Inc., Albion, Ne., $37,119.
D. Leslie Tindal, Pinewood, S.C., $37,108.
Curtis W. Murphree, Friona, Tx., $37,103.
Billy Chesnut, Dalhart, Tx., $37,095.
Handley & Dunavant Farm, Lake Village, Ar., $37,095.
Lonnie G. Todd, Happy, Tx., $37,095.

J. E. Light, Rolla, Ks., $37,085.
Arthur Schaible, Mott, N.D., $37,075.
Herman D. Geries, Bovina, Tx., $37,073.
Noel Wilborn, Lambert, Ms., $37,072.
McBride Planting Co., Vance, Ms., $37,066.
Earl Chadick & Sons, Sherrill, Ar., $37,063.
Owen E. Jones, Olton, Tx., $37,057.
Adolph Fix, Ekalaka, Mt., $37,042.
Russell S. Faulkenberry, Plains, Tx., $37,033.
Glenn Johnson, Dalhart, Tx., $37,031.
Ike Williams, Morton, Tx., $37,030.
T. T. T. T. & L. Brownfield, Tx., $37,026.
James G. Esarey, White Hall, Il., $37,024.
Daniel Counts, Tuscumbia, Al., $37,017.
Oscar Walls, Wellton, Az., $37,010.
Warren Wagner, Inc., Crystal City, Tx, $37,008.
Ward Whitman, Robinson, N.D., $37,007.
W. W. Cooper, Jr., Alligator, Ms., $37,006.
John C. Blood, Mt. Carmel, Il, $36,997.
A. M. Lampson, Hearne, Tx., $36,997.
J. R. Turner, Floydada, Texas, $36,985.
Louisiana State Penitentiary, Angola, La, $36,971.
Stanall Farms, Wilson, Ar, $36,966.
Otho Morris, Laneville, Tx, $36,963.
Pipkin Farm, Sherrill, Ar, $36,957.
Wilbur Ranch, Tulare, Ca, $36,955.
Carroll Himmel, Crosbyton, Tx, $36,952.
W. E. Berry, Jr., Seminole, Texas, $36,945.
Murphey Bros., Itta Bena, Ms, $36,941.
Wood T. Dozier, Tallassee, Al, $36,939.
Ellendale Planting Co., Clarksdale, Ms, $36,925.
Hugh Lee, Dawson, Georgia, $36,917.
W. W. Hill, W. R. Sage, Pecos, Tx, $36,913.
John A. Malley, Terra Bella, Ca, $36,912.
Carlton Farms, Inc., Casa Grande, Az, $36,903.
Robert L. Shuckman, Los Fresnos, Tx, $36,902.
Jessie M. Blair, Lake Providence, La, $36,893.
Bradford & Eoff Ptns., Weslaco, Tex, $36,888.
G. E. Brewster Est., Avenal, Ca, $36,884.
Alfred Butler, Alligator, Ms, $36,881.
D. M. Steele & Son, Inc. Delano, Ca, $36,868.
Jimmy C. Stokes, Dumas, Tx, $36,868.
Pete L. Scamardo, Mumford, Tx. $36,862.
George Heck, Tulia, Tx, $36,853.
Reuben R. Squier, Anselmo, Ne, $36,851.
Curtis Duvall, Granada Co, $36,848.
C. B. Aycock, Jr., Belzoni, Ms, $36,836.
F. G. Barton Cotton Co., Memphis, Tn, $36,833.
E. K. Bardin, Flora, Ms, $36,829.
Leavelle Bros., Fresno, Ca, $36,825.
Duncan Butler, Casa Grande, Az, 36,823.
Marvin Urbanczyk, White Deer, Tx, $36,820.
Delbert Lewis, Florence, Az, $36,818.
Tom Snead, Floydada, Texas, $36,811.
Frank P. Watson, Jr., Marcos, Tx, $36,806.
Lawrence Rollman, Shawneetown, Il, $36,797.
Matt Webb, Amarillo, Tx, $36,791.
Schenk Farms, Inc., Vincennes, In, $36,790.
W. R. Shumaker, San Simon, Az, $36,788.
R. C. Dillon, Taft, Tx, $36,785.
Burnis Williams, Yuma, Az, $36,782.
H. C. Nelson, Dimmitt, Tx., $36,782.
Urgel Bell, Lacrosse, Wa., $36,779.
Julius Edgar, Flora, Ms., $36,778.
Clarence Church, Wilson, Texas, $36,777.
Truvis Campbell, Dimmitt, Tx., $36,773.
Raymond Birdsong, Batesville, Ms., $36,757.
Burgess Farm Account, Hale Center, Tx., $36,757.
Richardson Seed Farm, Vega, Tx., $36,757.
Edward M. Stallwitz, Dumas, Tx., $36,756.
Clay Farms, Inc., Chowchilla, Ca., $36,750.
J. E. Storey, Mellwood, Ar., $36,750.
Malbon Brothers, Va. Beach, Va., $36,737.
Weakley Brahan, Lula, Ms., $36,734.
Echo Planting Co., Vance, Ms., $36,732.
N. E. Thompkins, Clovis, N.M., $36,730.
Vernon Goodwin, Seagraves, Tx., $36,726.
Bobby G. Green, Hartley, Texas, $36,723.
Dale F. Straley, Winnebago, Il., $36,720.
Lawrence W. Hamilton, Hampton, Ia., $36,720.
Raymond Ford, Coolidge, Az., $36,716.
R. E. Wiese Farms, Inc., De Witt, Mo., $36,713.
Noah S. Peek, Jr., England, Ar., $36,711.
J. O. Wheeler, Helena, Ar., $36,710.
R. R. Roberts, Belzoni, Ms., $36,706.
John M. Speck, Frenchmans Bayou, Ar., $36,705.
Don W. Slaughter, Lubbock, Tx., $36,702.
Ferguson Bros., Kensington, Ks., $36,700.
Joe Clark, Bossier City, La., $36,693.
Choate Farms, Inc., Charleston, Mo., $36,691.
Dodd Fam Liv Trust, Dos Palos, Ca., $36,690.
Robert Thomas, Lindon, Co., $36,680.
B. A. Seward, Louise, Ms., $36,679.
H. G. McGahee, Camilla, Ga., $36,660.
Earl H. Wildy, Leachville, Ar., $36,642.
Jennings Bros., McAlister, N.M., $36,642.
Paul Mears, Beloit, Ks., $36,634.
Jessie Glynn Burnett, Dumas, Tx., $36,632.
Lee Bailey, Jr., Pinehurst, Ga., $36,621.
Charlie Minoletti, Pville, Ca., $36,620.
CRS Lynn, Inc., Montrose, Ar., $36,600.
Mitt A. Bush, Bryan, Tx., $36,599.
Santa Rita Ranch Co., Dos Palos, Ca., $36,597.
T. A. Tinsley, Shreveport, La., $36,597.
John L. Ray, Friona, Texas, $36,582.
W. E. Lamastus, Jr., Drew, Ms., $36,571.
W. G. Somerville, Minter City, Ms., $36,565.
Tri C. Corp., Lockney, Texas, $36,560.
Alvin Ward, Seminole, Tx., $36,559.
Foster Gin Fm., Brownfield, Tx., $36,557.
Matthews Bros., Oakley, Id., $36,552.
U Anchor Cattle Co., Amarillo, Texas, $36,547.
Morris Eason, Mattson, Ms., $36,547.
Jim Hutchins, Estelline, Tx., $36,537.
Claude Adams, Ralls, Tx., $36,524.
Twain Bodmer, Walla Walla, Wa., $36,512.
Burkhart Farms, Firebaugh, Ca., $36,506.
Wesley Bunch, Jones, La., $36,502.
E. V. Hart, Willcox, Az., $36,475.
J. L. Billington, Wasco, Ca., $36,472.
A. L. Lazenby, Jr., Auburn, Al., $36,471.
C. R. Childress, Jemison, Al., $36,464.
Klaveano Ranches, Inc., Thornton, Wa., $36,458.
L. H. Farms Corp., Woodland, Ca., $36,457.
James A. Taylor, Brawley, Ca., $36,446.
S. R. Baugh, Star City, Ar., $36,446.
John R., Chas. & Chas., Jr., Kershaw, Brawley, Ca., $36,437.
Ray Wax, Newman, Il., $36,435.
Frank H. Ackerman, Carmi, Il., $36,424.
Max Brodnax, Bonita, La., $36,420.
John G. Schlomer, Benge, Wa., $36,419.
Woody Brothers, Stanton, Tx., $36,413.
H. W. Mobley, Waynesboro, Ga., $36,410.
M. H. Sumner or C. N. Sumner, Como, Ms., $36,398.
Edward L. Stallwitz, Dumas, Tx., $36,398.
Cherry Farms, Parkin, Ar., $36,395.
Clyde Grafe, Madeline, Ca., $36,388.
Loida Bros., Ste Genevieve, Mo., $36,387.
Truett F. Jones, Tokio, Texas, $36,387.
Wayne Martin, Jr., Clovis, N.M., $36,376.
John Spilman, Tulia, Tx., $36,370.
James O. Harris, Alexander, Il., $36,369.
F. L. Heidel, Lovington, N.M., $36,366.
Paul Dominick, Jr., Mira, La., $36,366.
Jim Elder, Dimmitt, Tx., $36,365.
W. H. Crews, Lake Providence, La., $36,362.
George Fransen, Clinton, Ok., $36,357.
Grady, B. Rose, Creek, Al., $36,399.
Luther Ellis, Hereford, Tx., $36,333.
Russell Planting Co., Jonestown, Ms., $36,332.
Shoe String Plantation, Greenwood, Ms., $36,330.
Raymond Ashley, Catron, Mo., $36,324.
E. Duane Allred, Wildorado, Tx., $36,323.
Dar Bayou Pltg. Co., Drew, Ms., $36,319.
T. E. Jordan, Jr., Kite, Ga., $36,319.
M. E. Hinson, Brownfield, Tx., $36,318.
J. B. Autry, Colorado City, Tx., $36,317.
Andrew J. Donelson, Farrell, Ms., $36,309.
James Terkeurst, Pine Pluff, Ar., $36,308.
James Bible, Wayside, Tx., $36,301.
Kipping Brothers, Carrollton, Mo., $36,299.
Harboe-Ensley, Indio, Ca., $36,297.
J. M. Tindall, Twitty, Tx., $36,288.
Clemans Cattle Co., Florence, Az., $36,285.
Buren C. and Lucy Cates, Floydada, Tx., $36,284.
Daryl R. Dixon, Kress, Tx., $36,283.
Hubert Rutland, Jayess, Ms., $36, 266.
W. O. Miller, Vicksburg, Ms., $36,265.
J. R. Dodson, Hillhouse, Ms., $36,263.
Sidney O. Wright, Animas, N.M., $36,254.
Warren Thomas, Hale Center, Tx., $36,254.
Otha Peavy, Pinehurst, Ga., $36,253.
Eaglenest Pltg. Co., Lyon, Ms., $36,242.
Kenneth Shuckman, Los Fresnos, Tx., $36,237.
R. A. Davis, Sahuarita, Az., $36,234.
C. D. Verner, Leland, Ms., $36,233.
O. B. Chesshir, Lubbock, Tx., $36,233.
John M. McCutchen, Bishopville, S.C., $36,222.
Harold M. Britten, Zearing, Ia., $36,219.
Wayne Orebaugh, Two Buttes, Co., $36,214.
Savich & Green, Francesville, In., $36,210.
Stuckey, Bros., Inc., Lepanto, Ar., $36,204.
Raymond Eldredge, McAdoo, Tx., $36,201.
Clements & Jackson, Lewisville, Id., $36,199.
Joe F. Miller, Springlake, Tx., $36,195.
Roddy Brothers, Lancaster, Tx., $36,192.
W. P. Lemaster, Sardis, Ms., $36,186.
Neal and W. E. Burnett, Plainview, Tx., $36,181.
Clear Lake Farms, Inc., Shelby, Ms., $36,176.
W. R. Holland, Miami, Tx., $36,174.
Yellow Bayou Plt., Inc., Lake Village, Ar., $36,172.
Norman Glinz, Bottineau, N.D., $36,154.
Hayward Jacks, Philipp, Ms., $36,153.
Charles B. Short, Friona, Tx., $36,150.
McMurry Farms, Inc., Dumas, Tx., $36,149.
Lamar Found, Lubbock, Tx., $36,143
Ronney Ledford, Vienna, Ga., $36,143.
Elmer Prewitt, Shaw, Ms., $36,141.
Luther B. Brandes, Lockney, Texas, $36,136.
R. Leslie Ward, Redlands, Calif., $36,131.
A. G. Flippin, Vega, Tx., $36,120.
Tony Mann, Bigfoot, Texas, $36,117.
L. H. Nettles, Tahoka, Texas, $36,113.
Carl Bowen, Pinehurst, Ga., $36,113.
H. D. Lewis, Dumas, Tx., $36,109.
Edgar Phillips, Big Spring, Tx., $36,109.
Glennes V. Moore, Belle Mina, Al., $36,108.
Laura Faye McDougal, Abernathy, Tx., $36,107.
Hugh J. Posey, Town Creek, Al., $36,102.
Clifford Gillespie, Osceola, Ar., $36,092.
McNutt Brothers, Springfield, Or., $36,086.
David Smith, Hart, Tx., $36,086.
Elkhorn Farm, Martin, SD., $36,076.
William B. Deyampert, Wilmot, Ar., $36,075.
Megargel Drilling Co., Megargel, Tx., $36,068.
Fleming & Jack, Brawley, Ga., $36,066.
Eulan Cox, Charlotte, Texas, $36,060.
F. I. Waltman, Shreveport, La., $36,060.
L. E. Murphy, Pace, Ms., $36,060.
Peeples & Poss Farm, Wintersville, Ms., $36,055.
Montgomery and Grissom, Leland, Ms., $36,050.
Roy H. Tinsley, Lockney, Texas, $36,050.
Leonard O. Coleman, Morton, Tx., $36,044.
Price Plantation, Inc., Garland, Ar., $36,028.
James Lytch Est., Laurinburg, N.C., $36,019.
Lea Planting Co., Dublin, Ms., $36,015.
Keller Bros., Pake City, Ks., $36,015.
Lester Howard, Muleshoe, Tx., $36,005.
A. B. Raymond, Tulia, Tx., $35,998.
J. B. Waden, Gough, Ga., $35,994.
James McCormick, Jr., Stratton, Co., $35,994.
J. V. Whitaker, Satartia, Ms., $35,994.
Kenneth, Bean, Floydada, Texas, $35,982.
Idaho Irrigation Inc., Spokane, Wa., $35,981.
Andrew Whisenhunt, Bradley, Ar., $35,969.

Melton Briscoe, Jr., Brownfield, Tx., $35,967.
Edward Azhderian, Los Gatos, Ca., $35,956.
Lake O. Lindsey, Doddsville, Ms., $35,956.
R. Fred Brown, Floydada, Tx., $35,950.
Ralph W. Ray, Benoit, Ms., $35,947.
First American Farm, Inc., Clarksville, Tx., $35,945.
Jack Miller, Amarillo, Tx., $35,943.
T. W. and R. W. Mobley, Waynesboro, Ga., $35,933.
Noel Cover, Cozad, Ne., $35,926.
Fairless & Pifferini, San Joaquin, Ca., $35,921.
Elmo Jones, Hollis, Ok., $35,916.
Lee D. Rice, Boise City, Ok., $35,904.
Pauline Doremus, Calvert, Tx., $35,903.
Harvey Estate, Newport, In., $35,894.
Luis Flores, Arizona City, Az., $35,889.
F. T. Clark and Son, Ruleville, Ms., $35,882.
E. E. Sumrow, Lamesa, Tx., $35,881.
Harry Stephens, West Helena, Ar., $35,877.
Edward Burgess, Epps, La., $35,876.
D. Neumayer, Dimmitt, Tx., $35,872.
O. Theo Beckman, Prairie City, S.D., $35,868.
Wiley Herman, Jr., Gilbert, Az., $35,865.
Billy E. Scroggins, Parkdale, Ar., $35,856.
Dufur & Castadio, Stratford, Ca., $35,849.
Sam McNeil, England, Ar., $35,849.
Clem Crowley, Pecos, Tx., $35,842.
Kelley Brothers, Hartline, Wa., $35,835.
Joe Pillow, Helena, Ar., $35,832.
Paul K. Newton, Sylvania, Ga., $35,818.
Howard Glantz, Madera, Ca., $35,814.
J. E. McCutchen, Jr., Bishopville, S.C., $35,813.
Doyle Terry, Lamesa, Tx., $35,813.
Glenn McCoy, Clarksdale, Ms., $35,795.
Ralph Breeding, Rolla, Ks., $35,785.
L. E. Mitchell, Levelland, Tx., $35,783.
Donald R. Rucker, Clovis, N.M., $35,779.
Clifton Planting Co., Vance, Ms., $35,777.
Jack Gonzales, Plainview, Tx., $35,774.
Jimmy Brown, Adrian, Tx., $35,771.
J. B. Failing, Indianola, Ms., $35,769.
S. F. Sherard, Sr., Calhoun Falls, SC., $35,766.
Falsone Brothers, Highbank, Tx., $35,763.
House & Haskell, El Centro, Ca., $35,754.
Allen Bottorff, Buttonwillow, Ca., $35,749.
James W. Glass, Faunsdale, Al., $35,748.
Reggie C. Kellems, Greenville, Ms., $35,746.
J. Pavlina, Bakersfield, Ca., $35,746.
Ell Dee Field, Dalhart, Tx., $35,732.
Al Ballinsky, Hardin, Mt., $35,732.
Lynn West, Wilson, Texas, $35,722.
Linda & Howard Moore, Dumas, Tx., $35,720.
Wallace Cannon, Plainview, Tx., $35,702.
Valley Farm, Bigbee Valley, Ms., $35,698.
D. E. Brown, Garfield, Ga., $35,697.
Lyle V. Cooksey, Roggen, Co., $35,689.
L. L. Cole & Son, Inc., Cotton Plant, Ar., $35,687.
William J. Goode, Seymour, Texas, $35,685.
J. T. McGregor, Indianola, Ms., $35,677.
Mack B. Norris, Robstown, Tx., $35,672.
Whitehead Farms, Comer, Ga., $35,670.
Guy W. Farris, Dekalb, Tx., $35,668.
Steve Short, Sledge, Ms., $35,664.
Findley M. Upton, Chowchilla, Ca., $35,664.
Rodney Delange, Eloy, Az., $35,659.
John A. McIntyre, Covington, In., $35,659.
W. J. Giles, Dimmitt, Tex., $35,655.
I. B. Davis, Ralls, Tx., $35,649.
Circle Farms, Inc., Dalhart, Tx., $35,649.
Claude-Doak Hearne, Seagraves, Tx., $35,645.
Herbert Hicks, Seminole, Tx., $35,644.
Sidney Levingston, Ruleville, Ms., $35,641.
Fred G. Mayer & Sons, American Falls, Id., $35,639.
Ridling Brothers, Sentinel, Ok., $35,636.
Robertine R. Cobb, Rayville, La., $35,633.
L. T. Foster, Lubbock, Tx., $35,628.
L. K. Gregory, Petersburg, Tx., $35,623.
Clifford C. Etheredge, Roscoe, Tx., $35,614.
Nick D. Dubuisson, Opelousas, La., $35,614.
Behnken & Behnken, Modoc, Il., $35,604.
Billy Deshields, Enoree, S.C., $35,599.
Mackey Scott & Sons, Aiken, S.C., $35,589.
Riverby Plan., Telephone, Tx., $35,589.
Edwards Farms, Belzoni, Ms., $35,587.
G. J. Kruger, Bloomington, Il., $35,585.
Richard Cruz, Coolidge, Az., $35,577.
Hanson & Fortune, Firebaugh, Ca., $35,576.
Korsten & Korsten, Stanfield, Az., $35,569.
Paul Weiss & Paul Hrbacek, Lockney, Tx., $35,544.
Hanna Farms, Inc., Blythe, Ca., $35,542.
John A. Williams, Canyon, Tx., $35,540.
Dumont Bridge, Afton, Tx., $35,538.
John Barkley, Pearsall, Tx., $35,537.
Buster E. Smith, Lorenzo, Tx., $35,526.
M. K. Shute, Tchula, Ms., $35,521.
Prairie Farms, Kennedy, Mn., $35,517.
Street Brothers, Kress, Tx., $35,516.
A. Palla, Bakersfield, Ca., $35,506.
William Bulloch, Dermott, Ar., $35,504.
William F. Renk and Sons, Inc., Sun Prairie, Wi., $35,497.
R. H. Gayler, Kress, Tx., $35,485.
Dudley Bridgforth, Nesbit, Ms., $35,481.
Walter Delaney, Tiptonville, Tn., $35,479.
J. W. Jackson, Crosbyton, Tx., $35,476.
Barbara Earley, Casa Grande, Az., $35,474.
Max Barnett, Slaton, Tx., $35,473.
F. F. Lunceford Farms, Inc., Batesville, Ms., $35,469.
Vester M. Leonard, Tanner, Al., $35,463.
C. W. Teal, Lubbock, Tx., $35,450.
James W. Holman, Crosbyton, Tx., $35,445.
O. J. Sharpe, Sr., Madison, Ms., $35,435.
Lankheit Plantation, Charleston, Mo., $35,425.
David Jensen, Grenora, N.D., $35,422.
Ed Bobbitt, Browns, Al., $35,422.
Chapman Bros. Farm, Scott, Ar., $35,419.
Charles L. Silkman, Goodland, Ks., $35,401.
Staley Farms, Inc., Hampton, Ia., $35,394.
Percy Dixon, Girard, Ga., $35,392.
Ray Marsh, Ralls, Tx., $35,386.
Voges and Boenig, Woodsboro, Tx., $35,378.
E. J. Barham, Jr., Earle, Ar., $35,377.
H. N. Hobart, Jr., Hutchinson, Ks., $35,376.
Rex Wheeler, Crosbyton, Tx., $35,374.
R. D. Bearden, Isola, Ms., $35,371.
Ralph Marshall, Hanford, Ca., $35,365.
Doyce Middlebrook, Lubbock, Tx., $35,363.
Everett Miller, Petersburg, Tx., $35,363.
Charles Bertrand, Jr., Holdrege, Nb., $35,358.
Dunlop Farms, Corcoran, Ca., $35,357.
Rae Groce, Petersburg, Tx., $35,352.
Roland M. Vallicella, Bakersfield, Ca., $35,350.
John Lewis, Syracuse, Ks., $35,341.
Maurice O'Connell, New England, Nd., $35,339.
Leo J. Field, Dalhart, Tx., $35,338.
Wallace Thelander, Tempe, Az., $35,337.
Carl M. Weathers, Kress, Tx., $35,320.
W. J. Lee and Son, Town Creek, Al., $35,319.
Robert Bettger, Fairmont, Ne., $35,315.
Emil B. Lagerstam, Jr., Lyford, Tx., $35,314.
Roger Goff, Stanfield, Az., $35,314.
T. J. Corley, Belzoni, Ms., $35,313.
D. W. Payne, Jr., Reynolds, Ga., $35,298.
T. N. Turner Farms, Inc., Belzoni, Ms., $35,293.
Cherry Draw Co., Verhalen, Tx., $35,286.
Robert Baumgardner, Brownfield, Tx., $35,283.
Hollis W. Madden, Hamlin, Tx., $35,272.
Melvin Miller, Visalia, Ca., $35,270.
B. B. Smith, Dublin, Ms., $35,262.
Tom Henry, Happy, Tx., $35,248.
L. M. Chewning, Bishopville, S.C., $35,242.
Ray Roberson Farm, Inc., Philipp, Ms., $35,241.
Bauer Brothers, Feria, Tx., $35,237.
Romanini Bros., Buttonwillow, Ca., $35,232.
Michael D. Ayala, Brawley, Ca., $35,227.
Floyd Cole, Hereford, Tx., $35,218.
F. H. Cherrington, Harlingen, Tx., $35,215.
Poe W. Corn, Roswell, Nm., $35,210.
D. A. Kelly, Brownfield, Tx., $35,209.
R. O. Wade Farms, Inc., Edcouch, Tex., $35,208.
W. A. Hudgens, Troy, Tx., $35,204.
Carroll W. & Malcolm W. Feist, Sport, La., $35,202.
Hale & Hale, Chapman Ranch, Tx., $35,194.
J. T. Mayfield, Friona, Texas, $35,182.
V. V. Davie, Akron, Co., $35,179.
Joe F. Blair, Farwell, Texas, $35,171.
L. A. Safley, Rome, Ms., $35,168.
Tom Linville, Holcomb, Ks., $35,166.
Posey D. Kelley, Hartsville, S.C., $35,165.
W. S. Kimmel, Bakersfield, Ca., $35,165.
Madison F. Fields, Amarillo, Tx., $35,163.
Tyler Denton, Harvest, Al., $35,163.
J. P. Armes, Gruver, Tx., $35,153.
J. R. Tate, Canton, Ms., $35,152.
Fabens Prod., Inc., Fabens, Tx., $35,142.
Taylor Brothers, Vega, Tx., $35,135.
Ray Garrett, Seminole, Tx., $35,132.
Donald J. Bryant, Muleshoe, Tx., $35,132.
L. D. McRee, Chowchilla, Ca, $35,115.
F. R. Trainor, Lambert, Ms., $35,114.
Joe Sherrod, Hale Center, Tx., $35,112.
Agnes K. Beggs, Casa Grande, Az., $35,098.
J. H. Woodward, Pearsall, Tx., $35,094.
Morgan & Co., Inc., Shelby, N.C., $35,084.
Bateman, Bros., Kennewick, Wa., $35,079.
Donald Rone, Portageville, Mo., $35,073.
Gordon B. Timms, Anton, Tx., $35,071.
Saunders B. Carson, Columbus, Ms., $35,071.
Miller Farms, Plainview, Tx., $35,065.
Michael Garrett, Clovis, N.M., $35,064.
Woodrow Whitaker, Black, Tx., $35,060.
F. H. Sparrow, Pinehurst, Ga., $35,057.
Elbert Mitchell, Clovis, N.M., $35,056.
John D. Kinard, Est., Bville, S.C., $35,054.
L. J. King, Roggen, Co., $35,054.
Keith Young, Seagraves, Tx., $35,045.
Spade Ranch, Inc., Lubbock, Tx., $35,041.
William D. Foster, Garden City, Ks., $35,040.
Riley Bros., Ridgely, Tn., $35,040.
James Vineyard, Kress, Tx., $35,036.
H. Vance Collier, Spearman, Tx., $35,034.
J. V. Curtis, Melrose, N.M., $35,027.
D. E. Steenis, Deerfield, Ks., $35,022.
Thomas E. Harbert, Dumas, Tx., $35,017.
Milton Hertz, Mott, N.D., $35,017.
Paul Dale Hagins, Spur, Tx., $35,014.
Q. G. Demmitt, Meade, Ks., $35,013.
M. A. Black, Friona, Tx., $35,011.
R. F. Strickland, Co., Concord, Ga., $35,007.
Nelson Borchardt, Tulia, Tx., $35,005.
Ray Vandiver, New Market, Al., $35,001.
John D. Kelly, Jr., Panhandle, Tx., $35,00[illegible].
Edna E. Collingwood, Johnson, Ks., $34,99[illegible].
J. Willhite & Son, Holly, Co., $34,983.
James M. Field, Dalhart, Tx., $34,982.
George B. Spence, El Paso, Tx., $34,972.
Dubois Ranch, El Centro, Ca., $34,970.
C. L. Henderson, Lockney, Texas, $34,965.
Ray F. Beckham, Leland, Ms., $34,963.
Parke, Gilbert, dba., Elaine Fms., C. G., Az., $34,962.
Thomas D. Ware, Farwell, Texas, $34,959.
I. R. Swann, Easton, Md., $34,957.
Gordon Thomas, Eltus, Ok., $34,953.
Pete E. Fischbacher, Canyon, Tx., $34,948
Harlan Bros., Driscoll, Tx., $34,945.
Weldon M. Boyd, Idalou, Tx., $34,944.
Winston Walker, Greenville, Ms., $34,941
James E. Laney, Hale Center, Tx., $34,931.
Scamman and Co., Tarkio, Mo., $34,930.
Hargrave Brothers, Madison, Al., $34,917.
Mark J. Mahan, Morocco, In., $34,915.
Joel Sealey, Clovis, N.M., $34,912.
Newberry Angus Farms, Inc., Colquitt, Ga., $34,908.
Reed Bros., Silver City, Ms., $34,907.
David Tolmachoff, Casa Grande, Az., $34,869.
Kenneth Bass, Seminole, Tx., $34,869.
D. S. Carroll, Meadow, Tx., $34,854.
Bobby Wilhite, Clovis, N.M., $34,851.
Will A. Price, Inverness, Ms., $34,842.
Max R. Miller, Deerfield, Ks., $34,834.
C. W. Leforce and Son, Nash, Ok., $34,831.
Bobby Smith, Morton, Tx., $34,827.
C. V. Potts, Friona, Texas, $34,823.
George Collins, Trinity, Al., $34,798.
John Shore, Johnson, Ks., $34,797.
Ivan Miller, Wahpeton, N.D., $34,794.
Jim Doan, Tulia, Tx., $34,792.
Berg & Berg, Harlingen, Tx., $34,789.
Arthur B. Stavlo, Sunray, Tx., $34,786.

V. C. McLain, Est., Wasco, Ca., $34,776.
E. Brad McCutchen, Bishopville, S.C., $34,770.
Robert L. Grigsby, Canyon, Tx., $34,768.
James T. Rackler, Levelland, Tx., $34,765.
Daley Brothers, Thatcher, Az., $34,765.
Isringhausen L & C, Inc., Jerseyville, Il., $34,754.
Win Farms, Phoenix, Az., $34,753.
Lindsey Farms, Inc., Marianna, Ar., $34,749.
J. P. Riley & Son, Merigold, Ms., $34,740.
Norman Hicks, Seagraves, Tx., $34,735.
H. H. Howard, Cruger, Ms., $34,723.
Darden D. Barton, Ralph, Al., $34,708.
L-B-L Ranch, Wilsonville, Al., $34,697.
Frank Stanton Jr., Petersburg, Tx., $34,694.
1st Natl. Bk. Trus. C. G. Conley, Wich Falls, Tx., $34,686.
Lawrence Taylor, Cutler, Ca., $34,684.
Powell Farms, Louise, Ms., $34,682.
D. Rex Langley, Sunray, Tx., $34,682.
Kenneth R. Wiese, Petersburg, Tx., $34,677.
Pike Grain Co., Louisiana, Mo., $34,675.
Grant E. Peterson, Coolidge, Az., $34,675.
John C. Taylor, Clarksdale, Ms., $34,675.
Lent E. Thomas, Jr., Batesville, Ms., $34,671.
Donald Handcock, Inc., Longvalley, S.D., $34,666.
R. L. Dulin, Lubbock, Tex., $34,665.
Carrie P. Avent & Jones, Minter City, Ms., $34,654.
Hall S. Hardin, Clarendon, Tx., $34,649.
Chester Borders, Levelland, Tex., $34,645.
J. W. Taylor Est. Ptnsp., Lockney, Tex., $34,636.
Cypress Grove Pltn., Newellton, La., $34,626.
Leo Murphree, Greenwood, Ms., $34,625.
D. A. Tubbs, Sumner, Ms., $34,623.
McElhaney Farms, Wellton, Az., $34,619.
Smith & Smith, Harlingen, Tx., $34,619.
Alfred Ward and Son, Akron Co., $34,617.
W. Don Stone, Raymondville, Tx., $34,612.
Math Albracht & Sons, Amarillo, Tx., $34,609.
Lapadula Farms, Pixley, Ca., $34,605.
Doyle Aslesen, Mitchell, S.D., $34,592.
Jack George, Hart, Tx., $34,592.
Borland Bros., Pinckard, Al., $34,592.
Woodrow Jarvis, Tucson, Az., $34,585.
L. T. Hawkins, Brownfield, Tx., $34,584.
Don A. Woodward Farms, Inc., Pendleton, Or., $34,572.
Cletus Floyd, Brownfield, Tx., $34,572.
Lewis Alford, Barton, Ga., $34,556.
Elwood Patterson, Levelland, Tx., $34,550.
Medlock Inv. Co., Inc., Lubbock, Tx., $34,546.
H. T. Copeland, Tulia, Tx., $34,537.
J. Teore & G. Tavares, Fresno, Ca., $34,533.
McCormmach Bros., Adams, Or., $34,526.
Thomas N. Browning, Plainview, Tx., $34,524.
Mahoney & Mahoney, Bakersfield, Ca., $34,506.
W. B. Johnson, Bronwood, Georgia, $34,504.
Arthur Johnson, Cunningham, Wa., $34,497.
Watland Farms, Inc., Fowler, In., $34,497.
J. N. Hart, Satartia, Ms., $34,493.
Cox Bros. Farming Trust, Long Island, Ks., $34,486.
Timmco, Inc., Harrington, Wa., $34,480.
Woolfolk Grain, Co., Tribune, Ks., $34,476.
W. B. Bookhart, Elloree, S.C., $34,476.
Clancy Cummings, Dalhart, Tx., $34,465.
W. S. Thomas, Raeford, N.C., $34,461.
Kenneth Kimmel, Tipton, Ok., $34,461.
E. B. Fite, Amarillo, Tx., $34,457.
R. J. Viola, Bossier City, La., $34,456.
James S. Thompson, Galesburg, Il., $34,456.
G. H. Hairston and Son, Silver City, Ms., $34,452.
C. L. Clark, Jr., Mer Rouge, La., $34,447.
Clarence Taylor, Como, Ms., $34,445.
Peter A. Nygaard, Alexander, N.D., $34,444.
Theo Scott, Florence, Al., $34,444.
James W. Scott, Jr., Lynchburg, S.C., $34,443.
Alton Leach, Plainview, Tx., $34,437.
Samuel R. Letson, Moulton, Ala., $34,426.
John Kovacevich, Arvin, Ca., $34,423.
Britz Fertilizer, Five Points, Ca., $34,423.
Anthon R. Cluff, Chandler, Az., $34,420.
Juedeman Grain Co., Geraldine, Mt., $34,415.
Holcomb Farms, Lamesa, Tx., $34,414.
G. A. McWilliams, Plainview, Tx., $34,410.
Ferman R. Priddy, Lubbock, Tx., $34,409.
W. N. Halliburton, Levelland, Tx., $34,394.
C. S. Hess and Son, Pecos, Tex., $34,392.
Massey Farms, Inc., Lyon, Ms., $34,391.
Kenneth Vyvyan, Union Grove, Wi., $34,390.
C. A. McGregor, Inverness, Ms., $34,388.
Emmett Grasty, Casa Grande, Az., $34,382.
Paul Bjornson, Valley City, N.D., $34,380.
C. E. Roper, Tahoka, Texas, $34,377.
Bailey Brake Farm, Charleston, Ms., $34,372.
Hale Bros., Joaquin, Ca., $34,371.
Wilburn E. Beckhusen, Buckholts, Ex., $34,361.
H. F. Underwood, Harrisburg, Ar., $34,361.
Louie F. Morris, Alpaugh, Ca., $34,361.
Claudie W. Reeves, Portales, N.M., $34,357.
L. D. Freeman, Jr., Lamesa, Tx., $34,356.
C. F. Webb, Eva, Oklahoma, $34,350.
Frank C. Griffin, Waynesboro, Ga., $34,348.
Archie M. Lowe & Sons, Cheyenne Wells, Co., $34,345.
R. L. Calhoun, Unadilla, Ga., $34,314.
Dale Snell, McFarland, Ca., $34,310.
Clarence Faught, Brownfield, Tx., $34,309.
Gilbert Smith, Clovis, N.M., $34,308.
J. E. Gwin, Jr., Minter City, Ms., $34,306.
G. A. & E. C. Steckler, Vincennes, In., $34,298.
A. R. Kleeman, Clovis, N.M., $34,294.
Jack McClatchy, Red Banks, Ms., $34,286.
Johnson Brothers, Frenchmans Bayou, Ark., $34,271.
Bill Herndon, Parkton, N.C., $34,265.
Tom E. Lowery, Madison, Al., $34,258.
Billy Fryar, Big Spring, Tx., $34,257.
Donna J. Cremer, Big Timber, Mt., $34,255.
E. B. Mitchell & Sons, Kremlin, Ok., $34,249.
Russell Downey, Clovis, N.M., $34,249.
Sam A. Durham, Lubbock, Tx., $34,244.
Roy Roper, Gruver, Texas, $34,242.
Jack Allcorn, Olton, Tx., $34,218.
James Newman Biggs, Stanton, Tx., $34,218.
E. V. Catoe, Jr., Lyons, Ms., $34,216.
C. G. Muzinich, Bakersfield, Ca., $34,215.
J. W. Owen, Moscow, Tenn., $34,215.
John A. Shoaf, Milan, Tn., $34,207.
James C. Barr, Coahoma, Tx., $34,205.
John Hankins, Lake Providence, La., $34,202.
Bill Pritchard, Stamford, Tx., $34,194.
Darrel Cobb, Rogers, Tex., $34,194.
Triple J. Fms., Inc., Bakersfield, Ca., $34,192.
Erlan D. Gresham, Levelland, Tx., $34,191.
Lloyd Buzzard, Spearman, Texas, $34,189.
Robert L. Cook, Glendale, Az., $34,187.
Eaton Fruit Co., Inc., Willcox, Az., $34,185.
Barrier Bros., Yazoo City, Ms., $34,171.
J. C. Eshleman, Clovis, N.M., $34,169.
E. H. Dewberry, Courtland, Al., $34,168.
W. T. Kidwell, Tahoka, Texas, $34,167.
Burch Harlan, Terre Haute, In., $34,157.
Wells Brothers, Axtell, Ne., $34,156.
Shannon Planting Co., Vance, Ms., $34,154.
West Coast Land & Cattle Co., Casa Grande, Az., $34,147.
Boyd & Boyd, Tulia, Tx., $34,147.
Frank Graham, Coolidge, Az., $34,144.
Downing & Epperson, Hereford, Tx., $34,139.
Roy Hugh McKelvy, Lubbock, Tx., $34,133.
Keith and Raymond Driscoll, E. Grand Forks, Mn., $34,128.
Four Lane Farms, Inc., Clovis, N.M., $34,123.
Fred W. Huenefeldt, Monroe, La., $34,123.
Frankie Johnson, Duke, Ok., $34,111.
Midwest Farms, John Goings, Sabina, Oh., $34,110.
O. E. McGinty, Buckeye, Az., $34,110.
Robert Formanack, Lodge Grass, Mt., $34,104.
Ervin A. Baumann, Midland, Tex., $34,102.
Fred R. Sweet, Texhoma, Ok., $34,102.
Billy J. Thorn, Friona, Texas, $34,100.
Ross Cash, Hearne, Tx., $34,100.
Bishop Cottonland, Glendora, Ms., $34,092.
Brownlake Farms, Edmondson, Tx., $34,092.
Ralph W. Shelton, Friona, Texas, $34,081.
Roy Kent, Porterville, Ca., $34,080.
Albert Molson, Jr., Morocco, In., $34,079.
Roy Lee Young, Willcox, Az., $34,077.
Ray Delaigle, Waynesboro, Ga., $34,077.
Rosendo Casarez, Roswell, N.M., $34,072.
Marvin Holmes, Willcox, Az, $34,070.
Donal dStreet, Dimmitt, Tx., $34,066.
Banducci Farms, Bakersfield, Ca., $34,064.
C. L. Denton, Jr., Tyronza, Ar., $34,063.
Hoyet Burnam, Tulia, Tx., $34,059.
Emory J. Hurley Est., Phoenix, Az., $34,058.
Charles Schniers, Slaton, Tx., $34,048.
Rocco G. Morris, Friars Point, Ms., $34,045.
Hampton Collier, Hollandale, Ms., $34,036.
Norm Hagen, Palos Vrdes Penn, Ca., $34,034.
Henry Charles Baucom, Madison, Al., $34,034.
Jean Clow Crites, Ashville, Oh., $34,032.
Floyd L. Reed, Munday, Texas, $34,027.
J. T. Smith, Oxford, Ms., $34,026.
Glen Sturges, Roll, Az., $34,025.
John H. Turner, Wichita Falls, Tx., $34,023.
J. D. McGavock, Silverton, Texas, $34,023.
D. Torigiani Farm, Buttonwillow, Ca., $34,012.
Weckerly Bros., Hurdsfield, N.D., $34,011.
Martin Costales, Transquillity, Ca., $34,011.
Woodford Gin Co., Inc., Woodford, S.C., $34,009.
Kenneth Hinson, Springlake, Tx., $34,008.
Rembert & Miller Farms, Hulbert, Ar., $34,007.
Gordon H. Branham, Plainview, Tx., $34,006.
Hez M. Frazier, Gruver, Tx., $34,005.
Jimmie Low, Tarkio, Mo., $34,003.
Dell View Farms, El Paso, Tx., $34,001.
Ernest E. Jones, Hart, Tx., $33,996.
Paul Dominick, Mira, La., $33,994.
W. T. Leon, Petersburg, Tx., $33,989.
Gregory Stanton, Stratford, Ca., $33,986.
Frank W. Hancock, Slaton, Tx., $33,980.
Waldrip Fms., Wasco, Ca., $33,978.
H. M. Sheats, Lubbock, Tx., $33,975.
Herman B. Propst, Anson, Tx., $33,970.
J. F. Apodaca Farms Co., Inc., La. Mesa, N.M., $33,958.
Clyde J. Perry, Tunica, Ms., $33,952.
O. R. Horton, Hollandale, Ms., $33,946.
Roy Butler & Son, Bomarton, Tx., $33,945.
Oneida Planting Company, Oneida, Ar., $33,944.
J. W. Reynolds, Shelby, Ms., $33,937.
A. J. Carpenter, Pecos, Tx., $33,931.
R. Furniss Ellis, Orrville, Al., $33,929.
Boyce Farms, Inc., Donna, Tx., $33,925.
Donald C. Ebeling, Plainview, Tx., $33,918.
John M. Swepston, Crawfordsville, Ar., $33,910.
M. & F. Planting Co., Indianola, Ms., $33,910.
Sam Destefano, Hearne, Tx., $33,909.
Lester Neufeld & Son, Wasco, Ca., $33,901.
Thomas Ardel Setliff, Odem, Tx., $33,897.
Rio Bravo Rnchs., Inc., Stanfield, Az., $33,893.
Fisher Bros., Tulare, Ca., $33,890.
William Baldridge, Dimmitt, Tx., $33,888.
L. D. S. Church, Queen Creek, Az., $33,878.
Marion Hutchins, Scott City, Ks., $33,877.
Nard Shull, Ridgely, Tenn., $33,871.
Jack Nichols, Coolidge, Az., $33,869.
William Tribble, Charleston, Ms., $33,867.
John C. Balton, Wilson, Ar., $33,865.
Stallings Bros., Charleston, Mo., $33,863.
James Ensor, Farwell, Tx., $33,848.
David A. Prewitt, Ralls, Tx., $33,841.
H. M. Brinkley Est., Hughes, Ar., $33,834.
William Paul Hornung, Stratton Co., $33,832.
E. R. Cupplese, Shreveport, La., $33,812.

Dr. Lee Maris, Attica, In., $33,810.
Thomas B. Jackson, Jr., Orangeburg, S.C., $33,809.
William Wade, Goodyear, Az., $33,806.
John J. Hall, Jr., Leland, Ms., $33,805.
Robert L. Winters, Florence, Al., $33,805.
Kansas Plantation, Inc., Holly Ridge, Ms., $33,802.
Loyd J. Pillans, Dalhart, Tx., $33,793.
W. C. Woodruff, Grace, Ms., $33,791.
W. B. Merritt, Morton, Tx., $33,786.
Edgar Wilkins Ranch, Fresno, Ca., $33,785.
Bob Crenshaw, Crenshaw, Ms., $33,777.
J. M. Farmer, Littlefield, Tx., $33,770.
A. C. Hunter, Sherrill, Ark., $33,768.
Benson Brothers, Tulare, Ca., $33,754.
Gordon W. Crone, Lakin, Ks., $33,754.
Berylwood Inv. Co., Palo Verde, Ca., $33,753.
Harold Green, Courtland, Al., $33,752.
Claude Hughes, Scott City., Ks., $33,751.
Allen F. Belluzzi, Avondale, Az., $33,746.
W. L. Shelburne, Jr., Taft, Tx., $33,740.
Freddie Parkman, Baileyboro, Tex., $33,737.
Wilburn Duvall, Carmi, Il., $33,727.
The Desert Ranch, Firebaugh, Ca., $33,724.
A. D. Lee, Tulia, Tx., $33,721.
R. P. & Tom P. Ellis, Belozni, Ms,. $33,720.
W. A. Ladd, Randolph, Az., $33,715.
Coy Wilson, Portageville, Mo., $33,709,
W. B. Hammonds, Dimmitt, Tx., $33,705.
William C. Covington, Clio, Sc., $33,704.
George Dial, Ridgely, Tenn., $33,698.
J. K. Nakayama & Sons, Las Cruces, Nm., $33,698.
G. Bradford Feed Pens, Lovington, Nm., $33,696.
W. M. Taytar, Jr., Osceola, Ar., $33,696.
Bennett Lnd Co., Colfax, Wa., $33,689.
Witten Farms, Kress, Tx., $33,688.
Stuckey Timberland, Inc., Eastman, Ga., $33,686.
Bills & Ellis Farms, Fabens, Tex., $33,685.
Est of H. Cohen & Sons, Natchez, La., $33,672.
Gene Schwerdfeger, Coolidge, Ks., $33,668.
Oscar A. Kalgaard, Big Sandy, Mt., $33,666.
D. G. Chiles, Lamesa, Tx., $33,665.
Clyde H. Ater, Roscoe, Tx., $33,665.
Fort Pillow State Farm, Fort Pillow, Tn., $33,660.
N. G. Garth, Gainesville, Al., $33,660.
Miron Moore, Sutherland, Ne., $33,656.
H. C. Miller, III., Waterproof, La., $33,647.
James R. McKenzie, Laurinburg, N.C., $33,-644.
Chiles Planting Co., Joiner, Ar., $33,644.
Lynn Cross, Courtland, Al., $33,641.
David Harrison, Jr., Est., Memphis, Tn., $33,639.
Melvin Coelho, Fresno, Ca., $33,634.
Carl Beachamp, Dumas, Tx., $33,625.
Horrigan Inv., Co., Phoenix, Az., $33,619.
Harry Frosteg, Pelham, Ga., $33,618.
E. F. Bunch, Lone Wolf, Ok., $33,613.
John R. Zurcher, Stratton Co., $33,610.
Short Brothers, Crenshaw, Ms., $33,610.
J. L. McEntire & Sons, Inc., Pine Bluff, Ar., $33,607.
A. L. Sentell, Dixie, La., $33,607.
Darrell McCauley, Deming, N.M., $33,607.
Richardson Elms Farming Co., Altheimer, Ar., $33,604.
Loyd Farris, Hart, Tx., $33,603.
Carl Henderson, Orrville, Al., $33,601.
Clinton Williams, Panhandle, Tx., $33,601.
Natt Park, Tahoka, Tx., $33,599.
Bobby Warren, Lamesa, Tx., $33,592.
J. B. Long, Corcoran, Ca., $33,588.
Smith Gin Co., Cartersville, Ga., $33,585.
Millard J. Hancock, Abernathy, Tx., $33,-582.
Indart, Inc., Fresno, Ca., $33,576.
Carl D. Batey, Wisner, La., $33,576.
Wm. G. Brandon, Chandler, Az., $33,572.
Paul J. Brown, Sublette, Ks., $33,567.
Cullom Bros., Wilson, Ar., $33,567.
Cone W. Johnson, Happy, Tx., $33,566.
V. E. Lester, Isola, Ms., $33.564.
Helen Godwin, Amarillo, Tx., $33,561.
Henry S. Foster, Memphis, Tx., $33,558.
W. C. McDaniel, Sinton, Tx., $33,553.
Robert W. Foster, Est., Happy, Tx., $33,548.
Bassil Gentry, Maxton, N.C., $33,546.
August C. Kirschemann, Mott, N.D., $33,-546.
Marvin Dunteman, Barrington, Il., $33,546.
S. & W. Farms, Inc., Blytheville, Ar., $33,-545.
J. P. Wilkerson, Winterville, Ms., $33,543.
Thomas Harris, Littlefield, Tx., $33,535.
Dudden Elevator, DBA Dudden Bros, Venango, Ne., $33,534.
R. B. Wilson Co., Brawley, Ca., $33,529.
D. L. Allison, Happy, Tx., $33,527.
Radius A. Hudson, Laveen, Az., $33,524.
Johnson & Frank, Dundee, Ms., $33,511.
Leroy F. Cooley, Garden City, Ks., $33,510.
Emanuel Doll, Ingalls, Ks., $33,508.
W. H. Miller, Chandler, Az., $33,487.
Joe Joplin, Brownfield, Tx., $33,483.
C. H. Willis Est., Chandler, Az., $33,482.
Clardy Farms, Inc., Roswell, N.M., $33,479.
Caldwell Cattle Co., Bishop, Tx., $33,477.
Delbert Morse, Caruthers, Ca., $33,472.
Mervin Headley, McAllen, Tex., $33,467.
Alamo Farms, Oakes, N.D., $33,466.
Kenneth Gray, Lorenzo, Tx., $33,463.
Robert Sneed, Seminole, Tx., $33,463.
Don B. Sudderth, Bovina, Tex., $33,460.
Rudy Plt., C/O P. L. Ross, Glen Allan, Ms., $33,452.
David Barton, Catron, Mo., $33,451.
Don Carpenter, Dimmitt, Tx., $33,448.
Mickey A. Clark, Florece, Az., $33,447.
Long Brothers, Optima, Ok., $33,437.
C. L. Machinery, Dell City, Tx., $33,429.
Hector R. McLeod, McBee, SS.C., $33,428.
G. R. Hutson, Caldwell, Tx., $33,426.
C. C. Clark, Ruth, Ms., $33,424.
Gilbert Irlbeck, Canyon, Tx., $33,423.
The Miller Ranch Co., Bend, Or., $33,422.
Billy J. Evans, Midland, Tx., $33,414.
Nickell Farms, Alpaugh, Ca., $33,413.
Donald Clark, Garden Prairie, Il., $33,412.
Hickman Farms, Inc., Hereford, Tx., $33,-406.
Roy Apple, Seminole, Tex., $33,406.
A. G. Estes, Inc., Gay, Ga., $33,404.
Jack E. Robertson, Ralls, Tx., $33,401.
Orville Coody, Lake Providence, La., $33,-394.
Maricopa Dust Spray, Maricopa, Az., $33,-388.
Darwin Hobbs, Seagraves, Tex., $33,387.
J. F. Crews, Pecos, Texas, $33,385.
Robert L. Pillow Farms, Inc., Itta Bena, Ms., $33,385.
Harper Brothers, East Tallassee, Al., $33,381.
Erle Biggs, Proctor, Ar., $33,381.
A. B. Enloe, Jr., Lubbock, Tx., $33,375.
3 D Farm & Ranch, Mumford, Tx., $33,374.
X Bar 4 Ranch, Inc., Akron, Co., $33,373.
W. Ben Oswald, Allendale, S.C., $33,372.
Herman Dimmler, Crary, N.D., $33,367.
Dietrich & Gurley, Stratford, Tx., $33,364.
James E. Yancey, Marvell, Ar., $33,359.
Doyce W. Franklin, Houston, Texas, $33,359.
W. P. Kimbrough, Jr., Itta Bena, Ms., $33,355.
Donald Lee Terrell, Plainview, Tx., $33,354.
D. H. Arnold, Crockett, Tx., $33,353.
L. T. Wood, South Plains, Texas, $33,353.
Hubert Coffey, Wheeler, Al., $33,347.
F. R. Wright, Jr., Lambert, Ms., $33,345.
Benton Taylor, Sparkman, Ar., $33,343.
George C. Scroggins, Baird, Ms., $33,342.
J. R. Curry, Shellman, Ga., $33,338.
John Heline, Pierson, Ia, $33,337.
Merl Homburg, Logansport, In., $33,335.
Luther Lawson, Lubbock, Tx., $33,334.
R. E. Parnell, Parkton, N.C., $33,333.
Steven C. Stockdale, Iowa Falls, Ia., $33,331.
E. L. Good, Donna, Tex., $33,331.
Cupples Bros., Proctor, Ar., $33,331.
Bull Farms, Amado, Az., $33,328.
J. B. Sudderth, Farwell, Texas, $33,325.
Ellison Bros., Itasca, Tex., $33,325.
Wm. R. Solmos, Knox, In., $33,321.
Raymond Duell, Flagler, Co., $33,319.
Jane R. Oliver, Rayville, La., $33,317.
J. B. Newman, Bastrop, La., $33,312.
Gideon W. Atwood, Kosciusko, Ms., $33,311.
W. V. Riley, New Madrid, Mo., $33,305.
Vallentines, Cope, S.C., $33,303.
Buford L. Fox, Bakersfield, Ca., $33,288.
William H. Finkner, Petersburg, Tx., $33,287.
B. V. Shaw, Pecos, Texas, $33,279.
H. P. Sisk, Parkin, Ar., $33,278.
Robert Kanaga, Queen Creek, Az., $33,276.
J. K. J. Mahalitic, Eagle Lake, Tx., $33,276.
Hugh Medders, Shaw, Ms., $33,272.
J. J. Taber, Van Horn, Tx., $33,271.
Meadow Gold Farms, Bakersfield, Ca., $22,266.
Wesley Warren, Maple, Tx., $33,263.
Bill Miller, London, Ohio, $33,263.
Hillsdale Pltn., Yazoo City, Ms., $33,262.
Roy A. Holsey, Altus, Ok., $33,241.
Marvin Lowe, Cheyenne Wells, Co., $33,241.
J. D. Dismukes, Autaugaville, Al., $33,239.
Rex Hitchcock, Burlington, Co., $33,235.
Edwin J. Wall, Morven, N.C., $33, 233.
Wolff and Sons, Inc., Lindsay, Mt., $33,229.
E. A. Yaksitch, Bakersfield, Ca., $33,226.
Grady Windle Parker, Courtland, Al., $33,222.
Max Wright, Roscoe, Tx., $33,210.
Louis Eubanks, Plains, Tx., $33,207.
H. L. Beddingfield, Panhandle, Tx., $33,207.
Moreland Barton, Tyronza, Ar., $33,203.
Daniel P. Moore, Portland, Tx., $33,196.
J. L. Harper, Northport, Al., $33,191.
Gene and Claude Hammit, Holly, Co., $33,187.
L. A. Mathis, Dalhart, Tx., $33,184.
Tony Vencil, Waterloo, Ne., $33,184.
V. E. Beene, Hughes, Ar., $33,182.
L. C. Kreim, Delano, Ca., $33,179.
Mead Ranch, Dayton, Wa., $33,173.
N. R. Lutz, Calvert, Tx., $33,172.
J. Q. Demoville, Okolona, Ms., $33,171.
Hugh Driggers, Blenheim, S.C., $33,167.
E. D. Willey & Sons, Sacramento, Ca., $33,161.
Wolf Farms Ptn., La Feria, Tx., $33,160.
W. M. Toliver, Dumas, Tx., $33,159.
Tommy Gerber, Dalhart, Tx., $33,159.
Triple M Farms, Dalhart, Tx., $33,152.
Rudolph Massey, Deeson, Ms., $33,150.
Hansmeier & Son, Inc., Bristol, S.D., $33,148.
E. C. Britain, Jr., Stinnett, Tx., $33,145.
R. C. Godwin, Hereford, Tx., $33,138.
Arlin L. Hartzog, Farwell, Tx., $33,138.
Charles Grice, Dalhart, Tx., $33,137.
Kimball Est., Little Rock, Ar., $33,136.
Cedar Creek Farms, Prattville, Al., $33,126.
Dayle M. Oyler, Griggs, Ok., $33,125.
Charles W. Wood, Lubbock, Tx., $33,122.
B. McCollum, Jr., Hughes, Ar., $33, 120.
R. E. Lee, Montrose, Ar., $33,119
W. E. Warrick, Hereford, Tx., $33,114.
Virgil H. Black, Millen, Ga., $33,113.
My-T-Acres, Batavia, Ny., $33,111.
Walter B. Honeycutt Jr., Mart, Tx., $33,111.
Chas N. Stubblefield, Colorado City, Tx. $33,101.
George L. & Charles W. Evans, Boyle, Ms. $33,094.
David Nelson, Hart, Tx., $33,093.
W. H. Varn, Jr., Inc., Smoaks, Sc., $33,087.
Earle T. Phillips, Pine Bluff, Ar., $33, 082.
M. A. Roberson, Gilliam, La., $33,080.
M. R. Davis & Son, Harlingen, Tx., $33,073.
Bertram Jack, Friona, Tx., $33,068.
Jack Middleton, Tulia, Tx., $33,066.
Edward Jelinek, Alliance, Ne., $33,065.
Paul P. Harrison, Texico, Nm., $33,065.
R. F. Cunningham, Coolidge, Az., $33,061.
Harold Brooks & Sons, Bowman, Nd., $33,050.
W. G. and G. R. White, Lamesa, Tx., $33,046.
W. F. Blackwood, Vinemont, Al., $33,046.
Alfred Russell, Madera, Ca., $33,046.
N. B. Fields, Seagraves, Tx., $33,043.
Carson J. Davis, Holcomb, Ks., $33,038.
Robert H. Schueler, Friona, Tx., $33,035.
Robert F. Hardberger, Lamesa, Tx., $33,025.
O. H. Preston, Jr., Lamesa, Tx., $33,025.

Frank Berry Jr., Texhoma, Ok., $33,018.
Fay Nevins, Hamilton, Ms., $33,013.
Webb Armstrong, Ennis, Tx., $33,009.
J. B. Wardlaw, & Co., Como, Ms., $33,007.
Phillip Haberer, Earth, Tx., $33,007.
Keller Farms, Salome, Az., $33,005.
Wirth Brothers, Prosser, Wa., $32,998.
Herbert I. Howell, Bovina, Tx., $32,992.
Delta Experiment Station, Stoneville Ms., $32,988.
Johnson Brothers, Rio Hondo, Tx., $32,986.
Grace Land and Cattle Co., Lewellen, Ne., $32,982.
John D. Anderson, Madison, Al., $32,980.
Harnish Five Points Inc., Five Points, Ca., $32,980.
Wyatt & Ware, Corpus Christi, Tx., $32,974.
Robert Robbins, Altus, Ok., $32,968.
Horrigan Farms, Pasco, Wa., $32,966.
William Clements, Levelland, Tx., $32,960.
Stanton Becker Farms, Genessee, Id., $32,957.
Herbert H. Toone, Uvalde, Tx., $32,954.
E. E. Silhan, Morton, Tx., $32,953.
W. E. Hayden Est., Buckeye, Az., $32,948.
Sands Trading Co., Glendale, Az., $32,948.
Melvin G. Sachs, Friona, Tx., $32,947.
A. C. Farms, Inc., Mexico, Mo., $32,946.
Donovan V. Phipps, Welch, Tx., $32,936.
U. of I. c/o D. G. Smith, Urbana, Il., $32,935.
Homer Ramsey, McAllen, Tx., $32,935.
Thomas McDaniel, Forrest City, Ar., $32,934.
Rokeby Pltn., Yazoo City, Ms., $32,927.
Homer C. Hinson, Brownfield, Tx., $32,924.
Wide River Farms, Inc., Maricopa, Az., $32,913.
Clyde Crump, Ralls, Tx., $32,898.
Nancy M. Trimue, Frenchmans Bayou, Ar., $32,896.
S. C. McFarland, Coolidge, Az., $32,882.
J. T. Bierden, Jr., Coushatta, La., $32,882.
W. W. Lemons, Hart, Tx., $32,881.
Starr Farm, Sledge, Ms., $32,870.
E. C. Lavoice and Sons, Foreman, Ar., $32,854.
Mattie B. Boone, Lyon, Ms., $32,852.
Golden Lake Farms, Wilson, Ar., $32,844.
Catron Plantation, Helena, Ar., $32,839.
Perez & Morrell, Winterhaven, Ca., $32,839.
John V. Borchard, Holtville, Ca., $32,839.
O. R. Phifer, Jr., New Home, Tx., $32,838.
The Waters Trust, Lubbock, Tx., $32,835.
McElwrath Farms, Combes, Tx., $32,834.
Wm. M. Griffin, Rock Port, Mo., $32,833.
C. J. Harp, Jr., Oglethorpe, Ga., $32,831.
Charles Monty, Jr., Clarksdale, Ms., $32,828.
Tommy Lacy, Seagraves, Tx., $32,826.
Toxie Allen, Mt. Olive, Ms., $32,825.
Clements Bros., Snyder, Tx., $32,824.
Cecil Giesenschlag, Somerville, Tx., $32,822.
A. H. Judkins, Calvert, Tx., $32,819.
Willard Watson, Hagerman, N.M., $32,815.
Davies & Davies, Slaton, Tx., $32,811.
A. J. Harris, Dumas, Tx., $32,811.
Price Counts, Jr., Tuscumbia, Al., $32,809.
Preston P. Bennett, Vance, Ms., $32,805.
Bishop Farms, Inc., Mukwonago, Wi., $32,803.
Kenneth Harrel, Burlington, Co., $32,801.
Floyd J. Frazier, Americus, Ga., $32,800.
Alvin Ford, Sr., Lake Village, Ar., $32,790.
L. E. Richardson, Summerton, S.C., $32,783.
J. R. & B. R. Smith, Brawley, Ca., $32,781.
C. E. Waldrup, Drew, Ms., $32,764.
Hawkins & Co. Inc., & Pendleton, Or., $32,762.
Joe Lux, Nezperce, Id., $32,761.
Jones Planting Co., Tchula, Ms., $32,759.
Rasmussen Farming Corp., Harlem, Mt., $32,747.
George C. Heard, Hereford, Tx., $32,745.
Charles Haynes, Brownsville, Tn., $32,745.
James B. McGowan, Shelby, Ms., $32,744.
Harold Hodges, Crosbyton, Tx., $32,734.
O. M. Parker, Jr., Belzoni, Ms., $32,727.
Harold N. Keisling, Sunray, Tx., $32,726.
John L. Butler, Happy, Tx., $32,725.
Elvin Pederson, Sr., Los Fresnos, Tx., $32,722.
L. I. Rhodes & Sons, Wasco, Ca., $32,717.
Dana Haynes, Jonestown, Ms., $32,716.
Clifford Hinds, Boise City, Ok., $32,712.
Boyd & Sons, Moscow, Id., $32,705.
Freeborn Bros., Buttonwillow, Ca., $32,699.
W. D. McMillan, Wharton, Tx., $32,694.
Victor L. Harman, Happy, Tx., $32,688.
W. P. Lanier, Taylorsville, Ga., $32,678.
L. J. Krska, Edinburg, Tex., $32,678.
Loyd Widener, Lockney, Texas, $32,678.
F. H. Nance, Cleveland, Ms., $32,676.
William M. Cain, Ropesville, Texas, $32,674.
Adolp H. Haseloff, Farwell, Texas, $32,667.
George H. Trimble, Texico, NM, $32,666.
C. S. Rankin, Sumner, Ms., $32,666.
Harvey Fryar, Big Spring, Tx., $32,659.
Everett Madison, Momence, Il., $32,658.
R. L. Quick, Midville, Ga., $32,655.
Harry Poole, Forest Home, Al., $32,654.
Herndon Farms, Culdesac, Id., $32,647.
Harry L. Black, Clarksdale, Ms., $32,638.
Chas. Robert Jackson, Blytheville, Ar., $32,638.
C. M. Hutchinson, Jr., Shreveport, La., $32,636.
F. R. Morgan, Jr., Morgan City, Ms., $32,630.
H. Visser, Wasco, Ca., $32,630.
Roy J. McFadden, Catawba, S.C., $32,629.
Storey Ranches, Inc., Casa Grande, Az., $32,629.
Bruce Byrd, Elaine, Ar., $32,628.
M. C. Tillman, Schlater, Ms., $32,626.
Bruce A. Runyan, House, N.M., $32,625.
Debusk Enterprises, Inc., Idalou, Tx., $32,618.
August Kern & Sons, Cheyenne Wells, Co., $32,612.
Laura Brown, Valley Park, Ms., $32,608.
Robert Fullingim, Petersburg, Tx., $32,597.
Frank Woods, Plainview, Tx., $32,593.
Frank Simms, Panhandle, Tx., $32,591.
Edward Delanghe, Marshall, Mn., $32,590.
John E. Judson, West Point, Ms., $32,588.
Judd Cattle Co., Stratford, Tx., $32,587.
Art Howard, Warren, Mn., $32,586.
R. V. Elliott, Summerton, S.C., $32,586.
Don Allison, Cascilla, Ms., $32,584.
G. H. Hairston, Jr., Silver City, Ms., $32,582.
Robert Imrie, Roosevelt, Wa., $32,579.
Clayton E. Enger, Abernathy, Tx., $32,578.
Driscoll Foundation, Corpus Christi, Tx., $32,573.
Doris L. Boston, Kress, Tx., $32,572.
Broomieside Farms, Knights Landing, Ca., $32,572.
Amko Farming, Inc., Corpus Christi, Tx., $32,571.
M. A. Bell, Duncan, Ms., $32,568.
F. O. Handley, Richmond, Mo., $32,563.
Raymond Durham, Olton, Tx., $32,556.
Ru Ann Dairy, Riverdale, Ca., $32,555.
T. E. Stephens, Jr., Cobb, Ga., $32,553.
A. E. Lewellen, Plainview, Tx., $32,533.
Lakewood, Inc., Inverness, Ms., $32,525.
Leon Driggers, Bienheim, S.C., $32,512.
Alfalfa Dale Farms, Carlsbad, N.M., $32,508.
Ken R. Huse, Onida, S.D., $32,503.
Evans & Nee Ptr., Lebo, Ks., $32,501.
Edward O. Sumrall, Grady, N.M., $32,499.
Paul Crevoline, Firebaugh, Ca., $32,498.
F. T. Clark, Ruleville, Ms., $32,497.
Kenneth Kinkler, Onida, S.D., $32,495.
J. T. Forbes, Odonnell, Tex., $32,489.
Lloyd Martin, Buckeye, Ariz., $32,488.
Thurmond Farms, Inc., Charleston, Mo., $32,480.
Mack Wilmeth, Tokio, Tx., 32,474.
Wayne Bramlet, Lockney, Tx., $32,471.
T M and Q Farm, Glenn Allan, Ms., $32,469.
Robert Taggart, Tulare, Ca., $32,468.
A. Steidlmayer & Sons, Colusa, Ca., $32,466.
Marvin Born, Follett, Tx., $32,460.
James Strachan, Clint, Tx., $32,459.
Wm. E. Roberts, Chowchilla, Ca., $32,452.
Ray E. Castleberry, Farwell, Tx., $32,450.
A. B. Malkin, Jr., Heth, Ar., $32,445.
Mc Kean Bros., Riverdale, Ca., $32,438.
A & D Koligian, Fresno, Ca., $32,437.
Jack H. Mills, Dumas, Tx., $32,433.
Raymond G. Miller, Plainview, Tx., $32,433.
Robinson & Layaye, Calipatria, Ca., $32,433.
McClatchy & Son, Red Banks, Ms., $32,431.
Neil Clarke, Fort Pierre, SD., $32,425.
J. Boyd Phillips, Lind, Wa., $32,425.
Carmon Maze, Arab, Al.. $32,424.
R. P. Herbison, Shaw, Ms., $32,420.
Kenneth Summerford, Crosbyton, Tx., $32,415.
Shaul Farms, Inc., Fultonham, NY., $32,411.
Shirley L. Garrison, Hereford, Tx., $32,410.
John Krause & Sons, Adams, Ne., $32,407.
Marquardt Ranch, Lexington, Or., $32,400.
Herschel V. Newman, Shallowater, Tx., $32,399.
Bonanza Plantation, Thornton, Ms., $32,396.
Louis E. Borel & Sons, Bakersfield, Ca., $32,395.
Wyche T. Coleman, Coushatta, La., $32,392.
Clark Bros., Lakeview, Tx., $32,392.
Jones Ranches Inc., Eloy, Az., $32,389.
Paul Stukey, Plainview, Tx., $32,389.
H. F. Parker, Tulia, Texas, $32,387.
Gordon Tomlin, Oakland, Tn., $32,385.
John H. Goodwin, Sunray, Tx., $32,384.
Raymond H. Johnson, Burley, Id., $32,381.
E. G. Bearden, Boise City, Ok., $32,380.
Ashmore Bros. & Brown, Blytheville, Ar., $32,376.
Leroy Anthony, Indianaola, Ms., $32,368.
August M. Frysak, Garden City, Tx., $32,367.
Don Reding, Whitharral, Tx., $32,366.
Emmett E. Thomas, Morton, Tex, $32,365.
Marcus Breland, Olton, Tex., $32,364.
Ronald Coleman, Morton, Tex., $32,361.
Casburn Brothers, Sumner, Miss., $32,359.
Hash Nursery, Visalia, Calif., $32,344.
Jack Cook, Montrose, Ga., $32,343.
J. A. Wood Co., Tolleson, Ariz., $32,340.
G & S Farms, Indio, Calif., $32,340.
Dr. Wm. B. Childress, Tulia, Tex., $32,338.
Bernard Rosenzweig, Lake Providence, La., $32,338.
Double F Farms, Arvin, Calif., $32,334.
L. P. Butler Est. & James D. Peterson, Jr., Belen, Miss., $32,328.
Harold Isaak, Coulee City, Wash., $32,327.
Sam W. Bell, Delano, Calif., $32,327.
Tom E. Vandiver, Artesia, N. Mex., $32,326.
Frank Karvas, Jr., Shallowater, Tex., $32,319.
Carthel G. Lewis, Wellington, Tex., $32,317.
Roy Taylor, Vega, Tex., $32,317.
Dick Anderson, Tulare, Calif., $32,315.
Paul Reid, Cherokee, Ala., $32,310.
Mary Rocha, Tulare, Calif., $32,310.
Carl Sanders, Donnell, Tex., $32,307.
Jack Connelley, Stanfield, Ariz., $32,306.
Elmer L. Taylor, Syracuse, Kans., $32,306.
C. L. Skousen & Son, Coolidge, Ariz., $32,296.
Park Farms, Winterville, Miss., $32,293.
S. G. Stevens, Gracemont, Okla., $32,283.
Virgil Voigt, Tuttle, Ok., $32,281.
Wm. Packer and P. H. Packer Ptnrs, Wood River, Nebr., $32,279.
Wood Bros., Los Banos, CA., $32,272.
Henry Haseloff, Farewell, Tex., $32,271.
William J. Weber, Sheridan Lake, Colo., $32,269.
Leroy & Hulan Hill, Happy, Tex., $32,269.
James W. Cox, Reidville, S.C., $32,265.
Bert Olson and Sons, Glasston, ND, $32,264.
Matt Lyons, Waitsburg, WA, 32,262.
H. M. Boozer, Dimmitt, Tex., $32,258.
Tom Wilson, Senatobia, MS, $32,255.
James Doneghy, Wellington, Tex., $32,253.
John H. Borchard, El Centro, CA, $32,251.
N. R. Marchbanks, Jr., Brownfield, Tex., $32,250.
Ward V. Nolder, Gruver, Tex., $32,250.
Hugh G. Fisher, Indianola, MS, $32,249.
W. P. Smith and Sons, Wadley, Ga., $32,249.
Robert S. Hayner est, Hatch, N.Mex., $32,248.
Andrew C. Walker, Florence, Al., $32,246.
L. D. McCoy, Jr., Drew, Ms., $32,234.
Charles Ray Smith, Meadow, Tx., $32,233.
Frank V. Zinser, Jr., Hereford, Tx., $32,230.

Bearden Bros., Isola, Ms., $32,226.
T. J. Jones, Sprott, Al., $32,224.
Roy, W. Moore, Navasota, Tx., $32,220.
C. J. Grayson, Ft. Necessity, La., $32,208.
L. T. Payne, Clarksdale, Ms., $32,204.
Lee Bert Fontenot, Bunkie, La., $32,203.
A. O. Dickson, Sudan, Tx., $32,200.
John Victoria, Jr., Stratford, Ca., $32,198.
Van Rogers, Sudan, Tx., $32,195.
A. L. Muzinich, Bakersfield, Ca., $32,194.
Brooks, Odom, Bville, S.C., $32,191.
Clarence, Romain, Chester, Mt., $32,187.
Farm Enterprises, Inc., Slaton, Tx., $32,185.
David Bruner, Edison, Ga., $32,185.
Lane, Decker, Floydala, Tx., $32,185.
Bernard Neill, Springfield, Co., $32,184.
William J. Richards, Circleville, Oh., $32,182.
Chester Kellems, Greenville, Ms., $32,179.
Chester Whomble, Wray Co., $32,178.
Alphonse L. Reznik, Friona, Tx., $32,178.
Leonard L. R. Dutton, Idalia, Co., $32,177.
J. C. Rice and E. Stough, Widener, Ar., $32,175.
Riverside Plantation, Natchez, La., $32,175.
Thurman E. Fisher, Sunray, Tx., $32,175.
W. J. Neighbors, Selma, Al., $32,171.
Platte Valley Products, Inc., Lexington, Ne., $32,171.
Graham Bramlett, Bobo, Ms., $32,171.
Raymond Jessen, Lodgepole, Ne., $32,171.
Des Jardins Bros., Dos Palos, Ca., $32,167.
Hartmann Farms, Woodsboro, Tx., $32,166.
J. R. Summers, Nesbitt, Ms., $32,166.
Double O. Ranch, Lemoore, Ca., $32,164.
Jimmie C. Baker, Bville, S.C., $32,159.
Harley L. Gene King, Tulia, Tx., $32,154.
Joe D. Murrow, Farmington, Ga., $32,151.
Walter W. Taack, Lockney, Tx., $32,146.
W. A. Schmidt, Bisbee, Nd., $32,140.
A. B. Williams, Jr., Delta City, Miss., $32,135.
David H. Carson, Friona, Tx., $32,133.
T. W. Irick Est, Vance, S.C., $32,132.
Joe Oswalt, Abernathy, Tx., $32,127.
Dundarrach Trading Co., Laurinburg, N.C., $32,123.
T. P. Borgognoni, Lake Village, Ar., $32,121.
J. G. Prichard, Inverness, Ms., $32,117.
Brock Ranches, Centro, Ca., $32,107.
Lock Eleven, Swiftown, Ms., $32,103.
B. A. Hutton, Brewster, Ks., $32,099.
Wiebe Bros., Inc., Ulysses, Ks., $32,089.
Collerette Est, Casa Grnde, Az., $32,086.
John W. Giesenschlag, Somerville, Tx., $32,084.
Richard & Jerry London, Friona, Tx., $32,080.
Robert W. Luedtke, Fairmont, Minn., $32,074.
Clyde Hancock, Happy, Tx., $32,071.
Horace Wells, Benito, Tx., $32,060.
Percy L. Smith, Peoria, Az., $32,055.
Tom Adams, Brownsfield, Tx., $32,049.
Raymond Clark, Leland, Ms., $32,044.
Joe S. Carter, Jr., Oak Ridge, La., $32,038.
Bryce Sample, Ree Heights, S.D., $32,032.
Robert Melcher, Lubbock, Tx., $32,027.
Samuel Thompson, Walsh, Co., $32,019.
A. M. Boggs & Sons, Fallston, N.C., $32,016.
Fred J. Hoelscher, Garden City, Tx., $32,006.
B. L. Griffith, Abernathy, Tx., $32,004.
Glenn Newsom, Pixley, Ca., $32,002.
Grittman and Adams, Drew, Ms., $32,000.
Oscar Golden, Aiken, Tx., $31,996.
James B. Washburn, La Belle, Mo., $31,993.
Stewart Farm Account, Wellington, Ks., $31,989.
Wyley P. Good, Carter, Mt., $31,986.
Howell Wadsworth, Casa Grande, Az., $31,985.
Don O. Baker, Leland, Ms., $31,985.
James W. Warren, Plains, Tx., $31,984.
J. B. Haile, Hereford, Tx., $31,979.
Sonnenmoser Bros., Weston, Mo., $31,976.
W. T. Turner, Belzoni, Ms., $31,972.
G. F. Parker, Tiptonville, Tenn., $31,972.
Jackie Roberts, Clovis, N.M., $31,969.
Eugene Black, McFarland, Ca., $31,968.
H. A. Recker, Indianola, Ms., $31,959.
Joe G. Brandon, Jr., Cartersville, Ga., $31,951.
Bickham Bros., Tillar Ar., $31,944.
R. W. Woodruff, Shallowater, Tx., $31,944.
J. T. Brogdon III, Maning, Sc., $31,943.
Rudolph Johnson, Glendale, Az., $31,940.
Est. Sarah J. Hertzog, Natchez, La., $31,936.
G. D. Payne, Gould, Ok., $31,932.
Billy McCallister, Meadow, Tx., $31,929.
Tommy Billings, Seagraves, Texas, $31,927.
Samie West, Hereford, Tx., $31,921.
Richard Doster, Pinehurst, Ga., $31,919.
L. J. Rasse, est., Marshall, Mo., $31,915.
B. O. Tedford & Sons, Lyon, Ms., $31,894.
D. L. Anderson Corporation, Rapid City, Sd., $31,881.
Raymond Ekin, 2205 Smythe, Plainview, Tx., $31,880.
Jerry V. Young, Plainview, Tx., $31,872.
Richard Stuhaan, 4414 Ave. 296, Visalia, Ca., $31,863.
S. R. & C. D. Stone Trs., Raymondville, Tx., $31,846.
A. P. Fred, Morton, Tx., $31,845.
Robert C. Brown, Brawley, Ca., $31,845.
Mitsuru Sakai, Mcallen, Tex., $31,840.
Arthur W. Sorelle, Plainview, Tx., $31,838.
G. C. Goldman, Waterproof, La., $31,837.
Margaret Petree, 707 So. Hoff, El Reno, Ok., $31,829.
Tate Jones, Floydada, Texas, $31,826.
J. W. Brown, Jr., Conway, Ar., $31,825.
J. G. Robertson Corp., 2008 5th Ave. N., Great Falls, Mt., $31,823.
Summerour Brothers Ptnp., Dalhart, Tx., $31,819.
Claude Bailey, Princeton, Il., $31,819.
Diehl Fields, 925 S. Jackson Rd., Dansville Mi., $31,817.
Willie Posey, Cherokee, Al., $31,815.
W. E. Tolbert, Walsh, Co., $31,810.
Billy Meyers, Lubbock, Tx., $31,807.
Hamilton Farms Inc., Florence, Az., $31,798.
J. M. Maxwell/W. Smith, Rydal, Ga., $31,796.
Roland K. Cronk, Byers Co., $31,793.
Picacho Land & Cattle Co., Casa Grnde, Az., $31,791.
Charles E. Cloutier, Natchitoches, La., $31,789.
Bryan Connell, Belcher, La., $31,787.
Fred A. Wortman, Ridgely, Tenn., $31,786.
Glen Burr Plantation, Greenwood, Ms., $31,782.
Ralph Bouma, Ledger, Mt., $31,782.
Lawrence S. Norton, Clio, Sc., $31,780.
Lelan D. Haren, McCamey, Tx., $31,778.
T. Earl Johnson, Tutwiler, Ms., $31,775.
Hill Ranches, Inc., Pendleton, Or., $31,756.
Harvey Hancock, Lorenzo, Tx., $31,767.
Hiter Farms, Merigold, Ms., $31,766.
Garland Kilgore, Social Circle, Ga., $31,763.
Neff Farms Inc., Hollandale, Ms., $31,755.
Parker Planting Co., Drew, Ms., $31,750.
Jim Franklin, Slater, Mo., $31,748.
Marie White, Eloy, Az., $31,744.
Roy Montague, Silverton, Tx., $31,740.
Carl J. Marshall, Hale Center, Tx., $31,734.
Clinton C. Burnett, Broadview, N.M., $31,732.
Alvin Childers, Seminole, Tx., $31,726.
Marlo Maschoff, Fairmont, Minn., $31,724.
Fred Rohlman, Lamar, Co., $31,719.
E. C. Murrell, Clovis, N.M., $31,718.
Jack C. Boote, Worthington, Minn., $31,717.
Mariner Ballard, Dillon, Mt., $31,716.
Max A. Hodges, Indianola, Ms., $31,714.
Fremon Coker, Jr., Buckeye, Az., $31,709.
Emil Hoechst, St. Louis, Mo., $31,702.
S. F. Williams, Jr., Stockton, Tx., $31,702.
J. E. Ward, Deering, Mo., $31,700.
A. E. Moody, Drew, Ms., $31,693.
Eulynn G. Phipps, Friona, Tx., $31,691.
Ben Hodel, Roanoke, Il., $31,691.
E. D. Strain, Jr., Morgan City, Ms., $31,688.
Arthur Gifford, Fremont, Ne., $31,687.
Delbert Stanley, Big Spring, Tx., $31,687.
L. Conrad Pippin, Clovis, N.M., $31,686.
Vernon Irvin, Goodland, Ks., $31,685.
Robert A. Long, Seagraves, Tx., $31,685.
W. T. Timbs, Jr., Moorhead, Ms., $31,680.
McClish Farms, McDonald, N.M., $31,676.
G. D. Lyon, Shaw, Ms., $31,674.
Chatt Bros. Renters, Tekamah, Ne., $31,666.
L. T. Dillard, Osceola, Ar., $31,661.
C & S Storage Co., Inc., Norway, S.C., $31,657.
J. W. Davis, Abernathy, Tx., $31,656.
James G. Davis, Brownfield, Tx., $31,650.
Gene Fullingim, Petersburg, Tx., $31,648.
Robert R. Lindsey, Borger, Tx., $31,646.
Charles Nance, Seminole, Tex., $31,644.
J. A. McAnear, Clarendon, Tex., $31,639.
Paul and Larry Cobb, Bartow, Ga., $31,639.
Steve Worley, Webb, Ms., $31,638.
Dave Kenly, Phoenix, Az., $31,628.
Wicks Ranches, Mowie, Az., $31,627.
Alton Milam, Bateville, Ms., $31,624.
S. McBride Rhodes, Jr., Mayesville, S.C., $31,622.
Gorman Hand, Clovis, N.M., $31,616.
Albert H. Paxton, Tallulah, La., $31,610.
B. J. Barnett, Bishopville, S.C., $31,605.
R. W. Jones, Friona, Tex., $31,604.
Richard B. Vaughn, Friona, Tex., $31,602.
N. D. Sexson, Weskan, Ks., $31,601.
Farris L. Wren, Louisville, Ga., $31,597.
L. M. Mires, Jr., O'Donnell, Tex., $31,591.
A. C. Durivage, Lyford, Tex., $31,591.
Eppolito Bros., Stafford, Tex., $31,579.
Buddy Hettler, Lubbock, Tex., $31,577.
Clyde H. Damron, Dimmitt, Tex., $31,575.
Huber R. Tillery, Stratford, Tex., $31,564.
W. E. Smith, Jr., Portageville, Mo., $31,564.
James A. Boydstun, Ralls, Tex., $31,562.
Moody Farms, Pampa, Tex., $31,562.
Layton Farms, Winterhaven, Ga., $31,561.
Brownie Farms, Buttes, Co., $31,560.
Parolli Farms, Inc., Clarksdale, Ms., $31,556.
Walter A. Graham, Happy, Tex., $31,555.
Curtis Latham, Tulia, Tex., $31,555.
Loyd B. Parkhill, Crosbyton, Tex., $31,551.
W. J. Dewberry, Courtland, Al., $31,544.
John H. Robert, Boyce, La., $31,542.
Early P. Pritchett, Lockney, Tex., $31,542.
E. L. Smith, Clovis, N.M., $31,542.
Davis Cannon, Center, Tex., $31,534.
John Wade Kent, Frederick, Ok., $31,531.
T. C. McSwain Est., Minturn, S.C., $31,525.
John H. Ralph, Parkdale, Ar., $31,521.
Norman Hodges, Hereford, Tex., $31,519.
Eva Holt, Gruver, Tex., $31,517.
Newden Farm, Batesville, Tex., $31,515.
W. L. Harris, Levelland, Tex., $31,515.
Orton and Toton, Portageville, Mo., $31,502.
Ulrich, O. Bibb, Jr., Tunica, Miss., $31,497.
Troy M. Overman, Lubbock, Tex., $31,495.
Hollie C. Lewis, La Feria, Tex., $31,489.
Aubrey Pratt, Craigmont, Idaho, $31,484.
Lewis Brothers, Muleshoe, Tex., $31,484.
Robert V. Fryar, Big Spring, Tex., $31,483
Sidney E. Pool, Lingo, N. Mex., $31,472.
Charles Spence, Pecos, Tex., $31,471.
H. C. Eastland, Doddsville, Miss., $31,471.
Herman S. Tennell, Abernathy, Tex., $31,470.
Cecil H. Justus, Jr., Tyronza, Ark., $31,463.
Bob McBrayer, White Deer, Tex., $31,463.
Weldon Ferguson, Lubbock, Tex., $31,458.
Rosengren, Bros, Rock Falls, Ill., $31,449.
J. C. Randolph, Fayette, Ala., $31,449.
W. H. Baird, Indianola, Miss., $31,444.
Levon Azhderian, Los Banos, Calif., $31,443.
Joe Burch, Hughes, Ark., $31,442.
Earl Royer, Strathmore, Calif., $31,439.
Coppinger & Son Ranches, Echo, Oreg., $31,437.
Jim Claunch, Enochs, Tex., $31,433.
W. W. Ritchey, Casa Grande, Ariz., $31,430.
Carter & Wegner, Stratford, Tex., $31,429.
David Turnbough, Seagraves, Tex., $31,429.
A. J. Cowart, Duncan, Miss., $31,425.
Ernest, Vieke, Vincennes, Ind., $31,423.
S. R. Heard, Plainview, Tex., $31,421.
Keith Green, Dalhart, Tex., $31,418.
Kortsen Bros., Stanfield, Ariz., $31,417.
Wm. T. Dudley, Elsa, Tex., $31,410.
Earl W. Ashurst, Brawley, Calif., $31,409.

Jackie L. Thomas, Miller, Mo., $31,409.
McWilliams & Pyron, Holly Ridge, Miss., $31,404.
O'Connor Livestock Co., Klamath Falls, Oreg., $31,401.
Dan Springfield, Jr., Crawfordsville, Ariz., $31,400.
Allen Chapman, Portales, N. Mex., $31,399.
Karl W. Meisenbach, Pearl, Ill., $31,397.
William A. Davis, Rowland, N.C., $31,394.
Edd Haley, Earth, Tex., $31,392.
P. W. Vensel, Coolidge, Ariz., $31,390.
Ray Rohlman, Syracuse, Kans., $31,390.
J. H. Klundt & Sons, Pasco, Wash., $31,389.
Fred Thoms, Three Rivers, Tex., $31,388.
Jearl James, Earth, Tex., $31,386.
Dan Logan, Mercedes, Tex., $31,385.
Troy Burson, Silverton, Tex., $31,384.
Gus G. Moore, Resaca, Ga., $31,383.
West Valley, Stratford, Ca., $31,376.
Joe D. Keast, Dalhart, Tex., $31,374.
Lawrence Hagen, Alamo, N. Dak., $31,368.
George Rauenhorst, Olivia, Mn., $31,368.
Bill Riley, Abernathy, Tex., $31,366.
Jerry Paul, Clovis, N. Mex., $31,359.
George Long, Silverton, Tex., $31,357.
Lem Strickland, Brewton, Ala., $31,357.
Alton L. Lawson, Lubbock, Tex., $31,349.
Rufus M. Pegues, Bville, S.C., $31,347.
Othell Meeks, Tahoka, Tex., $31,343.
Nesselrodt and Campbell, Lilbourn, Mo., $31,342.
Bill Sherman, Lockney, Tex., $31,341.
Manuel T. Sharp, Crawfordsville, Ark., $31,340.
Clarence Crosskno, Blytheville, Ark., $31,340.
Shepherd & Shepherd, Lake Providence, La., $31,338.
Noah W. Robinson, Rayville, LA, $31,338.
M & B Farms, El Centro, CA, $31,336.
Irvan Rhodes, Abernathy, Tex., $31,335.
Jay H. Hulet, Murphy, ID, $31,334.
Guy L. Prince, Marked Tree, AR, $31,327.
Mike Etcheberry, San Joaquin, CA, $31,327.
G. G. Freeman, Texhoma, Okla., $31,322.
Deol & Sunaghera, El Centro, CA, $31,317.
G. D. Troutman, Johnson, KS, $31,314.
O. Narducci, Stockton, Ca., $31,310.
James D. Robinson, Sylacauga, Al., $31,306.
Carrick Brothers, Hollis, Ok., $31,306.
Donald Wooten, Crosbyton, Tex., $31,297.
Delbert Holmgren, Bear River City, Ut., $31,296.
Vincent Braner, Pl. Plains, Il., $31,296.
J. A. Miller, Floydada, Tex., $31,292.
Oscar Fryar, Broadview, N. Mex., $31,292.
William F. Mahoney, Corsicana, Tex., $31,291.
Pirnie Brothers Cattle Co., Weissert, Ne., $31,285.
Ronald Miller, Pecos, Tex., $31,284.
Albers Dehy Co., Wisner, Ne., $31,279.
Moe Farm Corporation, Poplar, Mt., $31,276.
Ruston Farms, Parkin, Ark., $31,275.
Troy W. Leoppard, Forrest City, Ariz., $31,271.
Lemon & Maness, Tribune, Ks., $31,271.
Robert A. Boyce, Jonestown, Ms., $31,267.
D. E. Richards, Lamesa, Tx. $31,266.
Pomeroy & Jewett, Bakersfield, Ca. $31,265.
Sam G. Jones, East Prairie, Mo., $31,261.
Swindoll Brothers, Tunica, Ms. $31,256.
B. Johnson Exec, Elkhorn, Ne., $31,256.
James P. Grooms, Athens, Ala., $31,255.
Duane F. Schneider, Tribune, Kas., $31,255.
Francis McCaffrey, Sr., Flagler, Co., $31,254.
Jim Bob Smith, Lubbock, Tex., $31,252.
Jasper Miller & Sons, Charleston, Mo., $31,250.
Vincent R. Benson, Blackfoot, Id., $31,250.
George E. Holmes, Enid, Ok., $31,250.
C. L. Saylor, Muleshoe, Tx., $31,250.
W. E. Taylor, Greenwood, Ms. $31,247.
Harvey C. Davis & Sons, Hart, Tx., $31,246.
Ernest C. Smith, Bartow, Ga., $31,245.
Scrg Bros., Dos Palos, Ca., $31,240.
John L. Grindstaff, Jr., Knox City, Tex., $31,237.
John Skaggs & Son, Adrian, Tx., $31,228.
Robert M. Marsh, Camden, S.C., $31,228.
W. W. Gilbreath, Dimmitt, Tex., $31,225.
Adrian Schweitzer, Osborne, Ks., $31,224.
Clarence Gigot, Garden City Ks., $31,224.
Roe S. Woodis, Cherokee, Al., $31,221.
James R. Murphy, Bradley, Ar., $31,221.
Moore Bros., Lincoln, Ca., $31,220.
Thomas W. Beauchamp, Bovina Tx., $31,214.
E. Neuman, Shafter, Ca., $31,208.
The Witteman Company, Mohall, N.D., $31,207.
M. J. Lane, Omaha, Ga., $31,204.
Jesse Carter, Muleshoe, Tx., $31,203.
Joe G. Williams, Roscoe, Tx., $31,200.
B. D. Mason, Clarksdale, Ms., $31,199.
James Maiorino, Jr., Firebaugh, Ca., $31,197.
Curran Ranches, Madera, Ca., $31,196.
D. M. Smith, Colorado City, Tx., $31,194.
Ralph B. Pickett, Garland, Tx. $31,192.
Philip Brown, Lake Providence, La., $31,189.
Ben Nelson, Waterville, Wash., $31,188.
Tom McCracken, Ledger, Mt. $31,187
Delmar Van Horn, Jr., Jefferson, Ia., $31,-180.
Aubrey Wood, Caraway, Ar., $31,179.
M. B. & C. E. Sanders, Palo Verde, Az., $31,179.
Martin Bros., Muscatine, Ia., $31,179.
D. H. Shipp, Benton, Ms., $31,179.
J. R. Scott, Hollis, Ok., $31,168.
Billie Walden, Twin City, Ga., $31,167.
Rex Jordan, Plainview, Tx., $31,165.
O. D. Handel & Son, Shafter, Ca., $31,164.
S. M. & W. M. Halbert, San Benito, Tx., $31,158.
A. C. Cockrill, Eloy, Az., $31,153.
W. C. Brown, Rosedale, Ms., $31,151.
Marvin Hunt, Imogene, Ia., $31,148.
T. G. and R. L. Jackson, Austwell, Tx., $31,-145.
Max Carriker, Roby, Tx., $31,144.
Keeler Brothers, Deming, N.M., $31,143.
Louie McQuay, Pond, Ca., $31,142.
S. Crews Reynolds, Caruthersville, Mo., $31,142.
Carl McCune Sons, Stafford, Ks., $31,141.
Bob Stump, Phoenix, Ar., $31,141.
John L. Murray Farm, Girard, Ga., $31,138.
Bobby Foster, Wilmot, Ar., $31,136.
Rayford E. Bearden, Tokio, Tx., $31,134.
Karl Brown & Merle Brown, Rigby, Id., $31,126.
H. A. Downey, Jr., Vicksburg, Ms., $31,125.
Joe W. Ramos, Tipton, Ca., $31,122.
J. C. Dunagan, Willcox, Az., $31,121.
M. T. McIlwain, Seminole, Tx., $31,121.
Green Acre Farms, Nazareth, Pa., $31,120.
W. D. Bounds and Son, Carlsbad, N.M., $31,117.
J. Calvin Rivers, Chesterfield, S.C., $31,114.
W. J. Bach, Riverton, Ne., $31,112.
Keystone Dehydrators, Nazareth, Pa., $31,-109.
Swanberg Twins, Lyford, Texas, $31,108.
Vance B. Morris, Gruver, Tx., $31,100.
Junior Dumler, Kiowa, Ks., $31,097.
Joseph P. Hodges, Bville, S.C., $31,094.
Joe Dilldine, Blytheville, Ar., $31,093.
David Britton, Lewis, Ks., $31,089.
Jess McWherter, Brownfield, Tx., $31,088.
Allen L. Monzingo, Memphis, Tx., $31,087.
M. N. Smith, Tulia, Tx., $31,086.
Ham Bros., Inc., Shadehill, S.D., $31,083.
Donald McKenzie, Marcellus, Mi., $31,081.
F. A. Marnell, Hereford, Tx., $31,073.
Clarence Phillips, Yuma, Az., $31,073.
E. H. Riley, Osceola, Ar., $31,068.
Diamond Farms. Inc., El Dorado, San Joaquin, Ca., $31,060.
Howington, Bros., Lake Providence, La., $31,059.
George B. Noland, Clarksdale, Ms., $31,059.
L. R. Brown, L. A. Brown, Carmi, Il., $31,056.
C. D. Ross, Bakersfield, Ca., $31,056.
Richard Leatherman, Jr., Robinsonville, Mi., $31,053.
Spicher Brothers, Hingham, Mt., $31,049.
L. Sheffels & Son., Inc., Wilbur, Wa., $31,048.
G. C. Broughton, Jr., Big Spring, Tx., $31,047.
J. R. Hutchison, Jr., Caruthersville, Mo., $31,044.
B.F.W. Grain Co., Inc., Kress, Texas, $31,043.
Summers Bros., Sugar City Id., $31,035.
Frank Ratliff, Jr., Seminole, Tx., $31,030.
Lowrimore & Wood, Wasco, Ca., $31,022.
T. R. Pittman, Greenville Ms., $31,019.
Matt Nix, Jr., Sudan, Tx., $31,019.
Clark Farms, % Asa Clark, Pullman, Wa., $31,012.
Jackson W. Smith, Inc., St. John, Wa., $31,007.
Chas. E. Slaughter Farms, Tipton, Ca., $31,007.
Warner, Hereford Farm, Waverly, Ne., $31,000.
Doyl Underwood, Dimmitt, Tx., $30,998.
O. D. Brackin, Tuscumbia, Al., $30,997.
L. V. Moore, Tanner, Al., $30,989.
R. J. Jones, Mathews, Ga., $30,986.
James Ernest Franklin Stanton, Tx., $30,984.
Gilbert A. Kaltwasser, Farwell, Texas, $30,978.
W. M. Staniforth, South Plains, Texas, $30,974.
Garnand and Thornton, Wetumpka, Al., $30,963.
W. P. Romero, Bakersfield, Ca., $30,963.
Allen B. Griffin, Brawley, Ca., $30,960.
Wayne Ray, Casa Grande, Az., $30,959.
Vester Smith, Loop, Tx., $30,954.
John C. Smith, Jr., Somerton, Az., $30,953.
Chocolate Flats Farm Co., Verhalen, Tx., $30,952.
J. & V. Aguzzi, Cleveland, Ms., $30,947.
Thelma L. Warman, Alden, Ia., $30,946.
T.R. Cole & Sons, Pascola, Mo., $30,945.
Richard Russell, Jonestown, Ms., $30,942.
Ossie T. Spradley, Jr., Pinehurst, Ga., $30,940.
Jack K. Stephens, Petersburg, Tx., $30,939.
Don Hart, Gruver, Texas, $30,936.
Rogers & Rogers, Eloy, Az., $30,934.
Thomas E. McHugh, Orrville, Al., $30,933.
William Charlie Faulkenberry, Seagraves, Tx., $30,931.
Raymond Thomas Downey, Stratton, Co., $30,930.
Gwinn F. Rice, Hill City, Id., $30,927.
Wilbur L. Bryant, Hartley, Texas, $30,926.
A. O. French, Pickens, Ark., $30,922.
Mann Farms, Inc., Marianna, Ar., $30,921.
J. R. Dockery, Cleveland, Ms., $30,921.
J. W. Stowers, Inverness, Ms., $30,917
Higginbotham Brothers, Hartline, Wa., $30,912.
C. L. Eubanks & Sons, Proctor, Ark., $30,909.
Do-Bar Farms, Casa Grande, Az., $30,908.
John C. Miller, Friona, Texas, $30,906.
Don Boggan, Alice, Tex., $30,897.
J. Weldon Martin, Tahoka, Texas, $30,893.
Daniel Pustejovsky, Hillsboro, Tx., $30,892.
Harvey Lauritzen, Tulare, Ca., $30,890.
Welborn & Welborn, Princeton, Tx., $30,889.
E. Earl Pryor, Condon, Or., $30,886.
J. E. Knight, Friona, Texas, $30,885.
Earl M. James, Plainview, Tx., 30,884.
Crawford Brothers, Isola, Ms., $30,887.
Vernon G. Kropp, Est., Winfield, Ks., $30,875.
Leland Holder, Osakis, Mn., $30,874.
I. L. Henry, Darling, Ms., $30,873.
Chesterfield Crisp, Marvell, Ar, $30,872.
John Jay James, Darlington, S.C., $30,871.
Leon Callaham, Althiemer, Ar., $30,868.
H. T. Bonds Sons, Inc., Lepanto, Ar., $30,866.
Lacy Meek, Dumas, Tx., $30,866.
James Norris, Lake Arthur, N.M., $30,866.
J. Walter Whisenhunt, Orangeburg, S.C., $30,865.
Centennial Valley Farms, Buckeye, Az., $30,864.

Cashman Nurseries, Inc., Owatonna, Minn., $30,863.
Orville Schwarting, Gordon Ne., $30,860.
Stuart Shadel, Jr., Avalon, Wi., $30,859.
C. S. Sandhu, Calipatria, Ca., $30,855.
Jim R. Daniel, Friona, Texas, $30,855.
Max Engler, Jr., Holcomb, Ks., $30,850.
Edward P. Vieh, Hollandale, Ms., $30,849.
Central Farms, Delano, Calif., $30,849.
Dwain F. Woody, Lovington, NM., $30,840.
J. E. Beasley, Van Horn, Tx., $30,837.
J. X. Bettencourt, Tipton, Ca., $30,835.
H. Dudley Storey, Jr., Cotulla, Tx., $30,834.
Dees Brothers, Kremlin, Mt., $30,833.
Rossie P. Hughes, Neeses, SC., $30,830.
Rala Singh, Glendale, Az., $30,826.
Gareth J. McFadden, Goodland, Ks., $30,820.
A. L. King, Jr., Vance, Ms., $30,815.
Martin Wood, Snow Lake, Ar., $30,812.
John H. Ricke, Williams, Ia., $30,808.
L. and Wagner Co., Schuyler, Ne., $30,802.
Eugene Gilly, Floydada, Texas, $30,800.
Homer L. McLeod, Roscoe, Tx., $30,799.
Alvin McNair, Bishop, Tx., $30,798.
Cecil Obrate, Ingalls, Ks., $30,797.
Howard Carpenter, Moscow, Tn., $30,795.
Claud Buford, Forrest City, Ar., $30,792.
John D. Ferguson, Hamlin, Tx., $30,789.
A. Preston Morris, Colorado City, Tx., $30,786.
B. H. Bass, Jr., Clarksdale, Ms., $30,783.
Thomas Legred and Sons, Bricelyn, Mn., $30,783.
S. J. Young, Plainview, Tx., $30,783.
J. E. Robinette, Casa Grande, Az., $30,780.
Dundee Cement Co., Clarksville, Md., $80,775.
W. D. Marlow III & Son, Ruleville, Ms., $30,771.
Vernon Amick, Letcher, SD., $30,770.
Williams Est., Anthony, Ks., $30,762.
H. J. Lee & Sons, Inc., McAlister, NM., $30,762.
Edward C. Culley, Mt. Vernon, In., $30,760.
R. C. Rice, Harrison, Mt., $30,657.
Wesson Farms, Chowchilla, Ca., $30,754.
Claude R. Gholson, Silver City, Ms., $30,754.
Holman O. Connor, Ransmvle, N.Y., $30,753.
Precie Farms, McFarland, Ca., $30,748.
Franna Farms, Corcoran, Ca., $30,744.
James Welch, Dimmitt, Tx., $30,739.
Ernest Wilmeth, Spearman, Texas, $30,734.
Alton Billings, Seagraves, Tx., $30,733.
Black Cat Pltg. Co., Cruger, Ms. $30,733.
Harlan L. Barber, Hereford, Tx., $30,730.
Jack Abbott, Harlingen, Tx., $30,724.
R. C. Goree, Coolidge, Az., $30,724.
Grady W. Sorley, Bovina, Texas, $30,722.
J. T. Ward, Evergreen, Al., $30,722.
Robert M. Gambrell, Talladega, Al., $30,719.
J. D. Upshaw, Louise, Ms., $30,719.
John W. Berger, Stinnett, Tx., $30,718.
Doris Pltn., Lake Providence, La., $30,718.
Garland Wisby, Roll, Az., $30,717.
James H. Gay, Portland, Ar., $30,716.
Stuber Ranch, Bowman, N.D., $30,715.
Fritz Kuhn, Jr., El Centro, Ca., $30,714.
M. M. Crisp, Elaine, Ar., $30,711.
Walter S. Carter, Levelland, Tx., $30,711.
Charles Carpenter, Amherst, Tx., $30,711.
Hertis Baber, Randlett, Ok., $30,705.
Wayne Briscoe, Red Banks, Ms., $30,704.
C. Morris Anderson, Minot, N.D., $30,704.
James E. McMullen, Mansfield, La., $30,703.
Oliver Baker & Oliver, Providence, La., $30,701.
Jarrott Ranch, Firebaugh, Ca., $30,699.
Markarian Farms, Fresno, Ca., $30,698.
B. M. Farmer, Knox City, Tx., $30,698.
Donald Bowman, Belt. Mt., $30,697.
Leon Jackson, Phoenix, Az., $30,695.
William L. Goza, Lewisville. Ar., $30,693.
T. W. Harris, Cary Ms., $30,679.
J. A. Hill, Marvell, Ar., $30,678.
Parten Farms, Inc., Marianna, Ar., $30,673.
Black Land Farms, Inc., Eloy, Az., $30,670.
Galbraith Brothers, Tipton, Ca., $30,657.
Don Harmon, Clovis, N.M., $30,652.
A. W. Byrd, Loop, Tx., $30,651.
Schwerin Farms, Inc., Walla Walla, Wa., $30,644.
Joe Bickman, Peoria, Az., $30,639.
C. A. Winn, Brownfield, Tx., $30,634.
James Chappell Hurst, Chesterfield, S.C., $30,634.
Lane K. Goar, Clovis, N.M., $30,633.
Norman V. Hughes, Mgr., Rowesville, S.C., $30,624.
Foundation Farm, Inc., Walla Walla, Wa., $30,623.
John W. Scott, Gilby, N.D., $30,623.
James H. Warnken, Dalhart, Tx., $30,619.
Fred Jackson, Floydada, Tx., $30,617.
Leo Langton, Southam, N.D., $30,617.
E. L. Tyner, Donna, Tex., $30,611.
Allen Kellum, Silverton, Texas, $30,610.
Jim S. Folk, Tallulah, La., $30,606.
White & Witt, Prospect Tn., $30,600.
Melvin Pearson, Lake Arthur, NM., $30,600.
Henry J. Kuper, Summerfield, Tx., $30,599.
Jim Obriant, Rotan, Tx., $30,599.
Arlis Motley, Hollis, Ok., $30,598.
H. W. Campbell, Frederick, Ok., $30,596.
Elbert C. White, Jr., Whiteface, Tx., $30,590.
Bollinger Bros., Hulbert, Ark., $30,589.
Brady Lowe, Lubbock, Tx., $30,588.
D. W. Bawcom, Littlefield, Tx., $30,587.
Schlabs Farms, Inc., Hereford Tx., $30,586.
W. S. Poole Estate, Plainview, Tx., $30,585.
John G. Burgwyn, Jackson, N.C., $30,584.
Albert J. Skalka, Sr., Deweese, Ne., $30,584.
Wm. H. Deane, III, Sikeston, Mo., $30,584.
Clyburn Bros. and Son, Bishopville, S.C., $30,584.
Roy M. Wood, Farley, N.M., $30,583.
Earl Carroll, Gilbert, La., $30,582.
Jim J. Hobgood, Anton, Tx., $30,581.
George H. Ellis, Reardon, Wa., $30,578.
Anderson Reed, Pinehurst, Ga., $30,573.
Don Macmillan, Tipton, Ca., $30,573.
Kirby B. Clawson, Satanta, Ks., $30,572.
Leon Koebrick, Charles City, Ia., $30,571.
Robert Schoon, Wheatfield, In., $30,570.
Wooten-Epes Company, Helena, Ar., $30,570.
Don Cannon, Hale Center, Tx., $30,566.
L. L. Ray, Hale Center, Tx., $30,564.
Sam Clinkscales, Blakely, Ga., $30,555.
Bob Moffatt, Lamesa, Tx., $30,551.
Martin Bustad, Austin, Minn., $30,551.
Odes Perry, England, Ar., $30,551.
Wolf Bros & Reich, Albion, Ne., $30,549.
Davis Bros., Braden, Tenn., $30,539.
Thomas R. Stricklin, Sartartia, Ms., 30,532.
Gilmer Plantation, Columbus, Ms., $30,525.
Dayton, Kolstad, Ledger, Mt., $30,524.
Adolph Hill, Hooker, Ok., $30,524.
Amos Margosian, Cutler, Ca., $30,524.
E. & E. Farms Inc., Lamesa, Tx., $30,522.
Dalton Taylor, Gunnison, Ms., $30,519.
E. L. Hatcher, Lamar, Co., $30,512.
Eddie Wallace, Littlefield, Tx., $30,512.
Baert Bros. C./O. F. Baret, St. Charles, Il., $30,505
Herbert L. Williams, Roscoe Tx., $30,505.
Dowson Bros. A. Ptrp, Divernon, Il., $30,505.
Henry C. Boone, Jr., Lecompte, La., $30,504.
Dan W. Berger, Vega, Tx., $30,504.
H. L. Harper, Montrose, Ga., $30,503.
Parks Place, Inc., Shelby, Ms., $30,501.
Albert C. Henderson, Shallowater, Tx., $30,497.
E. L. Nerren, Isola, Ms., $30,493.
James O. Taylor, Caruthersville, Mo., $30,492.
Jack Edwards, Inc, Montrose, Ar., $30,491.
S. C. Cadwell, Chauncey, Ga., $30,488.
Maddux Cattle Co., Wauneta, Ne., $30,487.
Gilbert E. Wenner, Friona, Texas, $30,487.
Sam Hoover, Levelland, Tx., $30,485.
A. S. Nichols, Vaughan, Ms., $30,480.
Carl E. Ratliff, Lubbock, Tx., $30,480.
Jack T. Clift, Madison, Al., $30,477.
Walter G. Russell, Amarillo, Tx., $30,477.
Woods Bros. & Ells., Fairfield, Ne., $30,475.
B. H. Cobb, Lambert, Ms., $30,473.
Don Eisner, Strathmore, Ca., $30,465.
R. L. Tullis, Hale Center, Tx., $30,463.
Roy Blahosky, Pecos, Tx., $30,457.
Triumph Farms, Merigold, Ms., $30,453.
John Fornes, Buckeye, Az., $30,446.
W. D. Brady, Dodge City, Ks., $30,446.
Eugene Rundell, Lamar, Co., $30,441.
Ben Curutchet, Chowchilla, Ca., $30,441.
W. B. Jones, Anton, Tx., $30,438.
Charles Capps, England, Ar., $30,435.
Wm. Stretesky, Julesburg, Co., $30,433.
Willis Glinz, Newburg, Nd., $30,428.
Jay A. Hoffman, Tribune, Ks., $30,423.
J. F. Gibbs, Ashburn, Ga., $30,423.
Herbert Johnson, Bonita, La., $30,422.
C. T. Stanford, Skene, Ms., $30,420.
Frank Sam Loria, Hearne, Tx., $30,418.
Kenneth Davies, Slaton, Texas, $30,412.
R. L. Nance, Jr., Dixie, La., $30,412.
J. L. Helm, Forney, Tx., $30,412.
Raymond Jarvis, Stinett, Texas, $30,412.
Fred Sherry, Prescott, Wa., $30,410.
Bill Treadway, Lamesa, Tx., $30,410.
R. L. Warren, Tahoka, Texas, $30,406.
W. Clayton Sellers, Ralls, Tx., $30,404.
W. R. Johns, Jr., Allendale, S.C., $30,402.
John P. Pelegrin, Stovall, Ms., $30,401.
Ellis Evans, Marianna, Ar., $30,399.
George Andrew, Madera, Ca., $30,395.
A. R. McGuire, Muleshoe, Tx., $30,392.
Sweetwater Feeders, Brawley, Ca., $30,391.
Marvin D. Johnson, Greensboro, Al., $30,390.
Mueller, Inc., Deerfield, Mi., $30,390.
Robert A. Brogoitti, La Grande, Or., $30,389.
Arnold Ratheal, Crosbyton, Tex., $30,388.
Henry T. Everett, Summerton, S.C., $30,385.
Dale M. Coleman, Dumas, Tx., $30,384.
Mac Houston, Abernathy, Tx., $30,383.
William E. Whitfill, Lockney, Texas, $30,379.
Holmes Cattle Co., Plains, Ks., $30,379.
Claude Johnson & Son, Dalhart, Tx., $30,-370.
Gunther & Shirley, Yuma, Az., $30,368.
G. C. Cattle Co., Inc., Brownfield, Tx., $30,365.
Norman Brown, Duncan, Ms., $30,359.
Paul Grosswiler, Kalispell, Mt., $30,353.
Carl Pamplin, Portland, Ar., $30,350.
Sid Capshaw, Idalou, Tx., $30,349.
Leon Eschberger, Alice, Tex., $30,346.
Guy Tripp, Eastman, Ga., $30,346.
J. T. Mcendree, Springfield, Co., $30,345.
Fritz, Smith, Hereford, Tx., $30,345.
Buffington Agri. Ent., Chowchilla, Ca., $30,-345.
George Uthe, Madrid, Ia., $30,339.
Vernon G. Schultz, Booker, Tx., $30,339.
Tom Robinson, Hereford, Tx., $30,330.
Hiram W. Hill, Indianola, Ms., $30,318.
Bill W. Blackstock, Brownfield, Tx., $30,315.
F. H. Griffin, Clarkedale, Ark., $30,313.
Elmo & Ernest Chesney, Celina, Tx., $30,-312.
Margaret M. Norman, Cleveland, Ms., $30,-308.
Homer Jensen, Clarks Grove, Mn., $30,307.
Don Brinn, Blytheville, Ar., $30,305.
Cuming and Sons, Somerton, Az., $30,305.
Jordan Farms Partnership, Leary, Ga., $30,303.
Stimson Katterhenry Trust, Dumas, Ar., $30,299.
Avery Moore, Jr., Post, Tx., $30,291.
Horsecreek Farms, Hooker, Ak., $30,290.
Chet John and Sons, Glendale, Az., $30,290.
dale, Az., $30,290.
E. W. Sanford est., Lub., Tx., $30,289.
Jack Sherrod, Levelland, Tx., $30,288.
Delbert L. Devin, Tulia, Tx., $30,288.
Glenn Sipes., Manter, Ks., $30,288.
James and Tony Cortemelia, Hearne, Tx., $30,288.
Mary Lee Bridgforth, Vaughan, Ms., $30,284.
Clinton B. Halford, Childress, Tx., $30,284.
Alton Fraser, Hereford, Tx., $30,284.
Phil and H. D. Sibley, Somerton, Az., $30,277.
Dean Stanley, Tolleson, Az., $30,277.
Lloyd Hood, Levelland, Tx., $30,272.
Cook & Cook, Clarendon, Tx., $30,272.
Clifton Dodson, Dixie, La., $30,270.

S. J. Foose, Jr., Tchula, Ms., $30,266.
Harold R. Lott, Blackville, S.C., $30,266.
Buford Atkinson, Yazoo City, Ms., $30,261.
John & Herman Herres, Pomeroy, Wa., $30,260.
Magnolia Lane Farm, c/o T. T. Traywick, Cope, SC, $30,260.
Gustave Dencker, Eva, Ok., $30,259.
Gilkey Farms Delta, Corcoran, Ca., $30,258.
John Fury, Grady, NM, $30,251.
Jerry B. Keith, Sunray, Tx., $30,249.
Dalton Redman, Morton, Tx., $30,247.
Claudie A. Matney, Matador, Tx., $30,246.
Clark Bros., Tulare, Ca., $30,242.
Rickenbacker and Sconyers, Summerton, SC, $30,239.
Mrs. N. A. Brown & Sons, Friona, Tx., $30,231.
D. C. Conn, Tchula, Ms., $30,230.
Lorwood Plantation, Parma, Mo., $30,228.
Lloyd Stolworthy, Inc., Idaho Falls, Id., $30,217.
Gerawan & Penner Ranches, Inc., Reedly, Ca., $30,215.
C. Alex Abatti, Heber, Ca., $30,211.
M. D. Martin, Blackville, SC, $30,203.
W. H. Waldrip, Lake Arthur, NM., $30,194.
George Douglas McCartha, Jr., Tallassee, Al., $30,194.
Skylane Farms Corp., Wasco, Ca., $30,190.
R. and J. Gumz Farms, Inc., North Judson, In., $30,188.
William E. Carr, Jr., Levelland, Tx., $30,188.
J. G. Hawkins, Knox City, Tx., $30,186.
Deanie Henderson, Silverton, Tx., $30,184.
Fox & Williams Fms., Shafter, Ca., $30,184.
Jimmie H. Boggess, Coy, Ar., $30,182.
Frank C. McDaniel, Dalhart, Tx., $30,179.
Cecil B. Helms, Levelland, Tx., $30,178.
W. H. Drawe, Mercedes, Tx., $30,177.
Bill Rich, Kress, Tx., $30,169.
Rex T. Lyle, Ritzville, Wa., $30,166.
Louis Corpora, Marlin, Tx., $30,166.
Elwyn Lyle, Cunningham, Wa., $30,166.
Clinton Fortenberry, Transylvania, La., $30,165.
J. C. Price, Hereford, Tx., $30,162.
Vaucluse Pltn., Vidalia, La., $30,155.
Virgil W. Massingill, Coyanosa, Tx., $30,-152.
Norway Plantation, Yazoo City, Ms., $30,-149.
Gene Kagele, Ritzville, Wa., $30,145.
C. C. Perkins, Plains, Tx., $30,144.
G. H. Frazier, Austwell, Tx., $30,143.
Sidney Branch, Winona, Ms., $30,140.
Sewell Brothers, Leesburg, Al., $30,140.
Moody Neeley, Lamesa, Tx., $30,136.
Oscar Lowrey, Tahoka, Tx., $30,133.
Donald Hicks, Hereford, Tx., $30,131.
Harlan Black, Coyanosa, Tx., $30,130.
James McDaniel, Plainview, Tx., $30,126.
C. E. Moore, Emporia, Va., $30,125.
Adolph Pirani, Marion, Ar., $30,119.
Neil Durham, Scottsville, Ks., $30,117.
Joe M. Scott, Dimmitt, Tx., $30,116.
Ray Black, Lake Village, Ar., $30,112.
W. M. Bevly, Corpus Christi, Tx., $30,112.
R. R. McNeil, Brownfield, Tx., $30,109.
Russell Hunt, Ephrata, Wa., $30,109.
Albert M. Fischbacher, Jr., Canyon, Tx., $30,108.
Harold D. Moore, Wildorado, Tx., $30,107.
Cheatham Dairy, Inc., Laveen, Az., $30,101.
Earl Dean Williams, Widener, Ar., $30,101.
Valjon Trst., El Centro, Ca., $30,098.
Bryce Grant, Manila, Ar., $30,091.
Hugh J. Hermes, Sterling, Ill., $30,091.
G. Swift, Est., Las Animas, Co., $30,089.
V. Rottler et al., Greene, Ia., $30,088.
George Dawson, New Madrid, Mo., $30,085.
Marvin W. Dugan, Greeley, Ne., $30,079.
Daniel B. Heard, Littlefield, Tx., $30,072.
Dell Aringa Bros., Stockton, Ca., $30,072.
Rufus Dill, Brownfield, Tx., $30,071.
Edgar Schieler & Sons, Terra Bella, Ca., $30,061.
Ernest L. Ayala, Brawley, Ca., $30,060.
W. Lewis Scoggin, Muleshoe, Tx., $30,057.
E. E. and D. T. Jones, Gunnison, Ms., $30,056.
B. A. Marley, Sumner, Ms., $30,055.
Wm. A. Carter, Hereford, Tx., $30,050.
Waymon Mitchell, Clovis, N.M., $30,048.
Douglas Kauffman, Levelland, Tx., $30,046.
Walter Isgrig, Little Rock, Ar., $30,046.
J. B. McCray, Panhandle, Tx., $30,045.
Billy J. Dodd, Melrose, N.M., $30,044.
Ray T. Taylor, Kerrick, Tx., $30,040.
Ralph Spurgeon, Jr., Cliftonville, Ms., $30,031.
George Gray, Carter, Mt., $30,029.
Flo-Wal Farms, Inc., DeWitt, Ne., $30,026.
C. S. Bramble and Sons, Glasgow, Mo., $30,022.
Bill W. Carthel, Friona, Tx., $30,022.
R. D. Nix, Sudan, Tx., $30,022.
Ross and Thompson, Plainview, Tx., $30,022.
Richard D. Friemel, Canyon, Tx., $30,020.
James L. Dixon, Benton, Ms., $30,014.
J. Melvin Asberry, Groom, Tx., $30,012.
Herschel Blankenship, Plainview, Tx., $30,010.
William L. Lee, Friona, Tx., $30,006.
Bell & Bell, Inc., Rockford, Wa., $30,005.
Wood & Wood, Wellington, Tx., $29,999.
W. J. Sumrall, Cleveland, Ms., $29,997.
Alfred McWilliams, Aredale, Ia., $29,997.
Hammons Farms, Inc., Forrest City, Ar., $29,996.
Marcus, Crow, Seminole, Tx., $29,993.
J. L. Whitaker, Gruver, Tx., $29,989.
Clyde Simpson, Las Cruces, N.M., $29.987.
Willis Leinart, Walthill, Ne., $29,985.
J. C. Oswald, Allendale, S.C., $29,982.
Weil Company, Inc., Alexandria, La., $29,981.
Davisdale Farms, Boonville, Mo., $29,981.
Samuel F. Brewer, Moultrie, Ga., $29,979.
Joe & Willie Bramucci, Earle, Ark., $29,976.
Delton W. Hubert, Monument, Ks., $29,976.
C. Leslie Williams, Blackfoot, Id., $29,970.
Marshall G. Nevill, McCamey, Tx., $29,967.
Seth Orr, Hillsboro, Tx., $29,965.
Odell Williams, Ripley, Tn., $29,961.
Sam Crowder, Memphis, Tenn., $29,961.
McGregor Farms, Inc., Lewiston, Id., $29,-958.
J. E. Dedford, Duncan, Ms., $29,958.
Wilfred Thorn, Dayton, Wa., $29,958.
Sutter Basin Corp., Robbins, Ca., $29,956.
J. W. Cocke, Holly Springs, Ms., $29,953.
Clayton Tinney, Altus, Ok., $29,947.
Morris B. Stewart, Fort Benton, Mt., $29,-946.
Edith Tyner, Donna, Tex., $29,944.
H. J. Turin, Odebolt, Ia., $29,934.
John R. Green, Lorenzo, Tx., $29,924.
J. B. Cooper, Jr., Roscoe, Tx., $29,922.
Mickey Walding, Bradley, Ar., $29,922.
Richard Clark, West Lebanon, In., $29,916.
Albert C. Randall, Edna, Tx., $29,914.
G. C. Messenger, Boyce, La., $29,908.
Marvin Luellen, Mooreland, In., $29,906.
Harry Howard, Warren, Mn., $29,906.
Bobby Harper, Trenton, Tn., $29,905.
Travis Jones, Floydada, Tx., $29,905.
L. J. Larry, Danville, Il., $29,904.
Albert Hall, Holcomb, Mo., $29,903.
Robert D. Martin, Clovis, N.M., $29,900.
Noah Lemley, Brownfield, Tx., $29,899.
Ben Gay, Inc., Brush, Co., $29,897.
W. W. West Co., Wabbaseka, Ar., $29,895.
J. R. Terrell, Ralls, Tx., $29,892.
John E. Epple, Roggen, Co., $29,892.
Harold Decker, McAllen, Tx., $29,890.
Henry C. Quick, Jr., Dillon, S.C., $29,888.
Eddie Zaloudek, Kremlin, Ok., $29,888.
Megna and Riley, Abernathy, Tx., $29,886.
H. H. Farley, Rossville, Tenn., $29,885.
C. L. Mason, Post, Tx., $29,883.
Gerald F. Ryan, Goodhue, Mn., $29,882.
Alton Malone, Mercedes, Tx., $29,879.
Olen L. Yocom, Tucumcari, N.M., $29,878.
Jack Herrin, Lamar, Co., $29,874.
Garn Holbrook, Lehi, Ut., $29,872.
James P. & Michael J. Casey, Brawley, Ca., $29,868.
Loveless Farms, Inc., Elaine, Ar., $29,866.
Evco Farms, Inc. Synd., Marana, Az., $29,865.
Bennie W. Wilde, Ballinger, Tx., $29,865.
Dorothy S. Linnebur, Roggen, Co., $29,856.
C. R. Woodham, Bishopville, S.C., $29,852.
R. M. Hume, Tolleson, Az., $29,851.
Carl A. Williams, Madison, Al., $29,850.
Luella B. Hyde & Sons, Visalia, Ca., $29,849.
Carl Vestal, Quanah, Tex., $29,846.
Cold Springs Farm, Newton, Ut., $29,846.
Walter M. Doyle, Hastings, Ia., $29,844.
Taylor & Gee, Spearman, Tex., $29,838.
Mrs. J. S. McBeth, Hale Center, Tex., $29,837.
Bob Velgel, Hereford, Tex., $29,833.
Walter D. Howard, Jr., Texico, N.M., $29.824.
Miller Brothers, Gildford, Mt., $29,823.
O. K. Weeks and Son, Somerton, Az., $29,820.
W. D. Simmons, Indianola, Ms., $29,820.
Neely Robley, Denmark, Tn., $29,818.
Correll Farms, Inc., Calipatria, Ca., $29,817.
Schuster Farms, Inc., El Paso, Tex., $29,814.
Wesley Davis, Hale Center, Tex., $29,811.
Roy W. Barnes, Pharr, Tex., $29,806.
J. A. Barrett, Cruger, Ms., $29,805.
W. D. Mills, Loop, Tex., $29,804.
Pilar Cabrera, Brownsville, Tex., $29,803.
Carl T. Harkins, Cleveland, Ms., $29,800.
Monroe Bros., Sunray, Tex., $29,799.
James Thigpen, Lake Arthur, N.M., $29,797.
W. T. Smoot, Jr., Amarillo, Tex., $29,792.
Wesley A. Schumacher, Plainview, Tex., $29,792.
Lloyd G. Payne, Jr., Harlington, Tex., $29,788.
J. D. Myrick, Hart, Tex., $29,788.
John J. Pond, Shandon, Ca., $29,785.
Arthur C. Wilks, Burlington, Co., $29,784.
Pradera Del Lago, Tipton, Ca., $29,781.
L. H. Freeman, Elsa, Tex., $29,777.
Gene Wingfield, Steele, Mo., $29,774.
Dan Branco, Chowchilla, Ca., $29,774.
Flowers & Parker, Tunica, Ms., $29,772.
Ralph Mains, Mabton, Wa., $29,772.
Milton E. & Monica C. Wentz, Brownsville, Tx., $29,771.
Melvin Moore and Sons, Kahlotus, Wa., $29,776.
Joseph Kejr Test Tr No. 2B, Woodrow, Co., $29,776.
Miller, Bros., Ruleville, Ms., $29,765.
W. W. Hubbard & Sons, Inc., Bonners Ferry, Id., $29,763.
J. S. & Quinn McManus, Weslaco, Tex., $29,763.
W. M. Bevly, Jr., Cor Chr, Tx., $29,761.
Raymond T. Kingsfield, Tarzan, Tx., $29,-759.
Elbert Watts, Wellington, Tx., $29,758.
Marvin A. Schwarz, Mercedes, Tx., $29,758.
Olen Lane, Van Horn, Tx., $29,748.
W. V. Moore, Oakland, Ms., $29,746.
Arthur B. Williams, Ulysses, Ks., $29,739.
Pete Romanini, Fms. Buttonwillow, Ca., $29,734.
Frank C. Bury, Bakersfield, Ca., $29,732.
Wesley Neinast, Littlefield, Tx., $29,730.
Allen Est. & T. G. Powell, Clarksdale, Ms., $29,728.
Billy G. Moore, Dalhart, Tx., $29,725.
Felder Farms, Inc., Summerton, S.C., $29,-718.
George L. Floyd, Munday, Tx., $29,717.
Tempel Farms, Wadsworth, Il., $29,713.
Huson Brim, Sasser, Ga., $29,710.
A. Emmet Pittman, Kress, Tx., $29,709.
Tony Joe Varisco, Bryan, Tx., $29,696.
Everett Jones, Flintville, Tn., $29,696.
Jack Robertson, Plainview, Tx., $29,690.
Cuming Farms, Inc., Somerton, Az., $29,688.
John W. Baughman Trust Est., Liberal, Ks., $29,688.
Max Phillips, Greenville, Ms., $29,687.
Pleasant Valley Farm & Ranch, Mullinville, Ks., $29,686.
Grover C. Lawson, Jr., Athens, Al., $29,686.
Kenneth Walker, Amarillo, Tx., $29,685.
Claude Arnold, Santa Margarita, Ca., $29,-683.
Beck & Sons, Delano, Ca., $29,681.
W. H. Simpson, Floydada, Tx., $29,680.
Ross Elliott, Happy, Tx., $29,680.

Jewell Pearson, Perryton, Tx., $29,680.
Michael Sons, Urbana, Ohio, $29,678.
Roger Beldon, Madera, Ca., $29,672.
Charles C. Bowles, Calipatria, Ca., $29,668.
Jimmy J. Wallace, Clovis, N.M., $29,663.
Jack W. Perry & Co., Inc., Tunica, Ms., $29,662.
James A. Minter III, Tyler, Al., $29,661.
Dudley Bailey, Cloxis, N.M., $29,661.
N & N Farms, Inc., Terre Haute, In., $29,660.
B and V. Pieroni, Lake Village, Ar., $29,659.
B. L. Anderson, Sr., Ralls, Tx., $29,655.
James R. Wilson, Dalhart, Tex., $29,654.
E. O. Feagley, Littlefield, Tx., $29,653.
M. L. and W. M. Payne, Lamont, Ms., $29,651.
Koenig Aviation, Inc., Casa Grande, Az., $29,647.
Marion Swindler, Mott, N.D., $29,646.
Martin Farms, Inc., Yazoo City, Ms., $29,645.
Albertus Larson, Stromsburg, Ne., $29,645.
George H. Willis, Jr., Petersburg, Tex., $29,637.
Carl E. & George W. Mielke, Davenport, Wa., $29,630.
John E. Hair, Walla Walla, Wa., $29,630.
Wienke Bros., Idalou, Tx., $29,628.
Maley Land & Livestock Co., Thronton, Wa., $29,627.
Pearlie Lee, Billings, Mt., $29,627.
A. D. Reed, Ackerly, Tx., $29,626.
Pulltight Farms, East Prairie, Mo., $29,619.
Charles E. Bridewell, Montrose, Ar., $29,618.
H. J. McMillian, Mattson, Ms., $29,618.
Earl Vernon Hightower, Lamesa, Tx., $29,611.
Burnett Bros., Coalinga, Ca., $29,611.
Gries Seed Farms, Fremont, Oh., $29,611.
Hixon Guest, Oglethorpe, Ga., $29,610.
W. V. Struve, Hereford, Tx., $29,607.
Wier Bros., Greenwood, Ms., $29,605.
Don Joyner, Fieldton, Tx., $29,603.
George Smith, Whiteface, Tex., $29,600.
W. T. Pearson, Tyronza, Ar., $29,599.
Loren Warwick, Conrad, Mt., $29,596.
John E. Elsensohn, Pomeroy, Wa., $29,594.
Glenn and Sam Pfenning, ptnrs., Hobart, Ok., $29,589.
Glen Wagner, Vega, Tx., $29,581.
Sam Mariani, Ca., $29,579.
Ira F. Twist, Twist, Ar., $29,576.
Elmer Lewis, Olton, Tx., $29,575.
Roland Cross, Courtland, Al., $29,574.
Nichols Farms, Buckeye, Az., $29,573.
John Payne, Florence, Az., $29,572.
H. C. Wear, Tribune, Ks., $29,570.
W. C. Eubanks, Maple, Tx., $29,570.
W. L. Dickinson, Keytesville, Mo., $29,569.
W. H. Narrell, Loraine, Tx., $29,568.
L. E. Littlefield, Ralls, Tx., $29,568.
J. W. Easland and Son Inc., Gaylord, Mn., $29,567.
Haer Farms, Craig, Mo., $29,566.
Paul Melton, Stover, Ms., $29,565.
A. P. Childers, Muleshoe, Tx., $29,561.
Don Marble, South Plains, Texas, $29,559.
E. Brooke Lee, Damascus, Md., $29,556.
Wellman Farms Inc., La Porte City, Ia., $29,554.
Jeff Marsh & Sons, Sondheimer, La., $29,-554.
Vernon E. Eberhart, Deerfield, Ks., $29,553.
Marshall C. Huffman, Atoka, Tn., $29,551.
Geo. Noroian, Bksfld, Ca., $29,548.
J. M. Brown Pltg. Co., Leland, Ms., $29,541.
Melton Brothers, Inc., Tutwiler, Ms., $29,536.
Metz Rowe, Saragosa, Texas, $29,535.
Ivan L. Block, Hereford, Tx., $29,532.
Porter W. Carswell, Waynesboro, Ga., $29,528.
Grady Abernathy, Toney, Al., $29,528.
Sam B. Parham, Lamesa, Tx., $29,521.
Floyd Martin, Tarzan, Tx., $29,516.
H. W. Pierpoint, Yates Center, Ks., $29,515.
Vernon Harris,, Spur, Tex., $29,515.
Milton Vaughan, Blair, Ok., $29,513.
Bennie Newbill, Wildorado, Tx., $29,513.
Tom P. Moore, Jr., Vivian, La., $29,512.
F. Serrano, Legrand, Ca., $29,512.
Tillar & Co., Tillar, Ar., $29,511.
Raymon Hall, Morton, Tx., $29,509.
Royce Turner, Muleshoe, Tx., $29,508.
M. L. Rockwell, Wasco, Ca., $29,506.
Nichols & Wood, Coalinga, Ca., $29,504.
A. L. Parker, Montrose, Ga., $29,500.
Hancock Land Co., Warsaw, Il., $29,499.
James L. Sears, Pecos, Texas, $29,498.
Austin E. Anderson, Burlison, Tn., $29,497.
Robert J. Hayden, Goodland, Ks., $29,490.
Rainbow Ranches, Scottsdale, Az., $29,489.
Frank Destefano, Hearne, Tx., $29,482.
Ben Perrone, Hearne, Tx., $29,482.
Cehrry Creek Farm, Balmorhea, Tx., $29,481.
New Miami Coloney, Pendroy, Mt., $29,477.
Crawford Associated, Roswell, NM., $29,476.
Carl King, Dimmitt, Tx., $29,475.
Donald Christian, Farwell, Texas, $29,473.
R. C. Legrand, Coushatta, La., $29,470.
Dobesh Farms Inc., Wood River, Ne., $29,469.
Francis Tarum, Richland, Mt., $29,467.
Edwin Hendrickson, Cheyenne Wells, Co., $29,466.
Smith Brothers, Slaton, Tx., $29,465.
Edwin Chew, Imperial, Ca., $29,465.
Mark Knoop, Troy, Oh., $29,463.
C. D. Speer, Pixley, Ca., $29,462.
Rinehard Vogler, Seminole, Tx., $29,460.
Louis L. Welch, Friona, Texas, $29,457.
W. C. Passmore & Son, Clint, Tx., $29,456.
Wootan & Casey, Eloy, Az., $29,451.
James Buford Chambers, Ropesville, Tx., $29,447.
Andrew Sanders, Md. Bayou, Ms., $29,446.
Carter Farms, Carlsbad, NM., $29,443.
Edgar H. Cooper, Clovis, NM., $29,443.
Wales Ranches Inc., Queen Creek, Az., $29,443.
Wales Farms Inc., Queen Creek, Az., $29,443.
Rammell Brothers, Driggs, Il., $29,440.
W. R. Murrell, Gruver, Texas, $29,437.
Hillard Plantation, Lamont, Ms., $29,435.
Marion L. Russell, Garden City, Ks., $29,434.
C. A. Daugherty, Fluvanna, Texas, $29,433.
W. R. Nelson, Seagraves, Texas, $29,431.
M. J. Lake, Marianna, Ar., $29,430.
Jim Espy, Midland City, Al., $29,427.
Tom C. Lacey, Holly Springs, Ms., $29,426.
R. M. Jordan, Leary, Ga., $29,413.
Dahm Bros., Brawley, Ca., $29,410.
George Raabe, Marengo, Il., $29,405.
J. C. Mayo, Robstown, Tx., $29,400.
Geo Rohan, Panhandle, Tex., $29,399.
Jim Radle, Waco, Tx., $29,398.
Preston L. Lyda, Anton, Tx., $29,397.
James Sanderson, Springlake, Tx., $29,396.
Lawrence Miller, Holcomb, Ks., $29,395.
Gorringe Bros., Oakley, Id., $29,393.
Bruce W. Davis, Petersburg, Texas, $29,393.
Woodrow and Clark, Lordsburg, NM., $29,390.
Dan Wood, Sudan, Tx., $29,387.
James Gore, Sudan, Tx., $29,385.
F. D. Clayton, Earth, Tx., $29,385.
J. M. Russell, Jr., Holly Hill, S.C., $29,384.
Carlyle Whitworth, Batesville, Ms., $29,381.
Charles & Gayl Portwood Ptrs., Snyder, Ok., $29,376.
R. D. Jones, Jr., Brownfield, Tx., $29,375.
Jack Hattaway, Bluffton, Ga., $29,373.
Speck Bros., Frenchmans Bayou, Ar., $29,372.
W. W. Denton, III, Shelby, Ms., $29,366.
Ross Parkinson, Rexburg, Id., $29,365.
Don Sanders, Seagraves, Tx., $29,364.
Gerald Wright, Cassopolis, Mi., $29,360.
Geo. Ed Bennett, Hart, Tx., $29,359.
Wesley Webb, Abernathy, Tx., $29,355.
Green Valley Farms, Calipatria, Ca., $29,354.
Joe Keller, Blairsburg, Ia., $29,353.
Fred D. Bradshaw, Idalou, Tx., $29,350.
J. Calvin Rivers, Jr., Chesterfield, S.C., $29,346.
Eldred L. Mize, Crosbyton, Tx., $29,340.
Joe Barton, Hale Center, Tx., $29,338.
H. E. Harris, Taylorsville, Ga., $29,338.
Mary Inman Hipes, Amarillo, Tx., $29,334.
D. and S. Plant Co. Inc., Greenville, Ms., $29,327.
Herman Cockreham, Johnson, Ks., $29,327.
Sisk Farms, Inc., Marianna, Ar., $29,326.
R. F. Vandiver, New Market, Al., $29,324.
William L. White, Arapahoe, Co., $29,322.
Hans Nielson, Jackson, Mn., $29,322.
H. C. & H. C. Edens, Jr., Dalzell, S.C., $29,316.
G. Ray Sawyer, Hillsboro, Tx., $29,315.
Carl Boyd, Pullman, Wa., $29,313.
Bancroft Brothers, Power, Tx., $29,310.
Ryan Farms, East Grand Forks, Mn., $29,308.
Bill Moore, Seagrave, Tx., $29,307.
J. R. Briggs, Summerton, S.C., $29,295.
Luke Pryor, Tanner, Al., $29,290.
Leo M. Britten, Groom, Tx., $29,287.
Chas. E. Andrews, Dos Palos, Ca., $29,270.
John S. Williams, Pinehurst, Ga., $29,267.
Bilbo Pennington, Vance, Ms., $29,266.
M. A. Drewry, Edinburg, Tx., $29,265.
E. H. Tankersley, Jr., Obrien, Tx., $29,265.
Lamar Makamson, Sidon, Ms., $29,264.
Raymon Harris, McAdoo, Tx., $29,259.
Billy L. Marshall, Bovina, Tx., $29,258.
Ernest Pottorff, Stratton, Co., $29,254.
Braswell Farms, Shaw, Ms., $29,253.
Peter A. Farmer, Terre Haute, In., $29,252.
B. B. Pettit, Bloomingburg, Ohio, $29,248.
Warren McCulley, McFarland, Ca., $29,246.
Frank Schulte, Okarche, Ok., $29,244.
Joe Clark, Jr., Texico, N.M., $29,243.
F. C. Thompson, Shorter, Al., $29,237.
Jessie Russell, Itta Bena, Ms., $29,236.
Glendale Colony, Frankfort, S.D., $29,234.
Charles R. Cutler, Elsie, Ne., $29,231.
Lewis Reedy, Floydada, Tx., $29,226.
Dick Diehl, Stratford, Tx., $29,226.
R. W. McClure, Kress, Tx., $29,217.
James R. Davis, St. John, Wa., $29,216.
George Wade, Jr., Littlefield, Tx., $29,215.
Kenneth Ramsay, Waveland, In., $29,214.
Ed Wilkins, Tranquillity, Ca., $29,202.
Elzie Jones, Clovis, N.M., $29,199.
Buck Brinson, Millen, Ga., $29,197.
Rockdale Farms, Edwall, Wa., $29,194.
Joe Tarbet, Levelland, Tx., $29,190.
Lillie E. Mayfield, Sherman, Il., $29,186.
Rayphard Smithson, Dimmitt, Tx., $29,182.
W. Alex Hinson, Bville, S.C., $29,179.
Frank B. Seale, Bryan, Tx., $29,179.
Donal Akin, Petersburg, Tx., $29,165.
Neill Hodges, Andersonville, Ga., $29,164.
Quentin Rogers, Artesia, N.M., $29,162.
Draper and Sons, Tahka, Tx., $29,158.
Albert Day, Gunnison, Ms., $29,157.
Lineweaver Farms, Inverness, Mt., $29,155.
R. W. Byrd, Parkin, Ar., $29,152.
Patterson Bros., Merigold, Ms., $29,151.
Dewey E. Wells, Jr., Ralls, Tx., $29,148.
Robert Kirkland, Coolidge, Az., $29,147.
Sam Pendergrass, Arcola, Ms., $29,146.
Glenn Hillman, Seminole, Tx., $29,138.
Daley Enterprise, San Diego, Ca., $29,137.
Harley Bussanmas, Littlefield, Tx., $29,134.
G. L. Shepard, Oak Ridge, La., $29,131.
R. M. Hornor, Helena, Ar., $29,125.
Henry Hemphill, Leland, Ms., $29,121.
E. Herring Est., Amarillo, Tx., $29,121.
Telander Bros., Georgetown, Tx., $29,118.
Edward Trotter, Greenville, Ms., $29,118.
W. T. Dixon, Eudora, Ar., $29,116.
John Teixeira, Dos Palos, Ca., $29,115.
C. B. Shiflet, Collidge, Az., $29,114.
Fletcher Bros. Inc., Gruver, Tx., $29,113.
John J. Prigge, Ulysses, Ne., $29,112.
Jack Williams, Hereford, Tx., $29,109.
Ladell S. Wood, Buckeye, Az., $20,099.
Marion I. Vance, Tempe, Az., $29,095.
Ed Hall, Sublette, Ks., $29,093.
Marston G. Mars, Friona, Tx. $29,091.
Lee Selnes, Alvarado, Mn., $29,088.
G. Ivory Edlin, Channing, Tx., $29,087.
James C. Woods, Grady, Nm., $29,086.
J. A. Harris, Duncan, Ms., $29,084.
Clyde Whistle, Osceola, Ar., $29,084.
John F. Everett, Bennettsville, S.C., $29,084.
W. C. Handel & Sons Inc., Shafter, Ca., $29,081.
Richard E. Despain, Winona, Wa., $29,077.

Lowell Wier, Canton, Il., $29,072.
The Wolfe Co., Duncan, Ms., $29,068.
Ray Carter, Rule, Tex., $29,066.
Joe S. Campise, Bryan, Tx., $29,062.
Robert Andrews, Prosser, Wa., $29,062.
O. R. Collins, Jr., Belvidere, Tn., $29,060.
Dalton K. Caffey, Friona, Tx., $29,060.
E. P. Rainey & Sons, Tyronza, Ar., $29,058.
Y. B. Gore, Europe, Ms., $29,054.
D. T. Northcutt, Silverton, Tx. $29,052.
Bob Richter, Hannibal, Mo., $29,049.
Harold Storie, Silverton, Tx. $29,048.
Graham Brothers, Tulia, Tx., $29,045.
Jerry B. Barrier, Yazoo City, Ms., $29,043.
Lawrence Jamerson, Bovina, Tx. $29,041.
Mike Columbus, Harris, Ok., $29,040.
A. Bodeau and Sons, Wilbur, Wa., $29,040.
Louis S. Reimers, Carrington, Nd. $29,037.
Clarence E. Basinger, Southland, Tx. $29,035.
Fred P. Henderson, Ninety Six, S.C., $29,034.
C. J. Hammond, Itta Bena, Ms., $29,031.
C. E. Thetford, Lubbock, Texas, $29,024.
Hester Parker, Marked Tree, Ar., $29,023.
C. Valpredo, Bakersfield, Ca., $29,022.
Rose F. Denena, Hearne, Tx., $29,019.
Hubert Robertson, Indianola, Ms., $29,014.
John Raile, Edson, Ks., $29,013.
Kurt F. Ullman, Lancaster, Ca., $29,012.
Joe Paul Cobb, Clovis, NM, $29,010.
Wayne Van Duzer, Mason City, Ia., $29,010.
Howard H. Webb, Sinton, Tx., $29,008.
Charles E. Wright, Eloy, Az., $29,007.
Tommie Drake, Anderson, SC, $29,004.
Marion H. Carson, Bovina, Texas, $28,998.
Harold R. Clayton, Toppenish, Wa., $28,998.
Roy Lee Ellis, Crosbyton, Tx., $28,997.
Lauber Seed Farms, Geneva, Ne., $28,997.
Jack Barnes, Chandler, Az., $28,994.
Robert D. Williams, Glen Flora, Tx., $28,993.
Byron Gwyn, Muleshoe, Tx., $28,991.
John C. Lindsey, Sr., Caldwell, Ar., $28,982.
W. Frank Howell, Windom, Te., $28,980.
L. F. Campbell, Tulia, Tx., $28,979.
Eulan A. Parham, Muleshoe, Texas, $28,978.
Leon Crigler, Crenshaw, Ms., $28,977.
Bob Light, Collinsville, Tx., $28,972.
Earl Anderson, Anton, Co., $28,970.
Paul L. Gray, Holcomb, Ms., $28,969.
Ennis B. Tudor, Pecos, Tex., $28,968.
Wm. J. Bevis, Scott, Ar., $28,967.
Bill Lindamood, Tiptonville, Tenn., $28,966.
Fred Woodall, Eudora, Ar., $28,965.
E. C. Barnett, Marana, Az., $28,964.
Leigh Warner, Cimarron, Ks., $28,963.
F. O. Barnes, Coolidge, Az., $28,956.
Earl D. Lewis, Levelland, Tx., $28,954.
C. M. McMullen, Monroe, La., $28,953.
James Mooring, Tiptonville, Tenn., $28,953.
Artie Edlin, Waterford, Ms., $28,949.
Earl Patrick, Rayville, La., $28,944.
Delis Farms, Bakersfield, Ca., $28,940.
Fred A. Smith, Olton, Tx., $28,937.
H. E. Mowry, Levelland, Tx., $28,936.
Overholt Brothers, Pville, Ca., $28,933.
Gilbert J. Moore, Jr., Longview, Tx., $28,932.
Glenn D. Cummings, Dalhart, Tx., $28,932.
Russell C. Cummings, Dalhart, Tx., $28,932.
C. D. Brown & Sons, Inc., Hughes, Ar., $28-930.
J. M. Dellinger, Jr., Alice, Tx., $28,930.
J. C. Ribeiro & Sons, Tulare, Ca., $28,929.
J. T. Fullington, Unadilla, Ga., $28,929.
E. B. Mohr, Dallas, Tx., $28,925.
J. J. Griffin, McAdoo, Tx., $28,924.
H. R. Crosby, Pavo, Ga., $28,922.
L. C. Sanders, Hamilton, Ms., $28,922.
John Joe Kirchoff, Plainview, Tx., $28,921.
W. A. Dunaway and Son, Hollandale, Ms., $28,920.
Chester E. James, Kanorado, Ks., $28,920.
Joyce H. Gray, Guymon, Ok., $28,916.
Forrest L. Smith, Coolidge, Ks., $28,915.
Weldon Hammonds, Floydada, Tx., $28,907.
G. Taylor & T. Fortenberry, Lockney, Tx., $28,905.
C. C. Whittington, Shreveport, La., $28,901.
W. E. Latimer, Sudan, Tx., $28,892.
J. W. Jenkins, Jr., Palacios, Tx., $28,886.
Hiram Whitaker, Fabens, Tx., $28,883.
H & L Barnett, Inc., Pendleton, Or., $28,-881.
J. R. Taylor, Pace, Ms., $28,879.
Homsher Farms and Ranches, Springfield, Co., $28,878.
Aubrey Shotton, Eads, Co., $28,875.
Evan O. Koller, Weston, Id., $28,871.
Frank R. Meier, Texico, N.M., $28,867.
D. W.-R. D. Teague, Intake, Mt., $28,886.
Ralph Powell, Rayville, La., $28,863.
A. A. Banks, Tyronza, Ar., $28,862.
Edward L. Turner, Quanah, Tx., $28,857.
Elmer L. Hargrove, Farwell, Tx., $28,856.
W. T. Hughs, Syracuse, Ks., $28,851.
Anderson Bros., Oakley, Id., $28,851.
Betty Bros., Perryton, Tx., $28,851.
Virgil Wood, Morton, Tx., $28,848.
Earl E. Abernathy, Altus, Ok., $28,845.
Buford Qualls, Clovis, N.M., $28,845.
Bobby Joe Harlan, Slaton, Tx., $28,839.
M. L. Gower, Leland, Ms., $28,835.
Keith Pollock, Edinburg, Tx., $28,834.
John Hild, Hanford, Ca., $28,830.
Raymond Davis, Pinehurst, Ga., $28,829.
C. C. Harvey, Morton, Tex., $28,824.
Doyle Stevens, Garland, Ar., $28,818.
Rozella M. Van Brunt, Johnson, Ks., $28,-808.
Billy W. Evans, Kress, Tex., $28,808.
L. A. Browne, Colorado City, Tex., $28,807.
T. J. Maples, Crockett, Tex., $28,799.
Arthur R. Mai, Sharon Springs, Ks., $28,797.
Chickasaw Oil Mill, Inc., Lepanto, Ar., $28,794.
T. D. Keels, Sumter, S.C., $28,792.
C. R. Logan, Jr., Tchula, Ms., $28,789.
Lonnie Bell, Dimmitt, Tex., $28,786.
Lamar Prescott, Waynesboro, Ga., $28,784.
John T. Patterson, Wolfforth, Tex., $28,782.
R. Paul Cocking, Colfax, Wa., $28,781.
James H. Richbourg, Summerton, S.C., $28,779.
McRoberts & Jacobsen Bros., Canyon, Tex., $28,777.
Mae Belle Crouse, Burlington, Co., $28,777.
Charles E. Sanders, Ralls, Tex., $28,776.
Slaughter Farms, Ft. Worth, Tex., $28,774.
John D. Burrow, Keyes, Ok., $28,774.
Ronald Wolf, Walnut, Il., $28,774.
Jay Lee Touchstone, Dimmitt, Tex., $28,774.
Kenneth Christie, Summerfield, Tex., $28,770.
Patrick Talla, Stanfield, Az., $28,769.
Adobe Ranch, Madera, Ca., $28,769.
Whelchel & Whelchel, Cordele, Ga., $28,768.
Craig Planting Co., Scott, Ar., $28,768.
Ira Scott, LaCrosse, Wa., $28,767.
Catherine C. Whittenburg, Levelland, Tex., $28,767.
W. G. Gwin, Tchula, Ms., $28,764.
Ford Underwood, Perris, Ca, $28,761.
C. E. Shepard, Oak Ridge, La., $28,759.
Hugh L. Gleszl, Gilbert, Az., $28,757.
J. R. Belt, Jr., Farming, Inc., Lockney, Tex., $28,757.
Arnold Schields, Goodland, Ks., $28,756.
Smith Keller, Lubbock, Tex., $28,755.
Gerard Farms, McClure, Il., $28,751.
C. B. Gallimore, Crosbyton, Tex., $28,750.
Elza Gwaltney, Gages Lake, Il., $28,749.
Bob Erle Clark, Mer Rouge, La., $28,749.
Eslick Farms, Dayton, Wa., $28,746.
Diehl Ranch Co., East Helena, Mt., $28,740.
McLean Bros., Lewis, Ks., $28,739.
J. V. Kuttler, Tribune, Ks., $28,739.
W. V. Brannen, Unadilla, Ga., $28,738.
Morgan Johnson, Rio Vista, Ca., $28,738.
Herman Ridder, Burlington, Co., $28,733.
W. C. Haynes, Greenwood, Ms., $28,732.
George W. Bowles, Inverness, Ms., $28,732.
Elam Smith, Eutaw, Al., $28,731.
Joseph Turecek Est., Byers, Co., $28,731.
Forrest Cox, Sublette, Ks., $28,728.
Harold Jackson, Cordele, Ga., $28,728.
J. A. Earnheart, Nesbit, Ms., $28,722.
Sam S. Fisher, Jr., Vaughan, Ms., $28,717.
Frank J. Dautremont, Lecompte, La., $28,711.
John W. West, Blytheville, Ar., $28,710.
Ramon Armstrong, Ennis, Tx., $28,710.
Troy Christian, Farwell, Tx., $28,708.
F. O. Griffin, Jr., Telena, Ar., $28,706.
F. W. Sharbrough, Holly Bluff, Ms., $28,696.
Pirani Brothers, Marion, Ar., $28,696.
Swen E Carlson, Jamestown, Ks., $28,690
Peter Sittner, Lemmon, S.D., $28,687.
Jack Davis, Pecos, Tx., $28,685.
Marvin Gibbs, Dalhart, Tx., $28,685.
Bernard O'Neil, Wauneta, Ne., $28,679.
W. G. Foshee, Jr., Red Level, Al., $28,675.
Robert M. Flynn, Keota, Ia., $28,670.
T. O. McLemore, Montgomery, Al., $28,670.
Davis and Young, Money, Ms., $28,670.
Richard Cromer Farm, Osceola, Ar., $28,660.
W. A. Welshans, Rosedale, Ms., $28,657.
Birkeland & Son, Inc., Fort Benton, Mt. $28,656.
James G. Outlaw, Silver City, Ms., $28,655.
Charles Donald, Goodman, Ms., $28,652.
Van Newell, Tekamah, Ne., $28,652.
Joe Nelson, Dimmitt, Tx., $28,652.
William R. Huey, Sandborn, In., $28,651.
Dwayne Blankenship, Washtucna, Wa., $28,646.
Frank Bass, Plainview, Tx., $28,641.
Lueking Farm & Ranch Corp., Oxford, Ne., $28,639.
Charles Lucas, Johnson, Ks., $28,638.
B. P. Davis, Clovis, N.M., $28,638.
Johnny M. Goodwin, Sunray, Tx., $28,637.
Beanland & Sons, Gould, Ok., $28,636.
Gulbant S. Gil & Sons, Inc., Clint, Tx., $28,-635.
Orville Wolf, Rock Port, Mo., $28,635.
Frasier Farms, Sharon Springs, Ks., $28,634.
Ross D. Waters, Rio Hondo, Tx., $28,634.
Orval F. Parker, Inc., Arriba, Co., $28,633.
Herbert Jones, Melrose, N.M., $28,630.
Dan Palmer, Jr., Camilla, Ga., $28,630.
C. A. Moore, Odonnell, Tx., $28,629.
Williams Farm & Ranch Corp., Grady, N.M., $28,622.
Vasby Farms, Cambridge, Wi., $28,621.
Leon W. Rice, Bentonia, Ms., $28,617.
Wayland F. Taylor, Odonnell, Tx., $28,617.
V. W. McGee, Lamesa, Tx., $28,610.
Mabry Foreman, Felt, Ok., $28,608.
Babb & Deline, Charleston, Mo., $28,607.
Harmon Mills, Seagraves, Tx., $28,606.
J. B. Morgan, Little Rock, Ar., $28,605.
John Bogestad, Karlstad, Mn., $28,603.
Jack D. Jones, San Joaquin, Ca., $28,602.
Carlton Ikard, Madison, Al., $28,598.
C. E. Hobgood Est., Lubbock, Tx., $28,597.
Frederick L. Schuster, Gower, Mo., $28,597.
Orval Boyd, Hale Center, Tx., $28,590.
Fleetwood Farms, Amarillo, Tx., $28,585.
W. R. Arnall, Luthersville, Ga., $28,583.
Carson Pellgrin, Clarksdale, Ms., $28,581.
Glorfield Bros., Jack & Benny, St. John, Wa., $28,581.
Alton Faulkenberry, Seagraves, Tx., $28,-580.
Hall Growers, Inc., Lodi, O., $28,577.
Billy Kirk, Crosbyton, Tx., $28,572.
Marlon Farms, Jonestown, Ms., $28,570.
Harold W. Hudgins, Hartley, Tx., $28,568.
A. B. Hefly, Springfield, Co., $28,565.
Emmett, Jobe, Queen Creek, Az., $28,563.
C. O. Gulledge, Wedgefield, S.C., $28,562.
Kenneth Hiniker, Mankato, Mn., $28,562.
Clifford L. Smith, Lyford, Tx., $28,560.
Verle Little, Hebron, In., $28,559.
John & Leroy Whitener, Hayti, Mo., $28,559
J. B. Killian, Wellington, Tx., $28,557.
A. W. Blalock, Whiteville, Tenn., $28,554.
L. E. Pryor, Newington, Ga., $28,553.
Forrest Binder, Table Rock, Ne., $28,552.
Francis Schreibvogel, Garden City, Ks., $28,552.
Lane Brothers, Dexter, Mo., $28,547.
Arnold Hodges, Floydada, Tx., $28,547.
Kenneth Artho, Hereford, Tx., $28,546.
McDonald Farms, Inc., Madison, Al., $28,-544.
Matt Morello, Bryan, Texas, $28,543.
John Boyd Mcmahan, Altus, Ok., $28,543.
Keith Sherburne, Humboldt, Ne., $28,541.
Allen D. Goodwin, Paducah, Tx., $28,540.

Willard Haynes, Chowchilla, Ca., $28,537.
Thomas W. Gregory, Muleshoe, Tx., $28,537.
Paul Onstad, Carter, Mt., $28,535.
Everhope Pltn, Chatham, Ms., $28,527.
Lester Nixon, Combes, Tx., $28,527.
M. L. Aven, Hart, Tx., $28,526.
Coy M. Daffern, Tulare, Ca., $28,522.
Paul Keelan & Sons, Navasota, Tx., $28,522.
John Wanken, Chester, Mt., $28,522.
Wendel, Inc., El Campo, Tx., $28,517.
Eldon Kee, Jr., Yates Center, Ks., $28,517.
Donald A. Borth, Dalhart, Tx., $28,515.
A. C. Brorman, Hereford, Tx., $28,510.
H. H. Driggs Dairy, Palmyra, Mi., $28,510.
Ray Reiss, Tulia, Tx., $28,510.
James Knott, Endicott, Wa., $28,509.
H. W. Howze, Jr., Sledge, Ms., $28,507.
A. A. Whitten, Nesbit, Ms., $28,507.
Dan Taylor, Noblesville, In., $28,505.
L. Raviscioni Farms, Waukena, Ca., $28,504.
T. W. Stockton, Jr., Crosbyton, Tx., $28,500.
Paul Wagner & Sons, Pampa, Tx., $28,497.
Raymond Cook, Glendale, Az., $28,497.
Odus Hastings, Dimmitt, Tx., $28,496.
Rodney Hughes, Olustee, Ok., $28,496.
Dan Valentine, Whiteface, Tex., $28,495.
Paul H. Landis, Moscow, Id., $28,494.
Oscar Homer Jones, Jr., Wabbaseka, Ark., $28,491.
Emerson L. Eby, Kennewick, Wa., $28,490.
Kimble, Makamson, Sidon, Ms., $28,489.
B. H. Tucker, Morton, Tx., $28,488.
Palmer & Dowell, Levelland, Tx., $28,488.
Sam Floyd, Sr., Danville, Ga., $28,485.
Thurman Skains, Brownfield, Tx., $28,483.
F. H. Schneider, III, Lake Providence, La., $28,480.
Vernal Zeissel, Munday, Texas, $28,477.
William H. Moore, Gates, Tn., $28,477.
E Bar Cattle Co., Lamesa, Tx., $28,475.
Perfection Farms, Chicago, Il., $28,474.
C. E. Buchanan, Morton, Tx., $28,473.
Chas. Veigel Est., Hereford, Tx., $28,465.
F. R. Armstrong, Gunnison, Ms., $28,464.
R. G. Buckelew, Tucson, Az., $28,462.
Richard Ista, Fargo, N.D., $28,461.
James E. Steffey, Anton, Tx., $28,461.
Robert Gammill & Son, Tyronza, Ar., $28,460.
Clyde E. Buck, Eads, Co., $28,460.
Mallet Ranch, Lubbock, Tx., $28,456.
Samuel E. Wade, Egypt, Ms., $28,455.
M. D. McClanahan Somerville, Tenn., $28,453.
Florence Averill, Madera, Ca., $28,452.
J. W. Glassell, Belcher, La., $28,451.
Springdale Colony, Wht. Slphr. Spg., Mt., $28,450.
Ralph Wesley Williams, Lamesa, Tx., $28,448.
Howell L. McCleskey, Dalhart, Texas, $28,445.
Gordon and or John Kammerzell, Chester, Mt., $28,444.
T. V. Ligon, Lane, S.C., $28,440.
W. G. Joiner, Unadilla, Ga., $28,439.
L. L. Minor Sr., Butler, Ga., $28,439.
R. T. Landrum Hughes, Ar., $28,437.
Ira Brown, Morton, Tx., $28,437.
N. B. Loadholt, Fairfax, S.C., $28,434.
Grosvenor Farms, Inc., Holly Bluff, Ms., $28,434.
Neil Wood, Littlefield, Tx., $28,434.
Shiba & Kakuda Farms, Mission, Tex., $28,432.
Frank Mardis, Monroe, La., $28,430.
Don A. Nelson, Tulia, Tx., $28,426.
G. A. Burrell Amarillo, Tx., $28,425.
Lewis A. Oaks, Lyford, Texas, $28,420.
A. P. Edwards, Lubbock, Texas, $28,420.
James Printy Jr., Morocco, In., $28,417.
John L. White, New Holland, Il., $28,413.
William J. Brazil Anton, Texas, $28,408.
W. E. Meredith, Lyon, Ms., $28,407.
J. W. & Bob Smith, Cut Bank, Mt., $28,406.
Kenneth Owsley, Walla Walla, Wa., $28,402.
Jake Jones, Kress, Tx., $28,401.
Calvin W. Kinard, Ninety Six, Sc., $28,401.
Charles Hoover, Hereford, Tx., $28,401.
Sorrell Bruce Wesson, Glencoe, Al., $28,398.
Jack Witherspoon Farms, Inc., Alcolu, Sc., $28,394.
Rolla J. Sailor, Jr., White Deer, Tex., $28,387.
H. L. Ford, Hamlin, Tx., $28,382.
Francis Schulz, Buckeye, Az., $28,381.
Quentin Redinger, Olton, Tx., $28,380.
W. A. Pepper, Belzoni, Ms., $28,379.
Wesley Thomas, Huntsville, Al., $28,378.
L. L. Rhodes, Lockney, Texas, $28,372.
Bill Marx, Haswell, Co., $28,369.
Billy N. Cantwell, Harlingen, Tx., $28,368.
Edward E. Wiatt, Lakin, Ks., $28,368.
H. T. Rea, Inc., Walla Walla, Wa., $28,367.
James R. Reynolds, Dalhart, Texas, $28,367.
Douglas Aklestad, Galata, Mt., $28,364.
Richard S. Cole, Amory, Ms., $28,363.
A. A. Werner, Poplar, Mt., $28,357.
John E. Morgan, Plum, Tx., $28,356.
Carpenter Farms, Inc., McCamey, Tx., $28,356.
E. D. Barnett, Plain Dealing, La., $28,353.
Archer Farm, Wright, Ar., $28,350.
John R. Franklin, Hayti, Mo., $28,348.
Felt Farms, Albion, Mi., $28,347.
Terrell T. McGee, Lockhart, Tx., $28,343.
Patterson Planting Co., Benoit, Ms., $28,342.
Huddleston Farms, Inc., Lamont, Ms., $28,337.
Maury R. Harris & Sons, Inc., Sledge, Ms., $28,331.
Richard Lawson, Levelland, Tx., $28,323.
Victor Martin, Kress, Tx., $28,320.
Robert Graves, Tallulah, La., $28,319.
Ray Cook, Wilson, Texas, $28,319.
M. K. White, Arapahoe, Co., $28,317.
Evans Brothers, Laurinburg, Nc., $28,317.
Bruce Norton, Pine Bluff, Ar., $28,314.
W. B. Andrews, Leland, Ms., $28,311.
Hermosa Farms, Inc., Pecos, Tx., $28,305.
Gar Ran, Inc., Walla Walla, Wa., $28,304.
Benjamin A. Rose, Moulton, Al., $28,304.
E. M. Ott, Crawfordsville, Ar., $28,303.
J. E. Turner, Mayesville, S.C., $28,302.
Melvin L. Kleweno est., Endicott, Wa., $28,302.
J. C. Jones, Smithville, Ga., $28,301.
Bayne Ethridge, Forkland, Al., $28,301.
Wallace Hayes, Rockland, Id., $28,300.
Frank McClure, Imperial Rt., Garden City, Ks., $28,299.
Vandenberg Bros., Dos Palos, Ca., $28,299.
W. E. McPherson, Plainview, Tx., $28,297.
Aubuchon Farms, Genevieve, Mo., $28,288.
Clayton Lowder, Sumter, S.C., $28,285.
W. S. Hamer, Dyersburg, Tn., $28,279.
Friehe Farms Inc., McCook, Ne., $28,278.
James A. Raben, Ridgway, Il., $28,275.
Laurence Clemence, Abilene, Ks., $28,274.
Robert G. Davis, Altus, Ok., $28,273.
R and D Farms, Francesville, In., $28,272.
V. L. Sandifer, Hollandale, Ms., $28,270.
E. J. Lander and Co., Grand Forks, N.D., $28,266.
Morris C. Merwin, Haynes, N.D., $28,264.
John C. Bickley, Elloree, S.C., $28,262.
Kenneth Staniford, Pecos, Tx., $28,252.
David S. Enger, Lubbock, Tx., $28,252.
Eugene Sizemore, Boise City, Ok., $28,250.
Lloyd Cline, Lamesa, Tx., $28,250.
John E. Frost, Happy, Tx., $28,247.
Raymond C. Jones, Mercedes, Tx., $28,245.
Tx. Gr. Stg. Co., Plainview, Tx., $28,245.
Elijah B. Adams, Harlingen, Tx., $28,244.
J. C. Haney, Drew, Ms., $28,241.
Walter Graham, Happy, Tx., $28,240.
Harrison Farms, Thomson, Ga., $28,238.
S.N.M.M. Farm Corp., Andrews, Tx., $28,232.
Elmo Adair, Brownfield, Tx., $28,232.
Carl M. Prewitt, Benoit, Ms., $28,229.
M. B. Whitten, Avalon, Ms., $28,224.
H. H. Howington Jr., Lake Providence, La., $28,222.
James P. Scholl, Trimont, Mn., $28,220.
Russell G. Houston, Holly Spring, Ms., $28,218.
Walter Armstrong, Brule, Ne., $28,216.
Dotzenrod Bros., Wyndmere, N.D., $28,215.
Gene Daves, York, S.C., $28,212.
Ohlendorf Farms, Osceola, Ar., $28,210.
Grady Williams, Walnut Grove, Ms., $28,209.
D. J. Rowland, Reedley, Ca., $28,206.
Floyd E. Tomlinson, Canyon, Tx., $28,204.
Willis Brothers, Arnaudville, La., $28,203.
J. H. Dunbar, Farwell, Texas, $28,202.
Claude F. Harris, Plainview, Tx., $28,201.
Notestines, Inc., Scott City, Ks., $28,199.
Theron Culwell, Tulia, Texas, $28,197.
Tony and Larry Fratesi, Leland, Ms., $28,197.
King Creek Graz Assn., Bancroft, Id., $28,196.
Carrel Dennington, Star Route, Clovis,vx:fi
Frank Duvall, Granada, Co., $28,188.
Edward E. Billings, San Benito, Tx., $28,188.
Vernon Huck, Coldwater, Ks., $28,181.
L. L. Dutton & Son, Moscow, Ar., $28,179.
H. W. Harmon, Clovis, N.M., $28,173.
John C. Hendon, Shaw, Ms., $28,171.
James Kellerman, Romney, In., $28,168.
Tony Morris, Friars Point, Ms., $28,167.
Waller E. Wedgeworth III, Akron, Al., $28,166.
Austin Oneil, Jr., Hale Center, Tx., $28,164.
Charles E. Trimble, Vovina, Texas, $28,157.
Edward Weaver, Clare, Il., $28,155.
Oliver Skari, Chester, Mt., $28,154.
Vernon Lovvorn, Stamford, Tx., $28,154.
Carvalho Farms., Inc., Tranquillity, Ca., $28,154.
Freeman Nichols, Forrest City, Ar., $28,153.
U. O. Hobgood, Abernathy, Tx., $28,152.
Robert Lee Scarborough, Eastover, S.C., $28,152.
Chip Franklin, Jr., Helena, Ar., $28,151.
Schaaf Farms, Randolph, Ia., $28,149.
L. Don Anderson, Crosbyton, Tex., $28,147.
G. I. Sims, Brownfield, Tx., $28,146.
Lerno Bros., El Centro, Ca., $28,145.
Winfred Barron, Athens, Al., $28,141.
J. R. Knouff, Town Creek, Al., $28,139.
Gorden Dement, Indianola, Ms., $28,138.
B. E. Dunaway, Unadilla, Ga., $28,137.
James and Joe Fanfulik, Angus, Mn., $28,133.
Bruce Nedrow, Fairmont, Ne., $28,130.
Manos Evans, Washington, In., $28,130.
Aden Michael Sprinkle, Plainville, In., $28,128.
Sam E. Dixon, Jr., Vaughan, Ms., $28,122.
Lundy Bros., Cruger, Ms., $28,117.
Morrison Bros. Company, Greensboro, Al., $28,114.
Buckmeadow Plantation, Lake Providence, La., $28,107.
W. G. Ikard II, Mesquite, NMex., $28,102.
Destefani Farms, Inc., Bakersfield, Ca., $28,100.
Fred Walkemeyer & Son, Hugoton, Ks., $28,099.
John F. Shackelford, Jones, La., $28,095.
R. D. Wilmans & Sons, Co., Diaz, Ar., $28,095.
James A. Evans, Tahoka, Tx., $28,090.
G. C. Brown, Hereford, Tx., $28,089.
J. G. Wreden, Raymondville, Tex., $28,088.
Joe Myers, Colfax, Wa., $28,082.
A. F. Hueftle, Oakley, Ks., $28,079.
Harold Burnett, Guntersville, Al., $28,079.
Clarence Dutton & Son, Grady, Ar., $28,077.
Roy Browder, Sunray, Tx., $28,075.
J. L. Miller, Jr., Abernathy, Tex., $28,073.
Pat R. Dunaway, Rolling Fork, Ms., $28,071.
Troy Huckabay, Kingsburg, Ca., $28,069.
Jack Keahey, Columbia, La., $28,068.
John B. Wilson, Joiner, Ar., $28,065.
T. M. Lawson, Tulia, Tex., $28,063.
W. E. Crasswell, Yazoo City, Ms., $28,060.
John D. Banta, Lamesa, Tex., $28,055.
Loebsack & Sons, Waterville, Washington, $28,053.
Ashley D. Youngblood, Harlingen, Tex., $28,052.
Walter R. Riethmayer, Friona, Tex., $28,051.
Anson Bowers, Clovis, N.M., $28,050.
Joe Byron Burford, Texico, NMex., $28,048.
C. D. & Don Seedorf, Yuma, Co., $28,047.
Glenn Black, Athens, Al., $28,047.

Porter Estate Co., San Francisco, Ca., $28,046.
Yearwood Bros., Shreveport, La., $28,046.
I. W. Whittington, Jr., Benton, La., $28,042.
Ray C. Jones, Jr., Mercedes, Tex., $28,041.
D. S. Davis, Swansea, S.C., $28,037.
Oliver Harmel, Plainview, Tex., $28,032.
Hubert Haynes, Lambert, Ms., $28,032.
James W. Sales, Ralls, Tex., $28,029.
Omer D. Lindsey, Lubbock, Tex., $28,029.
Charles Wright, Canyon, Tex., $28,027.
M. R. Warner & Son, Inc., Wagener, S.C., $28,027.
Lauren J. & Bill J. Roe, Superior, Ne., $28,027.
B. Moorman and B. F. Watson, Dublin, Ga., $28,018.
Aubrey Howell, Arlngtn, Tx., $28.018.
W. A. Dabbs, Mayesville, S.C., $28,014.
Robert L. Hawkins, Hart, Tx., $28,013.
Stanley McDaniel, Tolleson, Az., $28,011.
Willie Steffey, Littlefield, Tx., $28,006.
Thomas H. Vann, Capshaw, Al., $28,006.
Lester Gummow, Rockton, Il., $28,005.
Cordell and Cordell, Glen Allan, Ms., $28,004.
Charles D. Ware, Rayville, La., $27,996.
Thomas E. Kuznia, Stephen, Mn., $27,991.
B. J. Smith, Lovington, N.M., $27,986.
Leon Crain, Aline, Ok., $27,985.
Koetting Bros., Adrian, Tx., $27,985.
Owen Benn, Abernathy, Tx., $27,984.
Ellington Massey, Lyon, Ms., $27,981.
J. E. Neeley, Lamesa, Tx., $27,981.
W. W. Riggers & Sons, Craigmont, Id., $27,978.
Turpin Vise, Greensboro, Al., $27,977.
Ernest Harris, Las Cruces, N.M., $27,973.
M. H. Wagner, Brownfield, Tx., $27,971.
Roberts Brothers, Moorhead, Ms., $27,968.
McGuire & Sons, Inc., Blytheville, Ar., $27,965.
Leroy Robison, Sunray, Tx., $27,960.
Baur Farms, Inc., Van Meter, Ia., $27,959.
Acuff Farms, Ropesville, Tx., $27,959.
William P. Wreden, Palo Alto, Ca., $27,957.
Howard Fuqua, Wildorado, Tx., $27,955.
Dixie Stock Farms, Sonora, Ky., $27,954.
Jimmie Heard, Bovina, Tx., $27,951.
L. T. Porter, Mathis, Tx., $27,951.
Harold Park, Lincoln, Il., $27,949.
Morrison Farms, Inc., Yazoo City, Ms., $27,948.
Sunny Ann Farms, Inc., Stephensville, Tx., $27,947.
Frank Erwin, Adairsville, Ga., $27,945.
Wallace Deschamps, Wisacky, S.C., $27,945.
Leo Zimmerer, Bushland, Tx., $27,943.
J. C. Claborn, Courtland, Al., $27,943.
R. C. Colvin, Greenwood, Ms., $27,943.
James L. Beckham, Inverness, Ms., $27,941.
Ralph F. Wade, Littlefield, Tx., $27,939.
Norris Hill, Indianola, Ms., $27,932.
Mound Planting Co., Memphis, Ar., $27,931.
Kuehler Farms, Amarillo, Tx., $27,931.
Shayne Linderman, Rexburg, Id., $27,930.
Kludt Brothers, Kendall, N.Y., $27,929.
A. S. Rocconi, Lake Village, Ar., $27,917.
Edward Moseley, Slaton, Tx., $27,913.
Ed Richardson, Reynolds, Ga., $27,904.
O'Connor Brothers, Fairmont, Ne., $27,903.
Robert K. Brooks, Tulia, Tx., $27,893.
Barry Richardson, Marston, Mo., $27,891.
Jay Kay Ranch, Pearsall, Tx., $27,891.
Gilbert Potadle, Herman, Ne., $27,886.
Henry F. Backer, Chandler, Az., $27,884.
Hollis Isbell, Tuscumbia, Al., $27,883.
John Tolmachoff, Glendale, Az., $27,881.
Neil Watson, Maxton, N.C., $27,881.
Clyde Ward and Sons, Baker, Or., $27,871.
A. L. Andrews, Leland, Ms., $27,868.
Bobby B. Jones, Slaton, Tx., $27,867.
James E. Garrett, Clovis, N.M., $27,866.
Jack F. Phillips, Yazoo City, Ms., $27,863.
Gene T. Fleming, Minter City, Ms., $27,862.
T. G. Kirkendall, Crosbyton, Tx., $27,859.
True H. Rosser, Jr., Petersburg, Tx., $27,852.
Watte Brothers, Tulare, Ca., $27,851.
Kenneth Binder, Madras, Or., $27,850.
Dallas W. Long, Dayton, Wa., $27,849.
Woodrow Reed, Marvell, Ar., $27,848.
Dean Bolton, Fairfax, Mo., $27,843.
Felix H. Macha, Lubbock, Tx., $27,843.
Luke Scamardo, Mumford, Tx., $27,841.
Chambliss Farms, Pine Bluff, Ar., $27,840.
C. M. Freeman, Mart, Tx., $27,838.
Shintaffer Farms, Marysville, Ca., $27,837.
Raymond R. Marshall, Lubbock, Tx., $27,833.
Bilgischer and Sponer, Dermott, Ar., $27,831.
Ray Starbuck, Clovis, N.M., $27,825.
W. M. Dreyer, Raymondville, Tx., $27,823.
J. R. Odom, Sylvester, Ga., $27,818.
Frank Moravek, Jr., Robstown, Tx., $27,818.
Mrs. Latimer Murfee, Houston, Tx., $27,817.
John S. Barr & Son, Oak Ridge, La., $27,816.
Mike Fortenberry, Sumner, Ms., $27,814.
Marvin Zeissel, Munday, Tx., $27,814.
Robert Sanger, Hickman, Ky., $27,813.
Robert B. Waring, Jr., Geneva, Ne., $27,811.
Monty Planting Co., Clarksdale, Ms., $27,809.
Randall Bird, Sublette, Ks., $27,807.
Wedak Farms, W. R. Wedberg, Valley, Neb., $27,807.
Robert Walker, Mt. Vernon, Tx., $27,805.
Herbert L. Schueler, Friona, Tx., $27,802.
Norval W. Bressler, Dalhart, Tx., $27,802.
Norman Welker, Safford, Az., $27,793.
C. Q. Lowrey, Madison, Al., $27,792.
H. E. Moore, Hollis, Ok., $27,790.
Lamar Black, Millen, Ga., $27,789.
Frank L. Gordon, Louise, Ms., $27,788.
Morris Lowe, Plains, Tx., $27,787.
Regan Farms, McFarland, Ca., $27,785.
R. S. Coberly, Gove, Ks., $27,785.
Timmermann and Co., Pendleton, Or., $27,785.
Upham Ranch, San Francisco, Ca., $27,783.
Jerry K. Oswalt, Abernathy, Tx., $27,782.
Wm. R. Morris, Jr., Earth, Tx., $27,781.
Tippett Peavy, Vienna, Ga., $27,779.
Percy Sharp, Decatur, Al., $27,773.
A. Neufeld Fms., Bakersfield, Ca., $27,765.
E. Gumz, Inc., North Liberty, In., $27,762.
Bettye W. Ivey, Pecos, Tex., $27,762.
Bend Plantation, Swan Lake, Ms., $27,760.
Walter E. Franz, Lind, Wa., $27,760.
James M. Shahan, Gilbert, Az., $27,758.
David Hughes, Lamesa, Tx., $27,756.
A. B. Stevens, Jr., Macon, Ms., $27,755.
William P. Howell, Clarksdale, Ms., $27,750.
Cozzi Bros., Dos Palos, Ca., $27,750.
Angus Acres, Inc., Euclid, Mn., $27,746.
A. K. Morrison, Rossville, Tenn., $27,746.
Jack Woodham, Bishopville, S.C., $27,745.
Truman Hayes, Brownfield, Tx., $27,744.
Jason Justice, Petersburg, Tx., $27,741.
Fred Kendrick, Lafayette, Al., $27,740.
W. A. Ratcliffe, Jr., Sweet Home, Ar., $27,740.
Donald Wright, Lindon, Co., $27,739.
Arthur E. Mahalitc, Eagle Lake, Tx., $27,735.
Starlight Plantation, Natchitoches, La., $27,733.
Edwin C. Fry, Chestertown, Md., $27,729.
Russell P. Shipp, Calhoun City, Ms., $27,724.
Waylon B. Sims, Scott, Ar., $27,722.
Maurer Brothers, Dutton, Mt., $27,714.
Allen L. Edwards, Shaw, Ms., $27,714.
Charlie Boedecker, Lockney, Tx., $27,712.
Amos Everett, Clarendon, Ark., $27,704.
Lester Crawford, Poplar Grove, Ar , $27,697.
R. L. Garrett, Cor Chr, Tx., $27,696.
Wallace Corse, Sunray, Tx., $27,692.
George Weaver, Waterville, Mn., $27,692.
Irene McCown Waugh, Casa Grande, Az., $27,690.
Baxter Land Co., Dermott, Ar., $27,689.
Oscie Hardy, Forrest City, Ar., $27,688.
Sandyr Scarmardo, Caldwell, Tx., $27,687.
W. C. Norsworthy, Mer Rouge, La., $27,685.
Jack Curry, Ruleville, Ms., $27,685.
Henry Finley, Claude, Tx., $27,683.
Raymond Romain, Fort Benton, Mt., $27,681.
Ralph Britten, Groom, Tx., $27,678.
James A. Littleton, Jr., Earth, Tx., $27,674.
J. M. Tatton, Refugio, Tx., $27,670.
John M. Thompson, Vincent, Al., $27,668.
Ewell Kenneth Scott, Lamesa, Tx., $27,664.
Fred K. Foster, Farwell, Tx., $27,659.
Ray R. Copeland, Olton, Tx., $27,657.
Frank Dean, Marked Tree, Ar., $27,656.
M. L. McIver, Neeses, S.C., $27,655.
Murray R. Hoffman, Brawley, Ca., $27,654.
Valton V. Cox, Lubbock, Tx., $27,651.
Donald Kittelson, Beach, N.D., $27,651.
Labahn Sloan Corp., Green Ridge, Mo., $27,649.
H. Y. Christian, Morton, Tx., $27,646.
W. S. Coleman, Merigold, Ms., $27,643.
Kirk, Pltn., Greenville, Ms., $27,641.
Elvin O. Johnston, Bovina, Tx., $27,640.
Sun Prairie Farm, Inc., Great Falls, Mt., $27,639.
J. B. Reed, Inverness, Ms., $27,638.
T. E. Fouche, Benton, Ms., $27,637.
Bryan Wright, Tahoka, Tx., $27,635.
K. Lanse Turner, Brownfield, Tx., $27,634.
Melvin Estes, Melrose, N.M., $27,634.
Harold Griffith, Audubon, Ia., $27,633.
Schwieder Brothers, Iona, Id., $27,632.
R. S. Bredlow, England, Ar., $27,628.
Harry J. Garrett, Harlingen, Tx., $27,626.
Weldon, Avery, Morton, Tx., $27,625.
Carter-Clifton Co., Cotton Plant, Ark., $27,622.
Robert E. Anderson, Prescott, Wa., $27,620.
Charles Vickers, Dalhart, Tx., $27,619.
Hudspeth Bros., Rosa, La., $27,618.
George F. Stock, Hollandale, Ms., $27,617
Frank R. Quick, Bville, S.C., $27,616.
F. W. Derossitt and Son, Forrest City, Ar., $27,615.
Luther Lesley, Hereford, Tx., $27,611.
Danney Key, Morton, Tx., $27,611.
Houston Condrey, Epps, La., $27,610.
J. B. Hokpins, Pecos, Tx., $27,607.
T. E. Bottom, Donna, Tex., $27,607.
Clarence Simmonds, Syracuse, Ks., $27,606.
W. H. Williams, Cordele, Ga., $27,604.
E. A. Currey, Jr., Hollandale, Ms., $27,603.
Loch Leven, Woodville, Ms., $27,599.
Harold Pickard, Vona, Co., $27,596.
Rott Bros., Nortonville, N.D., $27,595.
G. W. Litton, Sha[illegible], Ms., $27,593.
Carl J. Berend, Hereford, Tx., $27,593.
Marlin Spicher Sons, Hingham, Mt., $27,585.
Jack Warren, Pitts, Ga., $27,584.
Nelson, Norris, Sardis, Al., $27,584.
N. W. Emfinger, Littlefield, Tx., $27,582.
Randall Roper, Hart, Tx., $27,582.
Frank L. Day, Pville, Ca., $27,579.
Schlitz & Twiford Farms, Delano, Ca., $27,576.
Ray Robertson, Dimmitt, Tx., $27,572.
R. S. Margo, Rio Grande City, Tx., $27,571
Boyd Smith, Willcox, Az., $27,569.
Carlton Larson, Sykeston, N.D., $27,566.
Arthur Kane, Dodson, Tx., $27,566.
R. W. Morris, Keo, Ar., $27,565.
James B. McPherson, Jr., Waverly, La., $27,564.
Wegener Bros., Fenton, Ia., $27,564.
Craig Pugh, Jr., Keyes, Ok., $27,561.
James H. Woodard, Osceola, Ar., $27,561.
J. T. Stout, Lubbock, Tx., $27,559.
W. H. Reed, Memphis, Tx., $27,557.
Lawlis Y. Sipe, Trent, Tx., $27,552.
Baumann Farm, Inc., Washtucna, Wa., $27,551.
Nielsen Farms Delano, Ca., $27,545.
Lewis Robbins, Walsh, Co., $27,545.
Houston Hart, Muleshoe, Tx., $27,544.
C. B. Hendrick, Ralls, Tx., $27,540.
Leak Brothers, Lamar, Ms., $27,538.
Louis J. Eddy, Coolidge, Ks., $27,537.
Dean McCallum, Bovina, Texas, $27,536.
Stricklin & Lewis, Yazoo City, Ms., $27,535.
Sutfin Bros., Corning, Ca., $27,534.
David Franklin, Donnell, Tx., $27,532.
Harold Ray Caraway, Tulia, Tx., $27,524.

Gary Wagner, Wildorado, Tx., $27,524.
George M. Struve, Jr., Dixon, Ca., $27,524.
Olan K. Dorsett, Jr., Lubbock, Tx., $27,524.
Parrott Farms, Kinston, Nc., $27,517.
Weldon Wagner Dexter, Nm., $27,513.
Boyd Bros., Lovington, Nm., $27,507.
Robert Whitmore, Pullman, Wa., $27,498.
Pearson Bros., Sherwood, Nd., $27,495.
S. and E. Barr Ranch, Edwall, Wa., $27,495.
Derby Farms, Arvin, Ca., $27,494.
Weeks Brothers & Sons, Swan Valley, Id., $27,493.
Penrhos Farms, Inc., Britton, Sd., $27,492.
M. L. Stephens, McFarland, Ca., $27,488.
Cline E. Morris Seminole, Tx., $27,483.
J. C. Ermis, Woodsboro, Tx., $27,483.
George W. Wingfield, Idalia, Co., $27,483.
Glen Layton, Thatcher, Ariz., $27,483.
S. A. Nunn, Jr., Perry, Ca., $27,481.
Robert Ellsworth, Queen Creek, Az., $27,480.
R. D. Wall, Jr., Paducah, Tx., $27,479.
Doug Alsobrook, Deport, Tx., $27,477.
Charles Leon Delaney, Grace, Ms., $27,471.
C. R. Farrar, Brownfield, Tx., $27,460.
F. J. & David Burgess, Tulia, Tx., $27,458.
Lester Stanton and Son, Johnson, Ks., $27,456.
Moreland B. White, Osceola, Ar., $27,450.
David Brooks Griffin Trust, Ratio, Ar., $27,449.
Richard Elrich, Bakersfield, Ca., $27,448.
Wilbur Security Co., Wilbur, Wa., $27,445.
Layman Pendergast, Rosedale, In., $27,445.
Gilbert H. Ragland, Slaton, Tx., $27,441.
Jack Crutcher, Henning, Tn., $27,440.
Gum Ridge Corp., Augusta, Ar., $27,440.
Marshall Meservey, Chula, Mo., $27,440.
J. L. Snider, Olton, Tx., $27,437.
Dayle Culwell, Tulia, Tx., $27,437.
C. E. Pegram and Son, Dundee, Ms., $27,437.
William Miles, Owensboro, Ky., $27,434.
J. E. McCoy, Jr., Hamlin, Tx., $27,434.
Collis, Maltbia, New Madrid, Mo., $27,428.
Fagundes Bros., Hanford, Ca., $27,422.
Maurice Smith, Johnston, S.C., $27,414.
Charles Morton Share Trust, Alva, Ok., $27,413.
Moon & Cash Inc., Trumann, Ar., $27,410.
James A. Jackson, Darling, Ms., $27,410.
Delmer W. Keisling, Sunray, Tx., $27,409.
J. W. Prescott, Hughes, Ar., $27,408.
J. D. Tobin, Irvington, Ky., $27,405.
W. T. Metzger, Jr., Blytheville, Ar., $27,404.
F. Kent Vosper, Neche, Nd., $27,404.
Glen and Leroy Hargis, Grandfield, Ok., $27,402.
Kiene Farms Inc., Kennedy, Mn., $27,402.
P. H. Clinkscales, Blakely, Ga., $27,400.
Robert Harp, Yuma, Az., $27,395.
Willie C. Neel, Amarillo, Tx., $27,392.
G. H. Baumgardt, Bakersfield, Ca., $27,391.
Clyde Benn, Abernathy, Tx., $27,388.
Floyd Lofton, Texico, N.M., $27,388.
Hank Anderson, Tulare, Calif., $27,386.
Joel D. Stavlo, Gruver, Texas, $27,385.
Ransom A. Myers, Dundee, Ms., $27,384.
W. M. Smith, Olton, Tx., $27,381.
White Woman Creek, Inc., Garden City, Ks., $27,378.
Beuford J. Wallace, Crawfordsville, Ar., $27,377.
Lonnie S. McDonald, Warthen, Ga., $27,372.
Betty M. Stoddard, Hughes, Ar., $27,371.
H. H. Kern, Morton, Tx., $27,369.
Marvin Capus Jones, Unadilla, Ga., $27,367.
Edward Shackleford, Hollandale, Ms., $27,364.
Wallace Briscoe, Holly Springs, Ms., $27,359.
Raymond Watlington, Colorado City, Tx., $27,357.
Robert C. Jackson, Charleston, Mo., $27,354.
Henry Ahrens, Olton, Tx., $27,354.
C. C. Shortes, Seminole, Tx., $27,352.
Heckemeyer Farms, Sikeston, Mo., $27,348.
Thurman J. Miles, Wills Point, Texas, $27,346.
Berryhill Bros., Pltg. Co. Inc., Rome, Ms., $27,345.
C. E. McCartney, Burlington, Co., $27,343.
R. G. Roseborough, Senatobia, Ms., $27,342.
Winston Foster, Marvell, Ar., $27,340.
Jensen Bros., Silverton, Or., $27,340.
Lester B. Krueger, Springfield, Mn., $27,339.
Andy Nelson, Dimmitt, Tx., $27,334.
Ernest E. Sullivan, Kerman, Ca., $27,333.
H. B. Watson, Dalhart, Tx., $27,328.
Frank A. Bell, Lepanto, Ar., $27,327.
Byron Patterson, Peoria, Az., $27,317.
Harry P. Anderson, Jr., Denbigh, Nd., $27,314.
Carlton and Claiborne, Brownsville, Tn., $27,302.
Earl Brinkley, Dos Palos, Ca., $27,302.
Reese Coleman, Epps, La., $27,299.
Emeral Duncan, Waitsburg, Wa., $27,298.
Peter Rabbit Farms, Coachella, Ca., $27,297.
E. E. Shurden, Drew, Ms., $27,296.
Shepard Cattle Co., Hale Center, Tx., $27,296.
Paul McCutchen, Parkin, Ar., $27,295.
Ben T. Ambrose, Vienna, Ga., $27,295.
Delmon Ellison, Seminole, Tx., $27,294.
Milt Graber, Manter, Ks., $27,289.
Moenk Fletcher, Wellton, Az., $27,288.
Zane G. Beaton, Paragould, Ar., $27,285.
C. P. Rosson, Jr., Taft, Tx., $27,282.
B. J. Handel, Co., Wasco, Ca., $27,282.
Thomas A. Poulson, Ralls, Tx., $27,281.
Wayne McDonald, Dundee, Ms., $27,281.
Chesley G. Hobgood, Ropesville, Tx., $27,275.
Shelby Farms, Inc., Charleston, Mo., $27,273.
O. G. Hill Estate, Hereford, Tx., $27,273.
J. F. Baker, Kennett, Mo., $27,273.
H. M. Scruggs, Saltillo, Ms., $27,273.
Mesa Cattle Co., Cameron, Tx., $27,272.
A. R. Vincik, Edna, Tx., $27,269.
Elward M. Smith, Harlingen, Tx., $27,267.
D. E. Cockrum, Johnson, Ks., $27,267.
Ben Lamensdorf, Cary, Ms., $27,264.
Roland D. Dale, Farwell, Texas, $27,262.
Richard Mayfield, Buckeye, Az., $27,261.
Billy Timmons, Brownfield, Tx., $27,258.
Motte & Sons, Perris, Ca., $27,257.
Williams and Williams, Lind, Wa., $27,255.
Moss Land Co., Calhoun, Ga., $27,251.
Albert B. Miller, Carleton, Ne., $27,251.
Chester B. Gilmore, Idalou, Tex., $27,250.
Clyde A. Walker, Cropwell, Al., $27,247.
Walter C. Estes, Scott, Ar., $27,242.
Elmer Duerfeldt, Falls City, Ne., $27,242.
Jimmy R. Fullingim, Petersburg, Tex., $27,238.
Banducci Farming Co., Inc., Bakersfield, Ca., $27,229.
Tom Hunt, Loop, Tex., $27,229.
L. L. Armor, Sweetwater, Tex., $27,225.
James D. Cupp, St. Lelano, Ca., $27,225.
Dorenkamp Fars, Inc., Holly, Co., $27,220.
W. A. Bill Alspaugh, Slaton, Tex., $27,217.
Henry V. Zuger, Waitsburg, Wa., $27,214.
J. N. Gibson, Jr., Gibson, N.C., $27,211.
Nick Seivers, Jr., Lind, Wa., $27,209.
Calvin Wood, Earth, Tex., $27,205.
E. J. Showmaker, Charleston, Mo., $27,204.
Johnnie Prater, Muleshoe, Tex., $27,202.
Walter John Peters, Grover, Co., $27,200.
Donald Hancock, Brownfield, Tex., $27,188.
James F. Jordan, Ralls, Tn., $27,187.
Russell Hendricks, Meadow, Tex., $27,186.
Young Bros., Inc., St. Charles, Il., $27,184.
Henry Reid, Morse, Tex., $27,183.
C. B. Britton, Crawfordsville, Ark., $27,181.
Helen Christiansen, Kimball, S.D., $27,180.
Delbert Motes, Willcox, Az., $27,176.
Jake Q. Finney, Edmonson, Tex., $27,176.
Thomas A. Ligon, Grenada, Ms., $27,172.
Willie L. Byrd, Avoca, Tex., $27,172.
Earl Hendrix, Raeford, N.C., $27,171.
Rex Twist, Widener, Ar., $27,167.
C. L. Stephens, Dateland, Az., $27,165.
Robert Greene, Matthews, Mo., $27,162.
Lloyd Schwarz, Mercedes, Tex., $27,160.
Charles Gay, Seminole, Tex., $27,159.
Laurence Gapp, Walhalla, N.D., $27,156.
W. C. McCord, Scottsboro, Al., $27,155.
Dehy Farms, Inc., Blue Earth, Minn., $27,155.
Orleton Farms Co., London, Ohio, $27,153.
Luther Gammon, Glenwood, Ia., $27,150.
Dodd Brothers, Sunflower, Ms., $27,140.
Clyde Younger, Halls, Tn., $27,134.
Creamer Ranch, Lamar, Co., $27,133.
Julian C. Crum, Orangeburg, S.C., $27,126.
C. P. Barnes, Estill, S.C., $27,124.
Skov Bros., Clint, Tx., $27,124.
Nester Mack, Harlingen, Tx., $27,123.
Loren E. Schwaninger, Princeton, Ne., $27,121.
John L. Horn, Webbers Falls, Ok., $27,120.
Lake Side Plantation, Itta Bena, Ms., $27,119.
Petersen Farms, Inc., Ipswich, S.D., $27,115.
Paul Braddock, Afton, Tx., $27,112.
Dan E. Archer, Perryton, Tx., $27,111.
Kenneth Carpenter, Sr., Arapahoe, Ne., $27,107.
Hosey White, Batesville, Ms., $27,107.
Raymond Roberson, Charleston, Ms., $27,107.
Tom Bradbury, Littleton, Co., $27,106.
Brittons Eside Ranch, Firebaugh, Ca., $27,101.
Clay Whorton, Hollis, Ok., $27,099.
Dallas Culwell, Tulia, Tx., $27,097.
Marshburn Bros., Thermal, Ca., $27,096.
Allen King, Brownsville, Tn., $27,091.
T. A. Elmore, Tokio, Tx., $27,089.
Arthur Nolen, Lamesa, Tx., $27,089.
Joseph R. Fabry, Jr., Stratford, Ca., $27,079.
Wade Burns, Leland, Ms., $27,078.
David L. Hill, Tahoka, Tx., $27,076.
Gilbert Evans, Craig, Co., $27,070.
W. Aaron Beaver, Somerville, Al., $27,067.
Charles Barber, Indianola, Ne., $27,066.
L. E. Tibert Co., Voss, N.D., $27,064.
L. L. Lyerly, Calipatria, Ca., $27,064.
J. C. Chambers, Brownfield, Tx., $27,063.
Tom Warren, Jr., Plains, Tx., $27,058.
Reginald E. Forrest, Grenada, Ms., $27,057.
Drechsel Bros., Coeur D Alene, Id., $27,056.
Bell Bingham and Assc., Malta, Id., $27,055.
Clayton Stokes, Morton, Tx., $27,050.
Leonard Anderson, Casa Grande, Az., $27,048.
Melvin Juhl, Bowesmont, N.D., $27,047.
Ely T. Moores, Taxarkana, Tx., $27,042.
B. B. Hobgood, Wolfforth, Tx., $27,042.
Sylvia & Robert Gruel, Great Falls, Mt., $27,040.
Frank Ayerza, Tranquillity, Ca., $27,040.
Jerry Lake Planting Co., Inc., Tunica, Miss., $27,039.
Bayou Camitte Plantation, Derry, La., $27,038.
Batesville Farming, Batesville, Texas, $27,036.
Karl Cayton, Lamesa, Tx., $27,035.
Harry Schoger, Aurora, Il., $27,034.
Homer Shelburne, Ogallala, Neb., $27,034.
Harold L. Bair, Goodland Ks., $27,032.
Billy Hill, Marvell Ar., $27,030.
C. M. Austin, Newington, Ga., $27,028.
Kenneth G. Walker, Long Beach, Ca., $27,024.
M. E. Moore, Toney, Al., $27,024.
Carl Simpkins, East Prairie, Mo., $27,020.
T. L. Tucker and Jesse Wade, Spgld, Co., $27,020.
G. M. & C. Ring, Washington, D.C., $27,018.
John F. Robinson, Canyon, Tx., $27,018.
John Hays, Tulia, Tx., $27,017.
F. Eugene Woodard, Ralls, Tx., $27,017.
S.P.S. Farms, Lemoore, Ca., $27,016.
Bob Ainsworth & Son, Glen Allan, Ms., $27,015.
John N. Simpson, Jr., Tulia, Tx., $27,013.
James Ford, Hugoton, Ks., $27,013.
W. B. Evans Pecos, Tex., $27,013.
Helland Land Co., Fort Benton, Mt., $27,011.
B. F. Youngker, Sr., Buckeye, Az., $27,011.
J. C. Crigler, St. Joseph, La., $27,011.
E. B. Robbins, Jr., Portales, N.M., $27,008.
E. Garth Lamb, Gilbert, Az., $27,008.
Marion Mackey, Clarksville, Mo., $27,007.
Slentz Bros., Lewis, Ks., $27,007.
Charles Keeton, Cherokee, Al., $27,006.

Forrest Charlson, Carter, Mt., $27,003.
Chas. F. Younker, Buckeye, Az., $27,004.
Ben F. Youngker, Jr., Buckeye, Az., $27,004.
E. L. Hendon, Welch, Tx., $27,003.
Otey Shadden, Hale Center, Tx., $27,002.
Virgil Young, Hart, Tex., $27,001.
Francis D. Hamilton, Jr., Olney, Tx., $27,000.
Lloyd Page, Mullins, S.C., $26,998.
William G. Ellis, Brien, Tex., $26,997.
Delbert Butler, Dalhart, Tx., $26,995.
McKinney and Son, Anguilla, Ms., $26,989.
Forrest Moore, Blytheville, Ar., $26,989.
Strickland & Co., Plainview, Texas, $26,988.
Gordon Morris, Parkin, Ar., $26,982.
Wayne Carroll, ODonnell, Texas, $26,981.
Woster Anderson, Coushatta, La., $26,979.
James Buckley, Dimmitt, Tx., $26,976.
R. D. Hoffman, Hale Center, Tx., $26,975.
Joe G. Ballenger, Sebastian, Tx., $26,975.
Richard Evans, Tempe, Az., $26,974.
United Packing Co., Fresno, Ca., $26,973.
A Lazy T Cattle Co., Arlington, Az., $26,969.
Durward K. Bell, Bovina, Texas, $26,967.
Joe H. Carter, Alamo, Tn., $26,967.
Adolph Thomae, Jr., San Benito, Tx., $26,966.
Amos D. May, Rule, Tex., $26,963.
John W. Hand, Friona, Texas, $26,960.
Gerald Brawley, Socorro, NM., $26,959.
Edwards and Edwards, Big Spring, Tx., $26,959.
J. W. Silhan, Morton, Tx., $26,958.
Edward Lethen, Corona Del Mar., Ca., $26,954.
Clifford C. Hatfield, Coweta, Ok., $26,953.
R. H. Wamel, Animas, NM., $26,951.
John Wm. Kinnunen, San Joaquin, Ca., $26,947.
Gwyn Thrash, Rolla, Ks., $26,946.
C. C. Spikes, Garden City, Ks., $26,942.
Paul Wilson, Slaton, Tx., $26,937.
Purchase Ranches, Pendleton, Or., $26,937.
R. R. Hutcheson, Lubbock, Tx., $26,931.
Feral Carruth, Texline, Tx., $26,931.
Wilson Brothers, Plainview, Tx., $26,928.
C. O. Nash, Waxahachie, Tx., $26,927.
Cordes and Oberlander, Las Animas, Co., $26,927.
J. R. Peaster, Jr., Estate, Tchula, Ms., $26,924.
Jerry Tunnell, Littlefield, Tx., $26,921.
I. C. Rayner, Jr., Merigold, Ms., $26,920.
E. H. Anderson, Lambert, Ms., $26,919.
Valley Properties, Brawley, Ca., $26,913.
Nilson Farms, El Campo, Tx., $26,905.
Bridwell Ranch West, Adrian, Tx., $26,905.
Montgomery Farms, Clarksdale, Ms., $26,905.
T. L. Abernathy, Jr., Tulia, Tx., $26,902.
Wm. A. Curry, Columbus, Nebr., $26,901.
Irvin Reeves, Waynesboro, Ga., $26,900.
Karl C. Brinkman, Geneva, Ne., $26,899.
Charles Hoffman, Walker, Ia., $26,897.
Lucian A. Branch, Jr., Alexandria, La., $26,897.
Jimmy B. Hinson, Jr., Tatum, S.C., $26,896.
Schartz Bros., Great Bend, Ks., $26,892.
Lester Canny, Johnson, Ks., $26,890.
Jerrell Cate, Plainview, Tx., $26,886.
Paul Light, Rolla, Ks., $26,884.
James L. McBride, Phoenix, Az., $26,882.
Adams Brothers, Odem, Texas, $26,881.
Fred Champion, Belzoni, Ms., $26,878.
Jerry W. Kelley, Earth, Tx., $26,877.
Bernard Sasia, Bakersfield, Ca., $26,877.
Mrs. Dale Combs, Queen Creek, Az., $26,876.
Pete Field Estate, Portales, N.M., $26,863.
Guy Bennett, Lamesa, Texas, $26,863.
Charles Medlin, Seagraves, Tx., $26,858.
Ronald Kotara, Panhandle, Tx., $26,858.
Father Flanagans Boys Home, Boys Town, Ne., $26,855.
Marcus Reeves, Rochelle, Ga., $26,855.
Charlie A. Nichols, Big Spring, Tx., $26,855.
John W. Gunther, Enochs, Tx., $26,853.
Robert Barnett, Indianola, Ms., $26,853.
France Baker, Lubbock, Tx., $26,851.
Floyd Terrell, Plainview, Tx., $26,850.
Robert E. Gullatte, Salem, Al., $26,846.
Big Four Farm, Lamesa, Tx., $26,843.
Harry E. Paul, Henderson, Ia., $26,842.
Wayne J. Parker, Ralls, Tx., $26,837.
W. D. Suddath, Helena, Ar., $26,836.
R. J. Suddath, Helena, Ar., $26,836.
Thomsen Bros., Co. Bluffs, Ia., $26,834.
Billy J. Rothwell, Childress, Tx., $26,823.
R. O. Webb, Seagraves, Tx., $26,823.
Leroy Holladay, Lamesa, Tx., $26,820.
Loy Eldon Teague, Abernathy, Tx., $26,820.
Myles Looney, Benoit, Ms., $26,818.
Joe Bob Neely, Tempe, Az., $26,817.
Norman Gottfried, Sandusky, Oh., $26,817.
Cage Farm, Turrell, Ark., $26,816.
J. R. Banks, Springlake, Tx., $26,814.
Glenn Nelson, Kingston, Ga., $26,813.
John Kimzey, El Mirage, Az., $26,812.
O. H. Olson, Tulia, Tx., $26,811.
Bruce F. Gregg, Sterlington, La., $26,809.
Ernest L. White, Jr., Elfrida, Az., $26,805.
W. P. Veazey, Jr., Coldwater, Ms., $26,805.
C. E. Carter and Son, Plainview, Tx., $26,803.
Frank D. Brown, Lockney, Tx., $26,801.
W. M. Nelson, Seagraves, Tx., $26,798.
Ellett & Sandifer Farms, Charleston, Ms., $26,798.
Harold Hills, Jr., Colby, Ks., $26,796.
Raymond Pharr, Coy, Al., $26,793.
Bodray Hagestad, Wolf Point, Mt., $26,790.
C. W. & Faye, Herndon, Ptn., Panhandle, Tx., $26,785.
Obanion Ranches, Dos Palos, Ca., $26,782.
Dave Bloemhof, Redlands, Ca., $26,782.
William Mencarow, Moline, Il., $26,778.
Henry Funk, Arapahoe, Co., $26,774.
L. E. Hansen Farms Inc., Lemoore, Ca., $26,773.
Joe Oswalt, Hughes, Ar., $26,772.
Hugh B. Proctor, Jr., Parkin, Ar., $26,772.
Ralph Rice, Wildorado, Tx., $26,768.
James Voyles, Vega, Tx., $26,765.
Melvin Kelm, Plainview, Tx., $26,764.
Earnest Spradlin, Seagraves, Tx., $26,761.
Edmond Tom Ranch Inc., Stanton, Tx., $26,758.
S. S. Wathen, Owensboro, Ky., $26,757.
Floyd H. Shaw, Clarendon, Ark., $26,756.
John Kotara, Jr., White Deer, Tx., $26,755.
Delvin L. Dane, Clay Center, Ne., $26,752.
Luther C. Childers, Jr., Lubbock, Tx., $26,752.
John H. Golden, Goodland, Ks., $26,752.
Jean Errotabere, Riverdale, Ca., $26,752.
C. A. Townsend & Sons, Mission, Tx., $26,750.
W. H. Gillon, Jr., Itta Bena, Ms., $26,742.
Henry Winslow, Eliz City, N.C., $26,740.
V. C. Smith, Elfrida, Az., $26,739.
John A. Gorenz, Hampshire, Il., $26,737.
T. E. Barkeim, Lakefield, Mn., $26,737.
Donald Jarrett, Britton, S.D., $26,734.
C. M. Allen, Lula, Ms., $26,728.
Jack Griffith, Sunflower, Ms., $26,724.
Bess Jones, Amarillo, Tx., $26,722.
A. R. Mann, Jr., Skene, Ms., $26,719.
W. Wayne Lewis, Brownfield, Tx., $26,718.
Ratliff Farms, Inc., Vicksburg, Ms., $26,716.
Archie Lindseth, Silva, Md., $26,715.
Alvaro Deen, Calipatria, Ca., $26,712.
James & Harry Holton, Inc., Camilla, Ga., $26,710.
Leroy Pettey, Bradshaw, Ne., $26,709.
Charles J. Schindler, Rockport, Tx., $26,709.
Alfred E. Perry, Stanton, Tx., $26,708.
Woodrow Dewitt, Alex, La., $26,707.
James T. McMenamy, Shallowater, Tx., $26,706.
Giacomazzi Bros., Visalia, Ca., $26,705.
Bruno Cauzza, Arvin, Ca., $26,703.
Nuckles & Gerald, Sweetwater, Tx., $26,703.
Robert Horace Marks, Athens, Al., $26,702.
Tucker Farms, Inc., Walla Walla, Wa., $26,701.
Don W. Jeffcoat, Woodford, S.C., $26,700.
Kent Welch, Plains, Tx., $26,699.
W. T. McBride, Vidette, Ga., $26,696.
Paul N. Irlbeck, Tulia, Tx., $26,696.
Benjamin O. Bierly, Walkerton, In., $26,693.
J. F. Brorman, Vega, Tx., $26,693.
Dick Snodgrass, Crosbyton, Tx., $26,692.
Lakeplace Pltn., Newellton, La., $26,691.
Gilbert Brothers, Othello, Wa., $26,691.
H. Dale Cope, Loop, Texas, $26,690.
Lee Dorroh, Caruthersville, Mo., $26,688.
Arnold B. Morris, Stratford, Tx., $26,688.
Estate of E. B. Claxton Dec., Dublin, Ga., $26,676.
Walker Briney, Goodland, Ks., $26,676.
Howard Duncan, Texico, NM., $26,673.
Tom Morimmon, Rowland, N.C., $26,671.
Lafont Farms, Plainview, Tx., $26,668.
Elmer Joe Motley, Samson, Al., $26,668.
Roy Schluter, Ralls, Tx., $26,667.
A. E. Kramer Agt., Pelajo Prop., Hugoton, Ks., $26,665.
Marion Griffin, Somerton, Az., $26,664.
B. R. Weatherford, Miles, Tx., $26,663.
B. E. S. Co., Corpus Christi, Tx., $26,662.
Bill Wedel, Dalhart, Tx., $26,659.
Peoples Bk., Rocky Mount, N.C., $26,657.
H. E. Mathias, Cruger, Ms., $26,657.
Edith Robinson & Martha Rye, England, Ar., $26,656.
Van Horn Ranch Co., Dutton, Mt., $26,652.
Leslie A. Alexander, Satanta, Ks., $26,650.
Raymond Amerson, Lamar, S.C., $26,649.
E. L. Burgess, Sherrill, Ar., $26,647.
Collins A. Andrews, Jr., Pine Bluff, Ar., $26,643.
Glenn Lonon, Brownsville, Tn., $26,642.
Roy B. Hanes and Delano Alley, Keyes, Ok., $26,638.
G. C. Trout, Charleston, Ms., $26,636.
Harold Kuckartz, Arriba, Co., $26,631.
Olen Price, Wrightsville, Ga., $26,630.
Tolmachoff Farms, Glendale, Az., $26,630.
Jim Flanders, Edson, Ks., $26,629.
K. D. Strong, Stromsburg, Ne., $26,627.
Carl Cotropia, Hearne, Tx., $26,627.
Robert B. Chandler, Good Hope, Ga., $26,625.
S. J. McIntosh, Floydada, Tx., $26,623.
Joe Appling, Floydada, Tx., $26,622.
Pat Holt, Gruver, Tx., $26,621.
Emil Schattel, Hermleigh, Tx., $26,620.
Norbert Verhalen, Oak Creek, Wi., $26,618.
Vernon D. Wheeless, Crosbyton, Tx., $26,618.
Howell Pippin, Lake Providence, La., $26,616.
John Carrol Rice, Rayville, La., $26,611.
Thurman Chapman, Millington, Tn., $26,610.
B. P. Kelley, Parkin, Ark., $26,607.
Stanley A. Snyder, Fairbury, Ne., $26,607.
Arnold Hensche, Alden, Mn., $26,607.
D. W. Edinburgh, Crosbyton, Tx., $26,607.
Robert H. Novak, Spearman, Tx., $26,606.
F. T. Gamble, Toppenish, Wa., $26,606.
J. L. Hall, Indianola, Ms., $26,605.
Max Cates, Alamo, Tn., $26,603.
Edwin J. Wilde, San Angelo, Tx., $26,600.
Dan Ellis, Benkelman, Ne., $26,597.
Chester W. Mitchell, Lockney, Tx., $26,596.
Andy Kochis, Jr., Matheson, Co., $26,591.
Carolyn Self, Silverton, Tx., $26,590.
Toomey Brothers, Visalia, Ca., $26,590.
Raymond Ratcliff, Rose Creek, Mn., $26,589.
Jimmy Fullen, Ashport, Tn., $26,589.
Tavie Lee Simmons, Bushland, Tx., $26,587.
Nelson Hillyer, Opelika, Al., $26,586.
Don L. McKenzie, Abernathy, Tx., $26,583.
Dennis Lamphere, Lamesa, Tx., $26,581.
R. C. Smith, Dundee, Ms., $26,579.
Herbert Fervida, Milford, In., $26,577.
W. R. Johnson, Deming, N.M., $26,573.
Madge M. Roberts, Dimmitt, Tx., $26,570.
Reece Bros., Tranquillity, Ca., $26,570.
Weldon F. Walker, Stamford, Tx., $26,569.
R. L. Burnett, Brownfield, Tx., $26,568.
G. G. & G. W. McCool, Glen Allan, Ms., $26,567.
Leo W. Koenig, Deming, N.M., $26,567.
Edith A. Lewis, Clovis, N.M., $26,565.
W. E. Singleton, Jr., O'Donnell, Tex., $26,562.

Malcolm A. Maedgen, Jr., Crystal City, Tex., $26,560.
Fish Lake Farms, Pine Bluff, Ark., $26,556.
Sam R. Cluck, Gruver, Tx., $26,555.
Max D. Remus, Osborne, Ks., $26,555.
Ida Mae Norsworthy, Widener, Ar., $26,554.
John D. Naill, Jr., Biscoe, Ark., $26,553.
Walter L. Clore, Harlingen, Tx., $26,552.
W. T. Salmon, Coahoma, Ms., $26,551.
Larry Bundrick, Shreveport, La., $26,549.
Elton Talley, Altus, Ok., $26,546.
Allen Metheny, Etowah, Ar., $26,546.
Clarence A. Johnson, Farwell, Tex., $26,544.
Charles Burks, Dimmitt, Tx., $26,541.
Mack Hickerson, Floydada, Tex., $26,540.
Leonard Hart, Holly, Co., $26,540.
Harold Nichols, Eldorado, Ok., $26,538.
Charles L. King, Hale Center, Tx., $26,536.
Leonard Olson, Panhandle, Tx., $26,535.
Belmont, Inc., Stovall, Ms., $26,531.
Charles Eskelund, Deerfield, Ks., $26,525.
W. B. Savage Ranches, Kimberly, Id., $26,523.
Burle D. Byrd, Kress, Tx., $26,520.
Meredith H. Brown, Stratford, Tx., $26,520.
Wilburn Burklund, Austin, Tex., $26,520.
Jack French, Levelland, Tex., $26,518.
Basin Farms, Inc., Corcoran, Ca., $26,517.
Jessen Farms, Inc., Lodgepolt, Ne., $26,512.
Charles L. Shofner, Harlingen, Tx., $26,510.
Thomas E. Smith, Jr., Coldwater, Ms., $26,509.
E. J. Blake, Mercedes, Tex., $26,507.
Macdonald Farms, Inc., Ft. Benton, Mt., $26,506.
Ford Turkey Island, New Harmony, In., $26,506.
S. C. Storie, Sr., est., Post, Tx., $26,503.
Luther C. Hill, Wellington, Tx., $26,503.
J. W. Perry, Perryville, La., $26,503.
James J. Martin, Brownfield, Tx., $26,501.
Ronald Miller, Maricopa, Az., $26,501.
Pat Crumpton, Leslie, Ga., $26,500.
Jerry P. Hicky, Marianna, Ar., $26,494.
Leslie E. Smith & Sons, Inc., Imperial, Ne., $26,494.
R. R. Wood, Avondale, Az., $26,494.
Henry Vantuyle, Roodhouse, Il., $26,492.
Earl Reasoner, Slaton, Tx., $26,492.
Claverie Bros., Holtville, Ca., $26,490.
Hollowell Bros., Yazoo City, Ms., $26,489.
J. & J. Farms, Idalou, Tx., $26,489.
Jerald R. Quindt, Lamar, Co., $26,488.
Lanphere Farms, Belmond, Ia., $26,484.
William Piper, Ida Grove, Ia., $26,484.
Carroll Fowler, Lakeview, Tx., $26,484.
Hall Bros., Adrian, Tx., $26,483.
Donald H. Berry, McAdoo, Tx., $26,482.
Don H. Shaw, Lakin, Ks., $26,480.
Gerik Bros. Ptrns., Aquilla, Tx., $26,477.
Oscar B. Gray & Sons, Ptn., Harlingen, Tx., $26,477.
Jim Brooks & Sons, Clovis, N.M., $26,476.
Frank Farms, Inc., Olivia, Mn., $26,472.
W. L. Crain, Belcher, La., $26,468.
Willis Stutts, Manila, Ar., $26,468.
Edwin C. McDanield, Corpus Christi, Tx., $26,467.
Bennett Griffin, Frisco, Tx., $26,463.
Robert E. Wilson, Plainview, Tx., $26,460.
J. A. & T. R. Hawkins, Chowchilla, Ca., $26,459.
Star Brand Cattle Co., Kaufman, Tx., $26,458.
Clyde Cartlidge, Rayville, La., $26,456.
Mike Kelly, Itta Bena, Ms., $26,452.
Harvey Drake, Charleston, Mo., $26,452.
Sunset Farms, Inc., Manteno, Il., $26,449.
Marlene E. Medearis, Brawley, Ca., $26,448.
H. and B. Farms, Pearsall, Tx., $26,446.
Harold V. Gorham, Prescott, Wa., $26,446.
Frank Rochelle, Indianola, Ms., $26,445.
Norris, Barron, Lamesa, Tx., $26,444.
James Stowers, Itta Bena, Ms., $26,435.
Forest Young, Petersburg, Tx., $26,430.
A. W. Anthony, Jr., Friona, Tx., $26,429.
Robertson & Swisher, Marshall, Mo., $26,416.
Joe W. Lane, Harlingen, Tx., $26,415.
F. S. Strohmeyer, Happy, Tx., $26,414.
W. A. Pearson, Isola, Ms., $26,411.
Edwin Rainbolt, Kanorado, Ks., $26,411.
Lee Roy Janzen, Bakersfield, Ca., $26,407.
E. B. Burelsmith, Levelland, Tx., $26,406.
Hubert Beene, Helm, Ca., $26,406.
George Silva, Yuma, Az., $26,404.
Kenneth Hitchcock, Burlington, Co., $26,402.
Hake Ranch, Chowchilla, Ca., $26,401.
Verne W. Foreman, Stratford, Tx., $26,400.
Clinton Nesmith, Mangum, Ok., $26,397.
Hugh L. Rice, Jr., Florence, Al., $26,385.
Charles R. Moore, Luxora, Ar., $26,384.
Glen Woolfolk and Sons, Protection, Ks., $26,384.
Kirkland Brothers, Newville, Al., $26,382.
Ralph W. Braswell, Lewisville, Ar., $26,382.
Carl L. Drumm, Irwin, Ohio, $26,377.
Hammer Bros., Mellette, Sd., $26,377.
Big Stone Canning Company, Arlington, Mn., $26,376.
W. B. Lovett, Ruleville, Ms., $26,375.
Phil F. Schafer, Great Falls, Mt., $26,374.
G. W. Dill, Brownfield, Tx., $26,374.
J. H. Avritt, Jr., Shaw, Ms., $26,373.
Manuel I. Rocha, Tulare, Ca., $26,372.
Geo. & Sam Taylor, Corpus Christi, Tx., $26,370.
Estate of Fred Taylor, Sr., Como, Ms., $26,369.
J. D. Nance, Silverton, Tx., $26,368.
Sam Morello, Bryan, Tx., $26,367.
Billy Wilson, Shelby, Nc., $26,367.
Myron Brady, Mt. Morris, Ny., $26,365.
Jesse L. Smith, Loop, Tx., $26,362.
Mrs. H. C. Crook, Corpus Christi, Tx., $26,360.
H. D. Meil, Dumas, Tx., $26,357.
Ed Fischahs, Aurora, Co., $26,357.
Paul Bundrick, Shreveport, La., $26,355.
J. H. Flippo, Seagraves, Tx., $26,353.
John Spaid, Pierre, Sd., $26,351.
Orville H. Esslinger, Elora, Tn., $26,350.
Amos E. Steelman, Bovina, Tx., $26,350.
Wade Vinson, Jr., Newellton, La., $26,348.
John F. Dixon, Bovina, Tx., $26,348.
Rex Carlisle, Spur, Tex., $26,347.
D. P. T. Farris, Inc., Dekalb, Tx., $26,343.
Luckey & Hellis, Brawley, Ca., $26,340.
Jake Crow, Elaine, Ar., $26,339.
Sam R. Cady, Sherill, Ark., $26,337.
Alex Maul, Fresno, Ca., $26,335.
William E. Avis, Wayside, Ms., $26,334.
Harold Trigger Wall, Hughes, Ar., $26,334.
M. J. Labrucherie Rch, El Centro, Ca., $26,332.
Marvin McCalman, Bradley, Ar., $26,332.
Evert E. Berglund, Rossville, Il., $26,331.
S. M. Hanson, Jr., Seagraves, Tx., $26,331.
W. C. Diacon, Alva, Ok., $26,329.
L. D. Henry, Buckeye, Ariz., $26,326.
Harvell J. Walker, Florence, Al., $26,325.
Dudley Moore, Rolling Fork, Ms., $26,323.
Charles E. Tallman, Brandon, Co., $26,322.
Thomas M. Carlton, Casa Grande, Az., $26,322.
Kenneth Wiseman, Sudan, Tx., $26,319.
Kenneth Spradley, Anton, Tx., $26,316.
Robert Mathers, Brownsville, Tx., $26,313.
Fred Bell, Aberdeen, Ms., $26,313.
A. H. Braswell, Wrens, Ga., $26,313.
George Weiss, Brownfield, Tx., $26,312.
Bill & Glenn Reed, Stratford, Tx., $26,308.
R. H. Thompson, Adams, Or., $26,305
W. T. Pomroy, Lamesa, Tx., $26,303.
Harold Guldner, Syracuse, Ks., $26,299.
Alban Farms, Hereford, Tx., $26,297.
Jennie W. Haynes, Jonestown, Ms., $26,293.
William V. Halford, Abernathy, Tx., $26,288.
Dud Winders, Earth, Tx., $26,286.
Nelton Chote, Ralls, Tx., $26,281.
R. Z. Johnson, Monroe, La., $26,280.
Roger Ramsey, Garden City, Ks., $26,277.
George E. Baird, Jr., Inverness, Ms., $26,276.
True Beisly, Nevada, Mo., $26,275.
Roy J. Warren, Crosbyton, Tx., $26,275.
Robert F. Walters, Jr., Auburn, Al., $26,273.
Milford E. Zook, Larned, Ks., $26,272.
W. Leroy Roberts, Tulia, Texas, $26,270.
James Walker, Florence, Al., $26,268.
Richard Walters, Blissfield, Mi., $26,268.
R. L. Kaliff Ranch, Co., York, Ne., $26,266.
J. B. Prewitt, Ralls, Tx., $26,263.
Ervin Fast, Frazer, Mt., $26,263.
Two M. Farms, Shafter, Ca., $26,259.
Charles C. Martin, Watson, Mo., $26,257.
Dave Pointer, Como, Ms., $26,254.
Roy C. Osterli, Pleasant Grove, Ca., $26,254.
A. R. Bort, Gruver, Tx., $26,253.
Howard Fike, Caruthersville, Mo., $26,253.
Wayne Beale, Pomeroy, Wa., $26,249.
Harold Thompson, Connell, Wa., $26,244.
T. M. Campbell, Helix, Or., $26,243.
T. J. Wiggins and Son, Eutawville, S.C., $26,243.
C. J. Fails, Jr., Meadow, Tx., $26,243.
John W. Littlefield, Friona, Tx., $26,242.
Dale Koester, Lava Hot Springs, Id., $26,235.
Truett L. Maddox, Paso, Tx., $26,227.
Robert E. Connelly, Ulmers, S.C., $26,226.
Floyd E. Lee, Elnora, In., $26,226.
S. Wayne Snyder, Clovis, N.M., $26,225.
Jim Huff, Ferriday, La., $26,223.
W. F. Wallace, Wasco, Or., $26,222.
Kit McDaniel, Jr., Hale Center, Tx., $26,221.
Gerald Sovereign & Sons, Cresco, Ia., $26,220.
Melvin C. Josselet, Weinert, Tx., $26,218.
Randy Farenthold, Cor Chr, Tx., $26,215.
Elmer Funk, Jr., Aberdeen, Id., $26,214.
James L. Churchill, Beecher, Il., $26,212.
Byron Baker, Ridgeville, In., $26,209.
Dorothy Bally Adm, Roanoke, Il., $26,209.
J. L. Currie, Crawfordsville, Ark., $26,204.
John W. Hays, Gurley, Ala., $26,202.
Don Martin, Madison, Al., $26,201.
George W. Wise, Bakersfield, Ca., $26,201.
Joe K. Augerot, Satanta, Ks., $26,192.
Joe Sharp, Plainview, Tx., $26,190.
L. E. Rowland, Greenwood, Ms., $26,187.
Sid Allen, Jr., Live Oak, Fla., $26,186.
David K. McGehee, Happy, Tx., $26,185.
Harris Farms, Inc., Senath, Mo., $26,185.
A. W. Carlson, McFarland, Ca., $26,183.
Knipp Land Co., Big Springs, Ne., $26,182.
Richard Hoefs, Balmorhea, Tx., $26,181.
Jackson Est. & D. E. Jackson, Jr., Hgn., Tx., $26,180.
Joe A. Evans, Hale Center, Tx., $26,180.
Lucerna Planting Co., Vidalia, La., $26,179.
Edgar Brown, Est., Adrian, Tx., $26,178.
Geo. Shannon, Tulare, Ca., $26,178.
Norcross Farming Company, Tyronza, Ar., $26,177.
A. E. Teaford, Luxora, Ar., $26,176.
A. B. & W. Mansell, Canton, Ms., $26,175.
Frank A. Jones, Lexington, Ms., $26,175.
M. S. Johnson, Jr., Bentonia, Ms., $26,174.
Edward E. Holley, Mangham, La., $26,174.
Leighton O. Teeple, Plainview, Tx., $26,174.
I. Arnold Chauncey, Lubbock, Tx., $26,171.
John Wallace Kelly, Stanton, Tx., $26,171.
Thomas W. Cooke, Jr., Bowie, Az., $26,170.
Leroy Goertz, Wheatland, Wy., $26,166.
Frank H. Coleman, Itta Bena, Ms., $26,165.
Doug G. Sopher, Olton, Tx., 26,163.
Wayne McLarty, Anton, Tx., $26,163.
Hercal Corporation, Lindsay, Ca., $26,163.
H. Novak, Nebraska City, Ne., $26,160.
Brock Farm, Lockney, Tx., $26,160.
John W. Liles, Bville, S.C., $26,158.
Travis Walls, Altus, Ok., $26,158.
A. F. Gregory, Jr., Lexa, Ar., $26,157.
Momer C. Barron, Meadow, Tx., $26,155.
Richard Cheatum, Syracuse, Ks., $26,154.
E. A. Noland, Floydada, Texas, $26,152.
Granville, Smith, San Juan, Tex., $26,152.
Coy M. Holt, Gruver, Texas, $26,146.
George, Pew, Mesa, Az., $26,146.
Marvin May, Sudan, Tx., $26,143.
Stanley Metelmann, Walhalla, N.D., $26,143.
Mary Lanning Hosp. Tr., Hastings, Ne., $26,140.
Elmo Fortenberry, Sunray, Tx., $26,139.
Fred H. Schield, Goodland, Ks., $26,139.
Frank Mercer, Silverton, Texas, $26,137.
W. H. Okeefe, Blytheville, Ar., $26,136.
Richard Hampton, Pendleton, Or., $26,135.
Hoeft Ranches, Inc., Pendleton, Or., $26,134.

M. K. Sellers, San Simon, Az., $26,130.
Jerome Gumz, Medaryville, In., $26,130.
W. S. Adams, Rosedale, Ms., $26,130.
Ed Wilson, Dimmitt, Tx., $26,129.
Talmage C. Ivey, Levelland, Tx., $26,128.
Burchfield Farms, Inc., Lake Village, Ar., $26,126.
A. L. Stovall, Panhandle, Tx., $26,126.
P. Keith Marble, South Plains, Tx., $26,125.
Washington Ginning Co., Tennille, Ga., $26,125.
Elsie W. Heaton, Lyon, Ms., $26,124.
Fred L. Marble, South Plains, Tx., $26,122.
Paul Yarbrough, Littlefield, Tx., $26,119.
Sam Goldman, Straughn, In., $26,119.
Zoller Farms, Great Falls, Mt., $26,118.
J. F. Elliston, Flagler, Co., $26,116.
John W. McSpadden, Vernon, Tx., $26,113.
Exum Ranch, Dalhart, Tx., $26,111.
F. B. Alyward, Pace, Ms., $26,108.
J. H. Crews, Lake Providence, La., $26,103.
Charles Dudley, Moscow, Ks., $26,103.
Elmer Koenning, Plainview, Tx., $26,102.
S. & S. Ranches, Tulare, Ca., $26,102.
Amanda S. Duvall, Heppner, Or., $26,101.
Moxley Farms, Charleston, Mo., $26,097.
Ansel Underwood, Portageville, Mo., $26,095.
J. F. Schmelzla, Willcox, Az., $26,095.
Sergrest Bros., Shorter, Al., $26,094.
Carroll Josh, Yuma, Co., $26,094.
L. G. Watson, Hart, Tx., $26,091.
Madge M. Harrison, Memphis, Tn., $26,091.
Johnnie Cates, Floydada, Tx., $26,087.
R. R. Rule, Friona, Tx., $26,087.
Ralph Till, Elmore, Al., $26,086.
Philo Butler & Perryton, Tx., $26,084.
W. F. Finley, Jr., Rayville, La., $26,079.
M. C. Sevier, Tallulah, La., $26,076.
Bailey Blair, Winnebago, Minn, $26,076.
Louis Ricci Buttonwillow, Ca., $26,075.
Bonham Farms, Inc., Roswell, NM., $26,075.
Houstan H. Marshall, Walla Walla, Wa., $26,075.
J. G. Allen, Jr., Bradley, Ar., $26,072.
J. D. Melton, Littlefield, Tx., $26,067.
L. L. Shultz, Hereford, Tx., $26,067.
Claude H. Evans, Casa Grande, Az., $26,067.
D. J. Bessire, Donnell, Tex., $26,066.
Louis A. Kopple, Chicago, Il., $26,066.
Eugene Berning, Marienthal, Ks., $26,062.
Eddie R. Harrington, Texico, Nm., $26,059.
J. E. Davis & Sons, Wildorado, Texas, $26,056.
B. W. Carlson, Edcouch, Tex., $26,055.
R. B. Lyon, Jonestown, Ms., $26,054.
William A. Simpson, McDonough, Ga., $26,054.
Pfeifer Brothers P, Marlin, Wa., $26,053.
Daniel Cronin, Gettysburg, Sd., $26,051.
Schrimsher Bros., Roswell, Nm., $26,050.
Leo W. Foster, Kress, Tx., $26,050.
H. S. Jewett, Bakersfield, Ca., $26,049.
Kenneth Pike, Harvest, Al., $26,046.
Riggan & Neal Farms, Inc., Pearsall, Tex., $26,045.
Leonard Heistand, Dow City, Ia., $26,043.
Charles Coldani, Galt, Ca., $26,041.
J. K. McNeill Farms, Raeford, NC, 26,041.
Carl M. Hansen, Jr., Palacios, Tx., $26,035.
Loitz Bros., Grant Park, Il., $26,035.
James Overstreet, Hereford, Tx., $26,034.
J. V. Riley, Brownfield, Tx., $26,033.
Cornwall Farms, Fairfield, Wa., $26,030.
Melvin D. Jennings, Tulia, Tx., $26,029.
E. L. Beaver, Pville, Ca., $26,025.
Aldo Marconi, Crawfordsville, Ar., $26,025.
J. W. Parker, Rosedale, Ms., $26,023.
Billy R. Jones, Brownfield, Tx., $26,018.
Royce Applegate, Geraldine, Mt., $26,017.
Clarence Venell, Corvallis, Or., $26,015.
Rollis Friend, Pixley, Ca., $26,013.
Leon Hamilton, Hillsboro, Al., $26,011.
Versluis Ranches, Chandler, Az., $26,009.
M. C. Dunlow, Garysburg, NC, $26,008.
Alex Born & Sons, Follett, Texas, $26,007.
Kenneth McClanahan, Bakersfield, Ca., $26,007.
R. Palla, Bakersfield, Ca., $26,007.
Holland & Sons, Happy, Tx., $26,001.
Freddie Mutschuler, Wimbledon, ND, $26,000.
Damon B. Lieb, Portales, N.M., $25,999.
J. A. White, Seminole, Tx., $25,998.
R. R. Rice, Shellman, Ga., $25,995.
John L. Gadberry, Follett, Tx., $25,995.
Eugene F. Ware, Garden City, Ks., $25,994.
Mclendon Brothers, Dawson, Georgia, $25,993.
W. F. Ervin, Duncan, Ms., $25,993.
Keith Cook, Edson, Ks., $25,993.
Glenn Jolly, Kress, Tx., $25,992.
J. V. Moore, Arkabutla, Ms., $25,992.
Bill Blackburn, Cherokee, Al., $25,992.
Esperenza Plt., Glen Allan, Ms., $25,990.
J. A. Wise & Son, Samson, Al., $25,989.
Milam Planting Co., Hollandale, Ms., $25,986.
E. A. Brag, Hope, ND., $25,985.
Williams & Williams, Yazoo City, Ms., $25,985.
Charles Packard, Hereford, Tx., $25,983.
W. E. Stone, Mantee, Ms., $25,980.
Howard & Ronald Henry, Buckeye, Az., $25,980.
Western Alfalfa Corp., Odessa, Ne., $25,973.
James C. Passmore, Pecos, Tx., $25,972.
O. L. Straughan & Sons, Adams, Or., $25,971.
George R. Martin, Whiteface, Tx., $25,971.
A. B. Bingham, Amarillo, Tx., $25,971.
Vernon Hoffman, Danube, Mn., $25,969.
Toretta Farms, Buttonwillow, Ca., $25,964.
Wolff Farms, Union Mills, In., $25,964.
Fred V. Jones, Inverness, Ms., $25,962.
Clint Thomas, Sheffield, Il., $25,960.
William Sledge, Sumner, Ga., $25,958.
Greenfield Pltg. Co., Tutwiler, Ms., $25,957.
L. M. Powell, Ralls, Tx., $25,955.
Larkins Bros., Clinton, Ky., $25,954.
Kathryn Raymond, Abernathy, Tx., $25,951.
Stewart Farms, Rensselaer, In., $25,947.
Milan W. Nelson, Sebastian, Tx., $25,945.
J. A. Hanson, Hamilton, Ms., $25,945.
Raymond & Son Inc., Helix, Or., $25,945.
Tom Howell, Roll, Az., $25,943.
S. I. Gregory, Shaw, Ms., $25,942.
Boscoe Blagg, Dumas, Ar., $25,941.
Jack H. Stallings, El Paso, Tx., $25,938.
Billy Arnwine, Levelland, Texas, $25,937.
W. A. Rawls Ranch, Fabens, Tx., $25,934.
Ferrell & Luvaas, Pomeroy, Wa., $25,934.
Loyd J. Becker, Memphis, Tx., $25,934.
Jimmy M. Bagwell, Empire, Al., $25,929.
James C. Moreton, Charleston, Mo., $25,928.
Perry Bell Enterprise, Thomasville, Ga., $25,925.
Leon Meredith, Maple Park, Il., $25,922.
Russell D. Smith, Muleshoe, Texas, $25,921.
Kirby Wyllie, Tulare, Ca., $25,920.
J. E. Helm, Plainview, Tx., $25,920.
Quirk Farms, Inc., Wall Lake, Ia., $25,917.
Adrian Richins, Duncan, Az., $25,917.
Gothenburg Feed Products Co., Gothenburg, Ne., $25,915.
Jerry R. Maloney, Terrell, Tx., $25,913.
Dr. D. Tuminello, Cleveland Ms., $25,910.
J. E. Good, Hamburg, Ia., $25,906.
Clarence Meeks, Farwell, Tx., $25,902.
Douglas Giles, Olton, Tx., $25,900.
R. H. Trostle, Johnson, Ks., $25,900.
Ferris Farms, Inc., Vicksburg, Ms., $25,897.
W. & Culpepper, Est., Cameron, Tx., $25,897.
Leo J. Dreiling, Victoria, Ks., $25,896.
Wood Brothers, Gould Ar., $25,895.
Thrane Parsons, Plainview, Tx. $25,891.
Earl Morehouse, Bristol, S.D., $25,889.
Jack Webb, O'Donnell, Tex., $25,887.
J. P. Barton, Hale Center, Tx., $25,882.
Healy Enterprises, Inc., Lancaster, Ca., $25,811.
Mrs. Nannie S. Parks, Drew, Ms., $25,881.
Richard Lee Miller, Clovis, N.M., $25,874.
Robert A. Vail, Marion, S.C., $25,874.
J. D. Rast and Sons, Cameron, S.C., $25,873.
J. B. Lowe, Benoit, Ms., $25,871.
W. F. Abney, Woodsboro, Tx., $25,871.
Norman Birkeland, Sheyenne, N.D., $25,866.
Junior J. Heppard, Boise City, Ok., $25,865.
Wm. E. Rogge, Brownville, Ne., $25,864.
Charlie P. Briggs III, Calvert, Tx., $25,860.
William Banta, West Point, In., $25,860.
Harold S. Holland, Clovis N.M., $25,859.
Sanger Farms, Inc., Hickman, Ky., $25,859.
Roy C. Clark, Lubbock, Tx., $25,858.
Frank Chounet Est., Firebaugh, Ca., $25,858.
Ray Jackson Enterprises, Syracuse Ks., $25,858.
H. E. Hammond, Boise City, Ok., $25,856.
Tai Hing & Co., Firebaugh, Ca., $25,855.
J. D. Hewes, Ingalls, Ks., $25,855.
Smith Farm, Inc., Shelbuvl, Il., $28,854.
Dave Odem, Sinton, Tx. $25,851.
A. M. McDonald, Little Rock, S.C., $25,849.
Iron H. Mueller, Bird City, Ks., $25,848.
Flying Dollar Ranch, Oakfield, Wi., $25,847.
Joe M. Zinser, Hereford, Tx., $25,846.
Ben W. Walker, Shorter, Al., $25,846.
Portis Planting Company, Inc., Lepanto, Ar., $25,845.
Myron E. Sell, Tribune, Ks., $25,845.
Raymond Crist, Holcomb, Ks., $25,844.
Manning Mimbs, Adrian, Ga., $25,843.
W. T. Settle, Abernathy, Tx., $25,840.
Bob F. Morrow, San Benito, Tx., $25,839.
Massey Farms, Animas, N.M., $25,835.
W. A. Berry, Bishopville, S.C., $25,833.
Pat Northcutt, Silverton, Tx., $25,830.
David J. Needs, Upper Sandusky, Oh., $25,829.
Everett L. Craft, Edson, Ks., $25,824.
Hugh McClatchy, Red Banks, Ms., $25,823.
Orbra A. Cole, Friona, Tx., $25,819.
Byron E. Powell, Ralls, Tx., $25,817.
Phillip Tate, Clovis, N.M., $25,817.
Deon Awtrey, Friona, Tx., $25,815.
Tom J. Boyd, Amarillo, Tx., $25,814.
W. J. Brady, Clarksdale, Ms., $25,814.
Julian M. Drake, Blenheim, S.C., $25,813.
Frank Franceschi, Buttonwillow, Ca., $25,813.
Ernest Brasher, Jr., Cascilla, Ms., $25,811.
Sam Cox Goodin, Charleston, Mo., $25,808.
Arressar Ranch, Inc., Burlington Jct., Mo., $25,808.
Jay Hickert, Akron, Oh., $25,808.
Harding Burris, Elida, N.M., $25,807.
James Wilson, Wickliffe, Ky., $25,804.
Royce G. Welch, Friona, Tx., $25,796.
E. Weeth & Son, Coalinga, Ca., $25,796.
George D. Vaughon, Lamesa, Tx., $25,795.
J. E. Wisdom, Levelland, Tx., $25,794.
Clyde S. Hester, Jr., Sallis, Ms., $25,794.
E. C. Hay & Son, Inc., Tekoa, Wa., $25,793.
Louis E. Allred, Wellington, Tx., $25,784.
J. D. Long, Braggadocio, Mo., $25,781.
W. O. Hart, Taft, Tx., $25,778.
M. F. Klose, Sr., Lometa, Tx., $25,777.
Cecil Morrison, Hereford, Tx., $25,774.
Marion Maddox, Fort Valley, Ga., $25,773.
A. C. Jones, Nora, Ne., $25,772.
Sagouspe Brothers, 6410 Rd. 26, Madera, Ca., $25,772.
A. T. Earnheart, Tunica, Ms., $25,769.
W. T. Presley, Lake Providence, La., $25,769.
J. D. Fletcher, Box 192, Black Oak, Ar., $25,766.
Ralph Gilkey, Corcoran, Ca., $25,765.
A. C. Mayhugh, Hollis, Ok., $25,765.
Ratzlaff Bros., Shafter, Ca., $25,765.
Rueben F. Owens, Seagraves, Tx., $25,764.
Franklin Dusek, Mission, Tex., $25,764.
William H. Evans, Lacrosse, Wa., $25,763.
Leo J. Terca, Presho, Sd., $25,763.
Norris K. Waites, Harpersville, Al., $25,758.
L. Weldon Norman, Rule, Tex., $25,757.
Leroy Bailey, Broadview, Nm., $25,757.
W. C. Lester, Inverness, Ms., $25,756.
E & R Redenius Partnership, Welcome, Mn., $25,754.
Frank Leroy and Sons, Mill Creek, In., $25,752.
Martin Farms, Inc., Walla Walla, Wa., $25,750.
C. S. Hurdle, Moscow, Tn., $25,749.
J. Oren Reid, Lagrange, Mo., $25,744.
Robert J. Ownbey Est., 1115 Bell Av., Amarillo, Tx., $25,739.
David Doles, Jr., Bonita, La., $23,736.
R. C. Branch, Sr. Estate, Osceola, Ar., $25,735.
W. H. Spradlin, Jr., Keyes, Ok., $25,735.
Agrivest Corp., Woodland, Ca., $25,734.

W. H. Rollow, Ada, Ok., $25,730.
Elk Valley Farms, Larimore, Nd., $25,728.
Copus O. Boyd, Tulia, Tx., $25,726.
George MacClure, Sloan, Ia., $25,724.
Thomas E. Young, Poplar Grove, Ar., $25,724.
Jack C. Davis, Town Creek, Al., $25,724.
Maurice Earl Botkin, S. Mutual Union Rd., Urbana, Oh., $25,723.
John C. White, 1312 Fairway Terrace, Clovis, Nm., $25,721.
R. E. Lancaster, Jr., Clayton, La., $25,721.
Will D. Griffin, McAdoo, Tx., $25,721.
E. J. Lake Inc., Box 3, Dundee, Ms., $25,720.
Paul Robertson, Hale Center, Tx., $25,720.
Herman Stortenbecker, Glenwood, Ia., $25,713.
Brown Farms, 1105 E. Cardwell, Brownfield, Tx., $25,710.
T. Edward Smith, Tokio, Texas, $25,708.
E. C. Simmons, Lorenzo, Tx., $25,707.
Virgil Unruh, Burlington, Co., $25,707.
T. D. Young, Sweetwater, Tx., $25,705.
Allan Webb, Dimmitt, Tx., $25,704.
R. M. Pritchett, Arcola, Ms., $25,703.
Gerald Mann, Cotulla, Tx., $25,696.
Frank Klempel, Bloomfield, Mt., $25,695.
Mussell Slough Farms, Hanford, Ca., $25,694.
Sterling Lockmiller, Texico, Nm. $25,694.
Harold Campbell, Lorenzo, Tx. $25,693.
Wm. H. Akers, Sharon Springs, Ks., $25,692.
Fall River Farms, Inc., Fall River, Wi., $25,690.
R. R. Brake, Jr., Battleboro, Nc., $25,689.
John Ellis Williams, Jr., Morgan City, Ms., $25,686.
Harold G. Kleinbach, Cunningham, Wa., $25,685.
George J. Ermis, Odem, Tx. $25,685.
Charles Walton, Leonardsburg, Oh., $25,680.
Donald D. Love, Childress, Tx., $25,680.
Eubank/Searsy Ralls, Tx., $25,679.
Brown Farms, Lucas, Ks., $25,678.
Bill Gibbs, Portland, Ar., $25,677.
Charles B. Gray, Ralls, Tx., $25,675.
Jack Ramsey, Yuma, Az., $25,675.
J. L. Teer, Dixie, La., $25,674.
Lake Roberson, Jr., Lyon, Ms., $25,673.
E. J. Baker, Jr., Turrell, Ark., $25,669.
Jerrell W. Stepps, Centre, Al., $25,667.
Re-Al Farms, Inc., Dos Palos, Ca., $25,665.
W. M. Yarborough, Belcher, La., $25,665.
Weldon Tabor, Kirkland, Tx., $25,664.
Gibbs Rucker, Broadview, Nm., $25,663.
F. W. Smith, Reynolds, Ga., $25,662.
Bennie L. James, Anton, Tx., $25,662.
James M. Procter, Friona, Tx., $25,662.
Edgar Hood III., Tunica, Ms., $25,661.
Melvin Miller, Rhame, Nd., $25,660.
Donald J. Meyer, Hereford, Tx., $25,660.
Robert K. Long, Wheeler Ridge, Ca., $25,654.
Jack Connell, Shallowater, Tx., $25,654.
William R. Johnston, Weldon, Nc., $25,651.
L. E. Mitchell, Jr., Levelland, Tx., $25,651.
H. S. Smithson, Jr., Goodman, Ms., $25,646.
Charles Johnson, Morse, Tx., $25,645.
Diane Janof, Cimarron, Ks., $25,644.
Donald Molatore, Bakersfield, Ca., $25,642.
Albert Johnston, Jonesboro, Ar., $25,641.
James B. Crouthers, Catron, Mo., $25,637.
Bob Urban, Perryton, Tx., $25,637.
Martin Ravnaas, Rochelle, Il., $25,636.
Josef C. Grotegut, Hereford, Tx., $25,634.
Tri C Ranch, Glenns Ferry, Id., $25,631.
Wilburn P. Axe, Hereford, Tx., $25,625.
Cowart & Moorhead, Pixley, Ca., $25,623.
Eldon Fortenberry, Lockney, Texas, $25,621.
Double J Ranch, Sanatobia, Ms., $25,621.
John Everett Hadden, Gibson, Ga., $25,617.
William Stegner, Rhame, Nd., $25,616.
H. L. Adams, Big Spring, Tx., $25,616.
W. A. Taylor, Lumberton, Nc., $25,615.
L. W. Wade, Greenwood, Ms., $25,614.
Kathryn M. Benefield, Plainview, Tx., $25,612.
Wheatley Mill & Gin Co. Farm, Wheatley, Ar., $25,612.
Joseph A. Oglesby, Jr., Indianola, Ms., $25,611.
I. W. Brunson, Alcolu, Sc., $25,611.
A. P. Kersey, Jr., Caruthersville, Mo., $25,611.
John F. Elsperger, Cando, Nd., $25,611.
Jim Pate, Casa Grande, Az., $25,610.
Vanus Byrd, Dalhart, Tx., $25,609.
Norman F. Willms, Los Fresnos, Tx., $25,609.
George Vanhaerents, Deerfield, Mi., $25,606.
Dan Hood, Colton, Wa., $25,603.
W. O. Fortenberry Est., New Deal, Tx., $25,603.
R. E. Womble, Stinnett, Tx., $25,603.
James Fortson, Corsicana, Tx., $25,603.
John Gentz, Lamar, Co., $25,601.
Keith Burt, Grafton, Ne., $25,599.
Goeringer Farm, Castle Rock, Sd., $25,596.
Hanson Bros., Little Sioux, Ia., $25,596.
Brown & Marion R. McCallum, Dillon, Sc., $25,595.
Don Garrison, Silverton, Texas, $25,593.
Edward Bozarth Estate, Culdesac, Id., $25,590.
Gentry Bros., Dell City, Tex., $25,585.
W. Q. Casey, Muleshoe, Tx., $25,584.
George Kempson, Brownfield, Tx., $25,575.
K. Berzent Blagg, Dumas, Ark., $25,574.
Don Sims, Mer Rouge, La., $25,574.
Litchfield Realty Co., Des Moines, Ia., $25,572.
Max D. Parkinson and Son Inc., St. Anthony, Id., $25,570.
J. E. Bratton, Hollandale, Ms., $25,568.
Austin Bros., Farwell, Tx., $25,563.
W. A. Chase, Rolling Fork, Ms., $25,560.
Charles J. Buchen, Los Fresno, Tx., $25,559.
W. J. Terrell, Navasota, Tx., $25,559.
Veri Cutler, Claremont, SD., $25,559.
Hansell Farms, Inc., Athena, Or., $25,558.
Brodie A. Darby, Lubbock, Tx., $25,556.
Harry Begger, Wibaux, Mt., $25,556.
Warren White, Mer Rouge, La., $25,554.
Robert Carnahan, Edwardsport, In., $25,549.
James Bell, Austin, Mn., $25,548.
Pipes Planting Co., Oak Ridge, La., $25,548.
Vista Farms, Buttonwillow, Ca., $25,548.
T. V. Parker, Rocky Ford, Ga., $25,548.
John Hippen, Martin, SD., $25,547.
Grinnell Shoe Co., Clarion, Ia., $25,547.
Ray Hillhouse, Charleston, Mo., $25,545.
Donnie Thoreson, Gruver, Tx., $25,543.
D. W. Stephens, Branford, Fl., $25,540.
L. W. Simmons, Parker, Az., $25,537.
Robert E. Carlson, Byers, Co., $25,536.
E. M. Taylor, Bakersfield, Ca., $25,532.
Josh Barnes & Son, Waterville, Wn., $25,531.
F. F. Glisson, Sylvania, Ga., $25,529.
Bruce Isom, Idalou, Tx., $25,525.
J. A. Rainwater, Billingsley, Al., $25,525.
William R. Heuther, Lisbon, ND., $25,521.
Woodrow Wren, Kansas City, Mo., $25,517.
Harvey Smith, Ilone, Or., $25,516.
Joe Hanson, Clint, Tx., $25,514.
Kenneth Batty, Heppner, Or., $25,513.
Evans Bros., Roseville, Ca., $25,512.
H. M. Pitts, Weslaco, Tx., $25,511.
Wolf Farms, Oregon, Oh., $25,509.
J. D. Bennett, Lamesa, Tx., $25,505.
Kent Denson, Seminole, Tx., $25,502.
Echeveste & Elizalde, Firebaugh, Ca., $25,500.
Leo Harkness, Leoti, Ks., $25,500.
John F. Rodgers, Lyons, Ms., $25,497.
Wesley D. Hood, Coolidge, Az., $25,496.
Erwin Schnad, Billings, Mt., $25,495.
J. H. Johnson, Leighton, Al., $25,493.
Ernest W. Michael, Willows, Ca., $25,492.
Wm. L. Price, Amarillo, Tx., $25,491.
C. D. Thomason, Millington, Tn., $25,491.
Ellis W. Tatum, Friona, Tx., $25,491.
James E. Perry, Cochran, Ga., $25,487.
Joe Varisco, Bryan, Tx., $25,484.
Wright Lands, Inc., Chico, Ca., $25,483.
W. E. Esslinger, LaMesa, NM., $25,481.
G. A. Klefstad, Forman, ND., $25,479.
Tom W. Collins, Estelline, Tx., $25,478.
Elmer White, Grady, NM., $25,477.
Gilbert Turner, Buckeye, Az., $25,476.
Harold J. Froning, Wichita, Ks, $25,473.
Billy Crump, Ralls, Tx., $25,473.
Cecil & Delmer Sullins, Ptnrs., Hillsboro, Tx., $25,473.
Leslie Nix, Wynne, Ar., $25,472.
Guy Gilbert Farms, Casa Grande, Az., $25,472.
Wayne Parsons, Hugoton, Ks., $25,470.
V. S. Johnson, Leachville, Ar., $25,465.
Est. of J. C. Carnahan, Cloutierville, La., $25,462.
J. R. Austin, Jr., Enochs, Tx., $26,461.
Lon Davis, Jr., Floydada, Tx., $25,461.
James W. Schaefer, New Rockford, ND., $25,458.
Wise Bros., Inc., McCredie, Mo., $25,450.
Charles Oliver, Tahoka, Tx., $25,448.
A. & N. Fioranelli, Cleveland, Ms., $25,447.
Bud Antle, Inc., Redrock, Ar., $25,442.
Glenn Terrell, Plainview, Tx., $25,441.
Albert Matlock, Clovis, NM., $25,438.
Kitamura Brothers, San Benito, Tex., $25,433.
Robert H. Belew, Vernon, Tx., $25,433.
Clinton Bailey, Clarksdale, Ms., $25,431.
Henry S. King, Roggen, Co., $25,427.
Pates Supply Co., Inc., Pembroke, NC., $25,426.
C. J. Stancil, East Prairie, Mo., $25,422.
Richard C. Brining, Great Bend, Ks., $25,420.
Harland J. Taylor, Goodland, Ks., $25,419.
R. C. Mitchell, Lockney, Tx., $25,419.
Newell Wayne Tate, Tarzan, Tx., $25,418.
Jess Thomas, Henderson, Tn., $25,418.
Carlos Berry, Seminole, Tx., $25,417.
Jack Martin, Panhandle, Tx., $25,416.
S. J. Clevenger, Anton, Tx., $25,416.
Carl Wiley, Las Cruces, NM., $25,414.
Ervin Baublitz, Buttonwillow, Ca., $25,412.
Robert Nunnally, Causey, NM., $25,412.
Angus G. Newton, Clio, S.C., $25,411.
R. L. Bruton, Sherrill, Ar., $25,409.
Ned Daley, Thatcher, Ariz., $25,409.
Ralph R. Hackey, Rincon, NM., $25,406.
Roger Novack, Murphysboro, Il., $25,404.
James M. Underwood, Leighton, Al., $25,403.
Paul Owens, Lake City, Ar., $25,402.
Dwight Jewell, Winnebago, Il., $25,402.
Loyce Makamson, Sidon, Ms., $25,402.
Hobert Stewart, Manter, Ks., $25,400.
D. and W. Jones, Inc., Isola, Ms., $25,397.
Duncan Farms, Inc., Pecos, Tex., $25,396.
Weldon Bailey, Wilson, Texas, $25,394.
George W. Poulson, Lorenzo, Tx., $25,394.
Mrs. Dona Doughty, Morton, Tx., $25,389.
Billy H. Wilson, Brownfield, Tx., $25,389.
Ellsworth & Kortsen, Stanfield, Az., $25,388.
Alfred Ryder, Princeton, Mo., $25,386.
J. G. Hubbard, Clio, S.C., $25,385.
J. G. Balfour, Lumber Bridge, N.C., $25,376.
Delmer Holloway, Hamilton, Ms., $25,375.
Willis Pennington, Tahoka, Texas., $25,368.
A. T. Earnheart Co., Tunica, Ms., $25,368.
J. T. Cooper, Waynesboro, Ga., $25,368.
Bobby Gene Wright, Coy, Ar., $25,367.
John B. Lamb, Slaton, Tx., $25,367.
James Grassie, Dexter, NM., $25,366.
Elmer N. Jensen, Idaho Falls, Id., $25,365.
S. M. Haney, Big Spring, Tx., $25,363.
Royce McGee, Chattanooga, Ok., $25,363.
Ward Carraway, Utica, Ms., $25,359.
Dwight D. Klinger, Ashland, Ks., $25,355.
Eli E. Parker, Sumter, S.C., $25,354.
Don M. Lowe, Baileyboro, Tx., $25,353.
Robert Woodhouse, Roll, Az., $25,351.
Arvin Bredthauer, Ord, Ne., $25,351.
Jack Purtell, Brownfield, Tx., $25,348.
Neffs Ranch, Arvin, Ca., $25,344.
Bill Poss, Hugo Co., $25,342.
Charles Wildy, Osceola, Ar., $25,338.
Ward W. Carroll, Lubbock, Tx., $25,336.
Lloyd Hurt, Dilley, Tx., $25,335.
R. L. Perryman, Leary, Ga., $25,330.
Manuel Martin, Jr., Tipton, Ca., $25,329.
Harold Hester Colorado City, Tx., $25,328.
S. M. Dill, Brownfield, Tx., $25,323.
W. R. Grimes, Willcox, Az., $25,321.
Ben Roming, Muleshoe, Tx., $25,315.
Paul Adams, Ackerly, Tx., $25,314.
B. J. Holland, Kress, Tx., $25,307.
Carl Archer, Spearman, Tx., $25,307.
George H. Meyer, Stratford, Ca., $25,303.

D. L. Heine & A. Behnken Ptrp., Gorham, Il., $25,303.
Muriel G. Gardiner, Asland, Ks., $25,297.
J. L. Jordan, Jr., Tucumcari, Nm., $25,296.
Jack Tippen, Paducah, Tx., $25,295.
Dent Bradley, Dimmitt, Tx., $25,294.
Lonnie F. Widener, Memphis, Tx., $25,293.
Bartlett-Heard Co., Phoenix, Az., $25,287.
J. B. Jackson, Honey Grove, Tx., $25,286.
Calvin Kolb, Oxford, Oh, $25,284.
Crum Foshee, Red Level, Al., $25,282.
Stufft Farms, Inc., Cut Bank, Mt., $25,280.
Richard Twist, Earle, Ar., $25,277.
Roger E. Haberer, Earth, Tx., $25,271.
George Brammer, Lenore, Id., $25,271.
Mariane Tobin, Tekamah, Ne., $25,270.
Mt. Level Farms, East Prairie, Mo., $25,268.
Bill Pickette, Scotland Neck, Nc., $25,263.
P. R. Farms, Inc., Fresno, Ca., $25,263.
C. D. Smith Jr., Lake City, S.C., $25,262
J. S. Cowart, Jr., Arlington, Ga., $25,260.
Ralph Hinkle, Laredo, Tx., $25,258.
A. B. Roberts, Littlefield, Tx., $25,258.
McKinney and Taylor, Pecos, Tx., $25,257.
Deloy Blewer, Campti, La., $25,250.
Don Williams, Farwell, Tx., $25,250.
Walter Lowery, Madison, Al., $25,249.
Bell & Carson, Newport, Ar., $25,247.
Ben Whitfill, Silverton, Tx., $25,247.
Hans Neumeyer, Bennington, Ne., $25,245.
Bobby D. Green, Earth, Tx., $25,243.
Sam A. Lynch, Hereford, Tx., $25,237.
Earl Kiser, Plains, Tex., $25,236.
Maple Ranch, Bakersfield, Ca., $25,233.
Arlos W. Weaver, Haskell, Tex., $25,232.
Ted Eagen, Walhalla, N.D., $25,231.
Winston Mader, Genesee, Id., $25,229.
Brookover Feed Yard, Inc., Garden City, Ks., $25,227.
Larry Crowe, Forest, La., $25,225.
Ford A. Carter, Levelland, Tx., $25,224.
Donnie Powell, Ralls, Tx., $25,221.
Herbert H. Miller, Dawn, Tx., $25,219.
E. M. Layton, Coolidge, Az., $25,218.
J. C. Neal, Jr., Utica, Mo., $25,218.
J. L. Britt, Snow Lake, Ar., $25,216.
Henry G. Gafford, Snyder, Tex., $25,216.
Horning Brothers, Corvallis, Or., $25,216.
Billy Bryan Boyd, Lubbock, Tx., $25,210.
Henry F. Bamberg III, Bamberg, S.C., $25,210.
Kenneth W. Ashby, Hale Center, Tx., $25,208.
J. E. Rexrode, Lockney, Tx., $25,207.
Thomas G. Nix, Anson, Tx., $25,205.
Derrill Nippert, Kirkland, Tx., $25,204.
Glen B. Payne, Slaton, Tx., $25,199.
D. L. Yarbrough Estate, Prattville, Al., $25,199.
J. E. Bright, Dumas, Tx., $25,198.
Hugh L. Salter, Bartow, Ga., $25,195.
James Workman, Scott, Ar., $25,192.
Palafox Exp. Co., Midland, Tx., $25,192.
Levelland Compress Co., Inc., Muleshoe, Tx., $25,191.
Roy E. Tate, Canton, Ms., $25,190.
Chelton Frms Op. Co., Inc., Las Cruces, N.M., $25,186.
Virginia Brumfield, Inverness, Ms., $25,185.
W. T. Williams, Inc., Twin Falls, Id., $25,185.
Wilton L. Nash Trustee, Avalon, Ms., $25,183.
Herman Archer, Milledgeville, Ga., $25,183.
W. D. Freeman, Denver City, Tx., $25,183.
E. L. Parker, Midnight, Ms., $25,181.
F. B. Crews, Osceola, Ar., $25,180.
Henry Fisher, Belmont, Wa., $25,180.
F. L. Blount, Jr., Greenville, N.C., $25,176.
R. F. Young, Starbuck, Wa., $25,176.
Filan Brothers, Colfax, Wa., $25,173.
Ed Lawler, Lake Village, Ar., $25,173.
Lorenzo Freeman, Lamesa, Tx., $25,172.
Warren Anderson, Colorado City, Tx., $25,172.
Sidney F. Hirt, Garden City, Tx., $25,171.
H. Boler Farms, Truman, Mn., $25,170.
A. L. Power, Mesa, Az., $25,167.
Burdette Boyd, Holly Bluff, Ms., $25,166.
A. J. McLemore, Jr., Montgomery, Al., $25,164.
Laurence G. Whitney, Tremonton, Ut., $25,164.
Harry W. Henry, Oconto, Ne., $25,163.
A. Glenn Kluck, Richland, Ne., $25,162.
James L. Moss, Clovis, N.M., $25,161.
Lester B. Godwin, Hereford, Tx., $25,158.
Yellowstone Grain Co., Molt, Mt., $25,154.
B. D. Wakeland, Waxahachie, Tx., $25,149.
Maurice Crowder, Sallis, Ms., $25,145.
John Knox Nunn, Jones, La., $25,145.
W. T. Rooney, Jr., Est., Garden City, Ks., $25,143.
W. B. Mack, Harlingen, Tx., $25,143.
Dennis Petersen, Trementon, Vt., $25,142.
Joe Mangin & Richard Mangin, Gettysburg, S.D., $25,141.
Charles F. Culp, Jemison, Al., $25,140.
Paw Paw Block Farm, Millington, Tn., $25,131.
L. A. Powell, Alexander, N.D., $25,131.
Daniel M. Parish,Murdo, S.D., $25,126.
Pete C. Gibson, Jr., Calvert, Tx., $25,126.
Merlin Speed Brownfield, Tx., $25,124.
Harold J. Israel, Smithville, Ga., $25,124.
Earl L. Carter, Selma, Ca., $25,123.
Robert M. Hawk, Monroe, Ga., $25,122.
Scott Farm Co., Alexis, Il., $25,120.
G. X. McSherry, Deming, N.M., $25,117.
Rose Ranch, Shafter, Ca., $25,112.
Perry Farms, Fort Benton, Mt., $25,112.
Avery Linville, Urbana, Ohio, $25,112.
David McClellan, Dumas, Tx., $25,111.
W. I. Johnson, Lake Arthur, N.M., $25,110.
Maurice E. Powell, Dimmitt, Tx., $25,110.
U. V. Helbert, Hale Center, Tx., $25,107.
Louis L. Johnson, Stanfield, Az., $25,105.
Warren Swenson, Cut Bank, Mt., $25,104.
Vaughn L. Shownes, Manila, Ar., $25,104.
Oneal Sockwell, Tuscumbia, Al., $25,102.
Clarence Adams, Frederick, Ok., $25,100.
William B. Criswell, Idalou, Tx., $25,094.
Larry Hawthorne, Pville, Ca., $25,094.
N. B. Leatherwood, Lamesa, Tx., $25,094.
Allen Bros., Arapahoe Co., $25,093.
Jerome Green, Morgan, Mn., $25,092.
Moody Prop. Inc., Dysbg, Tn., $25,092.
Martin Lawson, Levelland, Tx., $25,091.
Glenn Kovanda, Milligan, Ne., $25,089.
R. L. Hatcher, Liberal, Ks., $25,089.
Russell Ratcliff, Joseph, La., $25,086.
Weldon Reed, Plainview, Tx., $25,085.
Motte Ranches, San Joaquin, Ca., $25,084.
Bevly Bros., Robstown, Tx., $25,083.
Evans Butler, Pecos, Tx., $25,082.
Alfred J. Schwartz, Garden City, Tx., $25,082.
J. Frank Jones, Meadow, Tx., $25,077.
Ott Brothers, Verdon, S.D., $25,076.
J. R. Turner, Rosedale, Ms., $25,076.
Earl F. Cohrs, Donna, Tx., $25,073.
William F. Hayner, Las Cruces, N.M., $25,073.
J. T. Hall, Jr., Levelland, Tx., $25,068.
Johnnie J. Maberry, Plainview, Tx., $25,068.
J. D. Hance, Jr. & Jack Clayton, Hartley, Tx., $25,067.
G. H. Laney, Melrose, N.M., $25,065.
Wm. S. Gandy, Jr., Robstown, Tx., $25,064.
Johnnie Bruna, Belgrade, Nebr., $25,064.
Roy W. Wharton, Dalhart, Tx., $25,061.
Leo J. Cremer, Jr., Melville, Mt., $25,056.
Palouse Grasslands, Inc., Spokane, Wa., $25,056.
Odell Cole, Plainview, Tx., $25,052.
Billy E. Bourlon, Farwell, Tx., $25,049.
Paul E. Crosnoe, Jr., Lubbock, Tx., $25,046.
Tiger Tail Farms Inc., Dybg, Tn., $25,043.
D. B. Thompson, Hartley, Tx., $25,043.
Fred A. Booth, Highwood, Mt., $25,037.
Max C. Crim, Muleshoe, Tx., $25,035.
Floyd Flowers, Tiptonville, Tn., $25,034.
Loma Farms, Brawley, Ca., $25,032.
Troy F. Vance, Claude, Tx., $25,027.
A. R. Lamb, Morton, Tx., $25,026.
Harold Verett, Floydada, Tx., $25,025.
Charles R. Hedges, Shallowater, Tx., $25,024.
Rhodes and Rhodes, Petersburg, Tx., $25,022.
Oscar O. Przilas, Dalhart, Tx., $25,022.
Hardin Farm, Batesville, Tx., $25,019.
R. T. Stinson, Bossier City, La., $25,013.
Arnold Pearson, Richland, Mt., $25,013.
Irwin R. Efird, Fresno, Ca., $25,010.
George R. Wilson, Decker, In., $25,010.
James R. Davis, Seminole, Tx., $25,008.
Cecil Sikes, Wadesboro, N.C., $25,007.
James L. Medlock, Dutton, Al., $25,006.
Joe N. Dunn, Floydada, Tx., $25,006.
R. S. Rife, Jr., Ferriday, La., $25,006
Ferguson Schneider, Lamesa, Tx., $25,005.
A. D. Murphree, Sr., Shelby, Ms., $25,000.
7,795 total payees: $366,779,995.

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

DEVELOPING RURAL AMERICA

The SPEAKER pro tempore. Under a previous order of the House the Chair recognizes the gentleman from Texas (Mr. PRICE) for 30 minutes.

Mr. PRICE of Texas. Mr. Speaker, last September President Nixon established a Task Force on Rural Development. The Task Force was charged with reviewing the effectiveness of present rural assistance programs. It was also given the responsibility for proposing means by which public and private resources could be focused on the problems of rural development.

Earlier this month, the final report of the Task Force was published. It represented the product of the intensive activities of 12 distinguished representatives of the private sector:

Mrs. Haven Smith, National Chairman. American Farm Bureau Women, Chappell. Nebr.

Dr. Joseph Ackerman, Managing Director Farm Foundation, Chicago, Ill.

Dr. C. E. Bishop, Vice President for Research and Public Service Programs, University of North Carolina, Chapel Hill, N.C.

Mr. William Erwin, Farm Manager, Etna Green, Ind.

Mr. Claude W. Gifford, Director, Editorial Page, Farm Journal, Philadelphia, Pa.

Dr. Roy M. Kottman, Dean, College of Agriculture and Home Economics, Ohio State University, Columbus, Ohio.

Mr. Clifford G. McIntire, Former Member of Congress, Perham, Maine.

Mr. True D. Morse, Business and Agricultural Consultant, Former Under Secretary of Agricultural Economic, University of Minnesota, St. Paul, Minnesota.

Dr. Emiel W. Owens, Visiting Professor of Agricultural Economics, University of Minnesota, St. Paul, Minnesota; On leave from Prairie View A&M College, Prairie View, Tex.

Mr. Al A. Schock, President, Nordica Foods Company, Inc., Sioux Falls, S. Dak.

Mr. P. Kenneth Shoemaker, Vice President for Governmental Relations, Heinz Company, Pittsburg, Pa.

Dr. Henry A. Wadsworth, Jr., Professor of Agriculture Economics, Purdue University, West Lafayette, Ind.

For the benefit of my colleagues, I would like to highlight some of the principal recommendations made by the Task Force:

The President and the Congress establish a permanent Commission on Rural Development with the responsibility to monitor rural development activity and report annually to the President and to the Congress with an evaluation.

Concerted effort should be put into

rural development to give it the sense of urgency which the times demand.

The Task Force on Rural Development recommends that high priority be given to a national policy on the geographic distribution of population and economic growth.

New and revised programs should be designed to preserve and strengthen our decentralized system of government; make maximum use of private enterprise; and aim to solve problems rather than perpetually treat the symptoms.

Major emphasis should be placed on cooperation among and within all executive departments to get full use of the resources, energies and commitment of each department to rural development. Various departments and agencies can be designated with primary responsibilities in different subject matter areas.

Each State government should be encouraged to establish a top-level rural development council in the State executive branch; name a State coordinator of rural development; and designate a department, agency or organization within the State to have primary responsibility for coordinating State governmental activity for rural development in the State.

Simplification and streamlining of procedures for applying for rural development assistance. Catalogs of available rural development assistance programs should be maintained so that the designated local offices can give intelligent guidance to inquiries. There should be one place in each development area where preliminary applications can be made for State and Federal development assistance.

The Nation's industries should launch a campaign to establish jobs and new plant locations in countryside America.

Accelerated tax depreciation or investment tax credit for companies located in designated rural development areas should be explored.

Private industry should take on increased responsibilities in the job of training and retraining people in rural areas to develop their trade skills and ability to hold more productive employment.

Recommend a special effort by banks, financial institutions, and the Small Business Administration to lend money and provide management aids for small business in countryside America.

Urge the housing industry to develop special programs to provide better adapted, more economical housing for rural areas.

State departments of education should establish in multidistrict area vocational schools, programs of testing, occupational counseling, vocational and technical training; and in cooperation with the State employment services assist in job placement.

In government-aided manpower training, the Task Force on Rural Development recommends that cost-per-person as the yardstick for establishing training, should be minimized in rural areas.

Whenever practical, Government-aided manpower training be provided through incentives for on-job training in private industry.

The President requests the Interstate Commerce Commission to scrutinize all aspects of the rate structure of public carriers to serve the new national policies in rural growth and development.

The Federal Highway Act be amended to provide for a classification in the Federal-State highway system to be designated "rural development highways." These new short-mileage highways should lead to existing highways, thereby serving local areas that have a high development potential.

Annual funding for rural water and sewer facilities adequate to meet each year more of the soundly developed and approved applications received from rural communities.

The Task Force recommends accelerated annual appropriations to develop more small watersheds each year and to provide adequate funds to complete the projects within the estimated work schedule. We especially need to expand supplies of water for municipal and residential purposes and enhance recreation in nonmetropolitan areas.

Mr. Speaker, as I stated, these are but some of the Task Force's recommendations. While I do not concur with all of the suggestions of the Task Force, I do think they are all well worth analyzing and evaluating in depth. If some prove to be wanting, that in itself may lead those concerned to new more feasible recommendations.

On the whole, however, I think the Task Force has set forth a penetrating description of the urgent goals, policies, and priorities that must be considered if we hope to promote effective rural development.

Finally, for those of my colleagues who are so involved and intertwined with the problems of urban America that they fail to see the need for developing rural America, I say simply this. If the experts are right, and I have no reason to doubt their predictions, we will be a nation of urban centers by the turn of the century. If we continue on our present course, the urban problems that face us will be compounded. The result may be fatal to American way of life.

The experts also estimate that it would cost $100 billion a year over a 10-year period, simply to rebuild, remodel, and remove the urban cancers from our landscape. This, however, would still leave us a nation of city dwellers and I see this eventuality as a real social problem. I say this because recent studies indicate that a majority of those living in cities would prefer to live in the country if similar employment opportunities were available. In this regard, other studies have concluded that a substantial number of those who flee the country for the city do so for increased job opportunities, and that they would remain in the country if other things were equal.

As I stated in an earlier speech on the House floor:

> History will record whether our society truly attempted to provide meaningful and fulfilling life styles, patterns and opportunities for our people. Many critics state that to date, societies efforts have been largely unsuccessful ones.

I believe that if we dedicate ourselves as a nation and a people to the goal of rural development, and if we pursue this goal with unflagging dedication, I believe the resources of rural America can provide a rich bounty to ourselves and our posterity.

TWO NEW HIGHER EDUCATION BILLS

The SPEAKER pro tempore. Under a previous order of the House the Chair recognizes the gentleman from Minnesota (Mr. QUIE) for 30 minutes.

Mr. QUIE. Mr. Speaker, I am today introducing two bills in the field of higher education. The first is the long-awaited administration bill, the "Higher Education Opportunity Act of 1970." Several of my colleagues join me in sponsoring this comprehensive bill in which the administration suggests many new and innovative approaches to Federal support for higher education. I shall comment on it in a minute.

I am also introducing a bill which would provide necessary general assistance to our institutions of higher learning, the "Higher Education General Assistance Act of 1970." It supplements the programs in the administration's bill and gives necessary balance to the total Federal package of higher education legislation.

Mr. Speaker, first let me explain some of the highlights of the "Higher Education Opportunity Act of 1970" which would go into effect July 1, 1971. It would establish a National Foundation for Higher Education with a board and Director appointed by the President. Modeled after the National Science Foundation, this new organization would be the Federal Government's main agency to support quality programs and to stimulate innovation and reform in institutions providing post-secondary education. It would be authorized at a level of $200 million its first year. The Foundation would have more flexibility than currently exists in Federal higher education programs to pinpoint needs and meet them with creative Federal initiative. The Foundation would be specifically authorized to fund, among other things, projects in public service education, community service, law school clinical experience, international education, language development, and networks for knowledge—repealing existing authorities for those programs, some of which have never been funded.

Although I have major questions about the Foundation which I will want to pursue in the Education and Labor Committee, I think the administration has suggested a bold, new mechanism for increasing our effectiveness in meeting specific needs in higher education.

Title II of the bill deals with library assistance. It focuses Federal funds on special needs for library assistance, repealing what we have come to know as basic and supplemental library grants. I, for one, believe this would be a mistake and therefore oppose repealing those parts of existing law.

Title III simply extends with technical improvements the very successful program to strengthen developing institutions.

Mr. Speaker, the major innovative

feature of this bill is title IV which authorizes an entirely new approach to student financial assistance. This is a highly technical and complex section of the bill but a great improvement on the most part over present law. One which our colleagues will want to study carefully. Basically, the administration is proposing a way to make good on what so many of us have long advocated—the guarantee to a student from a low-income family that financial resources are available for him to pursue post-secondary education if he is qualified and so motivated.

Through the creation of a National Student Loan Association, similar in function to the Federal National Mortgage Association, colleges and universities, as well as financial lending institutions, would be able to warehouse or sell their student loan paper. Through this mechanism and Federal funds for direct grants to students, work study programs, and interest subsidies on certain loans, the Federal government could guarantee to a low-income student a financial assistance package sufficient to give him the same ability to pay for his education as a student from a family earning about $10,000 per year. Any student, regardless of family income, would be able to borrow at market rate up to $2,500 per year for his education. The Federal guarantee on these loans would result in an interest rate substantially lower than the student could otherwise get, if he could secure a loan at all.

Mr. Speaker, this section of the bill proposes a major breakthrough in providing enough funds to meet the demand and focusing those funds on students who need help the most.

I was disappointed to note that the administration would exclude students from vocational/technical and proprietary schools form the college work study program and the subsidized loans. This is a drastic step backward in our commitment to assisting students regardless of the type of postsecondary education they choose, so I will work hard to change this part of the bill.

Title V extends with technical improvements the many important programs which we have already authorized in the Education Professions Development Act.

Title VI of this new bill would limit Federal construction support to interest subsidies similar to title III of the Higher Education Facilities Act of 1963. Existing grant and direct loan authorities would be repealed. As I do not feel we can let up much longer in our assistance to institutions trying to keep pace with burgeoning enrollments, I will oppose the repeal of these programs.

Mr. Speaker, those of us who have fought to increase quality opportunities for our Nation's youth in vocational and technical education programs will welcome the administration's proposed career education programs in title VII of this bill. These programs will benefit especially our community colleges, but assistance in providing career education in critical skill areas will not be limited to these institutions. Indeed, many 4-year institutions will want to create new occupational training programs aimed at meeting critical skill manpower shortages as determined by the Secretary of Labor. The bill authorizes $100 million for the first year. Each State would receive $1,000,000 plus an allotment based on its total population. I commend the administration for its initiative in this important area and will work to develop this section in the best possible way.

Mr. Speaker, this bill deserves the careful attention of every Member and I can assure you we will study it carefully in the Education and Labor Committee. All of us on the committee have many questions we are anxious to pursue about some of the details of the bill. I have mentioned a few items which I believe to be mistakes and will make every effort to change them. But, overall, I think the administration has challenged us with some very thoughtful and well-conceived proposed programs.

I can appreciate the difficult decisions the administration had to make in sorting out its priorities for higher education legislation within the tight budget ceilings the President has proposed. We all sympathize with the administration's efforts to curb inflation. But the Congress must also participate in setting national priorities. While I applaud the initiative in the bill I have just discussed, especially its commitment to assist needy students, I do not feel there is adequate provision for assistance to the institutions of higher learning themselves.

I am therefore, Mr. Speaker, introducing a companion bill today, which I have developed myself, the "Higher Education General Assistance Act of 1970." This bill would provide general financial assistance to public and private nonprofit institutions of higher education.

We have discussed the idea of general institutional support for several years. Most of us have agreed that there would be a time when the Federal Government must share in the responsibility to support with unrestricted funds our colleges and universities. I believe that time has come. Is there any doubt that our colleges and universities are truly an indispensable national resource?

My bill will give balance to the comprehensive administration bill in providing solid Federal support to higher education. It would authorize grants to 4-year institutions based on the number of baccalaureate degrees granted. This approach rewards achievement; encourages efforts to save potential dropouts; is easy to administer. It does not offer assistance based on enrollment, thereby tempting institutions to accept large freshman classes without a firm commitment to see each student succeed.

The formula set forth in the bill would give more money per graduate for the first few hundred degrees than for greater numbers of degrees. This approach recognizes the economies of scale found in large institutions. It will not disadvantage the small institutions who need to hold down their tuition costs to remain competitive with the large, public institutions. But it will assist, in a most equitable way, all institutions.

For example, a 4-year institution which had 200 bachelor's degrees would receive $100,000 or $500 per degree. An institution with 2,500 bachelor's degrees would receive $620,000 or $248 per degree.

It is impossible to provide general assistance to community or junior colleges on the basis of degrees granted. The bill therefore provides that 15 percent of the total appropriation shall be distributed equally among community colleges based on the full-time equivalent enrollment in "regularly established degree, degree-credit, or certificate programs." The FTE figure would be the average of enrollment on the first day of class in November and May of each year. I believe this to be an equitable method of distribution.

Mr. Speaker, this bill is in concert with the concept of revenue sharing. The Congress would be recognizing the superior ability of institutions to determine their own most urgent needs. These general assistance grants would be an integral part of all the various Federal education programs. I believe it is time we seriously investigate this approach to financing our institutions of higher learning. They are in great financial need and we would be short-sighted indeed to neglect them at this crucial time.

I invite and welcome the help of my colleagues to study and improve the many provisions in these two far-reaching higher education bills.

RELATIONSHIP BETWEEN HIGH INTEREST RATES, INFLATION AND RESPONSIBLE MANAGEMENT OF THE ECONOMY

The SPEAKER pro tempore. Under a previous order of the House the Chair recognizes the gentleman from Michigan (Mr. BROWN) for 10 minutes.

Mr. BROWN of Michigan. Mr. Speaker, few issues facing the American people today have greater longterm import than inflation, its control and the return of our economy to a normal rate of growth.

Should we falter in our efforts to achieve wisdom in the management of the economy at this particular time of transition from inflationary pressures to healthy growth, we risk either resurgent inflation, with all of the consequent risks, or acute recession with all of the human suffering implicit therein.

Without doubt reasonable men may differ as to the mechanics and timing of this process, but there can be no valid difference of opinion on the imperative need for a return to healthy economic growth.

To that end, I wish to place in the RECORD my statement regarding today's hearings before the Banking and Currency Committee on the relationship between high interest rates, inflation, and responsible management of the economy. It is my plea for a renunciation of narrow political partisanship in the management of this very vital aspect of the "people's business".

My statement follows:

STATEMENT OF MR. BROWN OF MICHIGAN, HEARINGS OF BANKING AND CURRENCY COMMITTEE ON RESOLUTIONS OPPOSING HIGH INTEREST RATES

Intelligent inquiry demands that we consider a problem within the context of axiomatic economic principles and facts. I regret that the tone of this hearing requires that they must be reiterated.

In a free economic system such as ours, interest rates respond to inflational pressures. When the value of the dollar is deteriorating rapidly, interest rates will inevitably rise to compensate for the erosion of value.

Inflation results from a cumulation of ill-advised economic policies which gather strength over a period of years.

Inflation will continue to make itself felt for significant periods of time after the forces which caused it have been brought into balance. Both economic and phychological reasons contribute to this time lag.

The techniques available to the President under present law for controlling inflation are largely restricted to fiscal management, i.e., reducing government expenditures which in turn reduces demand, increasing revenues which reduces consumer expenditures and and creating a surplus in the budget, which among other things reduces pressure on the credit market.

Each of these techniques has been used by President Nixon, despite great pressure from the opposition party, and frequently vocal opposition.

The single additional tool with which inflation can be challenged under present law is through restriction of the money supply by the Federal Reserve Board. This too has been done.

The alternatives to these policies include a number of highly distasteful controls intrinsically abhorrent to the American people. Application of such controls would have to be authorized by legislation which this or another Committee is free to report to the House any time the Majority Party which controls the Committees elect to do so.

Looking to the past, we must note:

1. At the time the Nixon Administration assumed office, inflation was at an annual rate just under 6%. For more than 2 years prior thereto, inflation had been mounting beyond the levels considered acceptable for stable growth.

2. In the 3 years ending June 30, 1968, previous administrations had incurred a total budgetary deficit on the order of $38 billion. Revenue measures recommended by Members of the Majority Party, responsible economic authorities, and leading Republicans had been flatly turned down by the Johnson Administration, and the budget continued in the red.

Today there are many signs indicating that the economy is coming under control.

There is evidence that the Federal Reserve Board is moving with wise caution to permit a normal expansion of the money supply.

Most of the major economic indicators reflect that inflationary pressures have softened.

Almost all economists of repute agree that we are in a period of transition which requires delicate handling. If we move too fast inflation will return with a vengence. If we move too slowly we risk recession. It is imperative that in discharging our responsibility as legislators that we cast aside narrow partisan goals in the interest of sound economic growth.

Most particularly, it is important that we be well informed as we act.

Thus it is strange indeed, assuming the sincere interest in the national welfare which each of us is entitled to as a presumption in any legislative action, that this hearing occurs at a time when the very thing the resolution under discussion calls for appears to be occurring as a result of natural market forces.

Interest rates are falling at an almost unprecedented rate, and under any test the future looks hopeful.

For the convenience of the members of the committee, I am appending an article from the Wall Street Journal for March 23, 1970—yesterday—discussing recent movement in interest rates.

The article states:

The downtrend in money market interest rates is alleviating the heavy pressure that has kept the nation's banking system from reducing the prime rate.

Rates have fallen sharply on three key sources of bank's funds: commercial paper, dollars and Federal funds.

For 2 weeks the rate for Federal funds has held at 7¾ percent or down from an average of 9 percent for the year, ranging as high as 12 percent.

For the week ending March 20, commercial paper was at 7¾ percent. Two weeks ago it was moving at 8¼ percent, and 6 weeks ago 9¼ percent.

Eurodollars, which for a year have traded at 10 percent or higher, have fallen below 9 percent in recent weeks.

Rarely has the Nation witnessed such rapid lowering of these significant indicators of the cost of money.

Appended also at the end of my statement are two clippings from today's newspapers.

The Washington Post reports on the financial page that interest rates on treasury bills fell this week to the lowest point in 9 months.

From the editorial page of the Wall Street Journal comes a discussion of the interrelationship between the shortage of real estate mortgage money, inflation, and monetary restraints.

Without reprinting it in the RECORD, I would refer interested Members to the lengthy discussion of the causes of inflation, interest rates, and the general state of the economy provided by Arthur F. Burns, Chairman of the Federal Reserve Board for the Senate Committee on Banking and Currency on March 18, 1970.

[From the Washington Post]

TREASURY BILL RATES HIT LOWS

Interest rates on the government's weekly offering of treasury bills declined yesterday to the lowest in more than nine months. Rates fell to 6.262 per cent for $1.8 billion of three-month bills and 6.183 per cent for $1.3 billion of six-month bills.

The short-term securities, last week at 6.836 per cent, were the lowest since the 6.191 per cent last June 2. The six-month bills declined from 6.707 per cent last week and were the lowest since last May 5, when they were 6.063 per cent.

[From the Wall Street Journal]

INFLATED HOUSING

Monetary restraint, aiming at curing inflation, has clearly caused troubles for housing. There is reason to wonder, though, whether home building isn't suffering at least as much from the disease as from the cure.

Leif Olsen, senior vice president and economist of New York's First National City Bank, was considering that question in recent Senate committee testimony. Citing a Census Bureau report that residential construction costs rose 32.6% between 1964 and 1969, he said "this means that people, by and large, need to borrow more to acquire a house.

"What does this higher cost mean in terms of carrying charges? Well, if we take a $10,000 mortgage at 6½% the monthly charges are $54.17 or $19,500 over the lifetime of the 30-year mortgage. If the interest rate is raised to 8½%, the monthly cost jumps to $70.83 and $25,500 over the maturity of the mortgage."

That's a substantial jump, and that sort of thing surely has discouraged many people from buying homes. But higher home prices well may force the buyer to get a $15,000 mortgage, instead of one for $10,000. Even at a 6½% interest rate, Mr. Olsen noted, his monthly cost then would go to "$81.25, or $29,250 over the maturity. In other words, inflation in the price of a new home has in effect added more to the monthly costs than a jump in the mortgage rate from 6½% to 8½%."

Monetary restraint, moreover, is not the prime cause of higher interest rates; rates were rising many months before restraint began. As inflation eroded the value of money, lenders naturally insisted on a larger return.

Rates have continued to rise partly because it takes time to persuade lenders that inflation will be brought under control. The only hope for lower rates is responsible finance, not irresponsible inflation. In the process the rise in housing costs also should be slowed.

The Administration and Congress continue to press plans to help housing. Their efforts are more likely to be effective if everyone sees the real bricks and mortar of the industry's financial problems.

DECLINE IN MONEY-MARKET QUOTES EASES PRESSURE SUPPORTING RECORD PRIME RATE

(By Edward P. Foldessy)

NEW YORK.—The downtrend in money-market interest rates is alleviating the heavy pressure that has kept the nation's banking system from reducing the prime rate, the minimum fee on corporate loans.

Major banks have had a record 8½% prime rate since last June. A number of smaller banks reduced their rates beginning in February, but the big banks called the moves premature.

Principally, the money-center institutions argued that their own cost of obtaining lendable funds was too high in relation to the prime rate, and that loan demand, although off from the torrid pace of late 1969, was still a threatening factor.

In recent days, however, the cost picture has changed dramatically. Rates have fallen sharply on three key sources of banks' funds: Commercial paper, Eurodollars and Federal funds.

In two of these areas, rates have moved below the prime rate. For instance, Federal funds, the reserves that banks lend each other, usually overnight, have been at an average rate of about 7¾% for the past two weeks or so. For most of the year the rates have averaged around 9% and in some cases reached as high as 12%.

COMMERCIAL PAPER RATES

Commercial paper issued by bank affiliates currently is being sold at rates ranging from about 7¾% to 8¼%. Such issues, basically, are unsecured promissory notes; proceeds from the sales are used to buy loans from the portfolios of the affiliated banks. As recently as two weeks ago, the going rate on bank-related paper was about 8½%. Prior to then, the rates had ranged to as much as 9¼%.

Eurodollar rates, while still above the prime rate, have fallen dramatically. Eurodollars are dollars held outside the U.S. Banks in major U.S. money centers have relied heavily on such funds for their domestic needs. Recently, such funds have

been trading at less than 9%, in contrast to the 10% and more rates common throughout most of last year.

Perhaps most significant for the commercial banks has been the rate reductions registered on commercial paper issued by financial and industrial corporations. Such paper is sold mainly to other companies and thus provides in essence a system whereby corporations borrow from each other, bypassing the banks.

The going rate on such paper dropped in about 7½% Friday after hovering above 8½% on active maturities until early this month. Bankers had been concerned that a reduction in the prime rate to below the prevailing commercial paper rates would cause corporations to switch their borrowings from the paper market to banks. Should paper rates remain at their current levels or fall further, banks would be given considerable leeway in setting the prime rate.

But banks may want to wait until at least the April 15 tax-payment date before taking action on the prime rate in order to get a better idea of loan demand.

The latest tax-payment date, last Monday, produced relatively heavy loan demand on banks, but according to bankers, created no real strains.

BANKERS' ACCEPTANCES

In money-market developments Friday, several dealers lowered their rates on bankers' acceptances by ⅛ percentage point.

These included M&T Discount Corp. and New York Hanseatic Corp. Both posted scales of 7½% bid, 7⅜% offered on acceptances due in one to 180 days. Bankers' acceptances primarily are bills to finance the export, import, transfer or storage of goods. They are termed accepted when a bank guarantees their payment at maturity.

One key benefit to banks of the general decline in interest rates is that it is allowing negotiable certificates of deposit to become competitive with other money-market instruments. CDs represent deposits left with banks for a specific period of time. Because banks aren't permitted to pay more than 6¼% to 7½% (depending on maturity), such CDs haven't been attractive to investors who could get higher rates on other money-market instruments.

While the CD ceiling rates are generally still below most other money market rates, banks in recent weeks have been able to find "buyers" for a moderate amount of certificates. Until the Federal Reserve clamped down tightly on credit, beginning late 1968, CDs had been a principal means banks used to obtain lendable funds.

TAKE PRIDE IN AMERICA

The SPEAKER. Under a previous order of the House the Chair recognizes the gentleman from Ohio (Mr. MILLER) 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. The United States is the largest producer of eggs in the world. In 1967, the United States produced 70,161 million eggs. This represented 26 percent of the world total and more than twice as much as produced by the Soviet Union, the second leading nation.

THE CRISIS GROWS

The SPEAKER pro tempore. Under a previous order of the House the Chair recognizes the gentleman from Pennsylvania (Mr. DENT) for 30 minutes.

Mr. DENT. Mr. Speaker, I ask the House today to hear some bothersome facts about our impending import crisis, and the coming decision on international trade and its impact upon U.S. employment.

No nation was better prepared to sustain itself in every field of economic endeavor before and after World War II.

No nation will be in more serious jeopardy in this regard if trade is carried on for the next decade as it is now.

The total unemployment must be judged by the total of unearned income received as compared to the earned incomes from the production of goods and services.

We cannot count 24 million social security retirees, 13 million relief recipients, 9 million public paid civil servants as producers of goods for sale. To get a true picture of our impending crisis we must separate the production workers from the suppliers of services.

The producers are vulnerable to the flood of low price-structured imports, regardless of the foreign product U.S. selling price.

While the import flood usually starts by cutting into the U.S. market with a low selling price product, the price structure changes in proportion to the percentage of the U.S. market captured.

Witness the price, of imported electronic devices, televisions, radios, binoculars, watches, and the other more sophisticated consumer products.

As the cheap labor products invade our market, they push American producers to more automation and less and less quality products in an effort to meet the low prices set by importers. As our product quality is lowered, cheap labor producers overseas—and across our borders—better their quality and in slow but measured steps, the importer raises his prices.

By the time the U.S. producer gets set to compete with low margin profits depending upon mass production and sales, he has lost anywhere from 5 to 80 percent of his domestic market.

Once a U.S. product loses 5 percent of our market, the producer becomes more vulnerable and sensitive to new minimum wage standards, new union contracts, and even more serious, new taxes—local, State, and Federal—which are not applicable to producers of imported products.

American industry has pleaded in vain for years for protection against mandated production costs, not protection of their profit margins.

U.S. trade policy is dictated, unfortunately, by the will-o'-the-wisp of international diplomacy as practiced by our State Department.

Basically, our problems stem from two sources, one governmental, and the other economic.

The takeover of the Commerce Department's functions by the State Department is the one source of trouble, and the other is the high profit, with tax dodging avenues afforded, by import-export cartels, secret agreements, and just plain double bookkeeping practices here and abroad.

The old doctrinaire proforma arguments of the free traders are no longer valid. They only serve to lull Congress, our executive branch and, in general, the people, into a dream walking sleep, insensitive to the cries for help from the victimized industries and displaced workers.

The free trader's logic lost all of its value when the first U.S. runaway industry escaped its U.S. taxes, F.L.S. criteria, and strict accounting requirements on wages, hours, profits, and spending of corporation moneys by corporation officials. This happened when the U.S. producers moved to a foreign base of operations and exported to the U.S. market, not as a foreigner but as a U.S. trademarked domestic entity.

Universal condemnation of U.S. runaway industries is not valid in all cases. U.S. corporations are created for the single and sole purpose of earning profits for stockholders. Industry moves to the lowest waged area to protect profits. U.S. labor is organized, first, for the purpose of bettering wages, second, working conditions, and social conditions such as better housing, educational opportunities, health, and welfare.

Congress had its part in pushing U.S. industry to foreign shores, by making it profitable taxwise for industry to move offshore, and by allowing imports to take over—to the limit of their production capability—the U.S. marketplace.

Industry, in order to fulfill its purpose as a profitmaking institution, moves to any location that enhances its opportunities to make a profit.

Until Congress made it unlawful to ship products across State lines, unless produced under the conditions of the Fair Labor Standards Act, the South was taking industry away from the high-cost North.

In our industries tied to the minimum wage laws—textiles, and other high labor content products, secondary manufacturing, light industries, and import sensitive consumer lines—the lack of custom house or border protection is a death sentence, unless Congress ties import labor content to our standards under the Fair Labor Standards Act, Walsh-Healy Act, and Davis-Bacon Act, in the labor-management field, and antitrust price fixing, and monopoly in the consumer protection field.

Industry can claim with much justification that our trade policies are responsible for the growth of U.S. production overseas.

Labor has been a willing part too long in this mistaken, and outmoded trade policy.

Only recently has "big" labor started to "view with alarm" the impending crisis in imports. However, they are still taking two steps forward and falling back one and a half steps at the same time in trade policy.

The recent call to a session of labor leaders for a 2-day talk fest on imports was a masterpiece of walking uphill with a bucket of water on each shoulder over an egg paved walkway. They are so afraid of breaking the eggs, representing the free traders in the AFL–CIO, that they lose all the water, which represents the worry and fear of the unions with increasing unemployment from the impact of imports.

Until labor fights for a realistic trade policy based upon measuring import-export values on labor displacement both here and abroad, until labor demands that each industry be measured on its own and not as part of the all encompassing so-called balance of payments, and until labor realizes that nothing can substitute for a job there can be no meaningful, and equitable trade policy. Relief, subsidy, retraining, welfare, early pension plans, tax considerations, or any other handout can not take the place of the right to earn a living by working, and producing goods and services. The worker must have protection against foreign imports regardless of foreign product selling price in the U.S. market place.

So long as professionals and service workers believe they are immune from injury from imports, so long will the march into the imports crisis proceed.

Service industries will have to muster their forces to fight imports. They are tied to the domestic market. Production industries can move but professional and personal services must also live on the production, distribution and consumption of American goods.

Mr. Speaker, I present now a partial list of import penetration of U.S. market:

STEEL

In 1968 imports jumped to 18 million tons compared with 12 million tons in 1967. At the end of 1968 an international arrangement was made whereby other countries reduced their exports to this country to 14 million tons in 1969. This figure represented 13 percent of U.S. consumption. While exports doubled from 2.5 million tons in 1968 to 5.5 million tons in 1969, they were still only somewhat over a third of imports.

FOOTWEAR

In 1969 imports represented 23.9 percent of apparent domestic consumption.

In January 1970, imports reached about 33 percent of consumption.

SEWING MACHINES

In 1969 about 40 percent of our household sewing machines were imported. Only one company now manufactures in this country. A good part of the operation is assembling with imported goods.

AUTOMOBILES

Even though our automobile manufacturers have turned once more to small compact cars to meet import competition, they have been losing ground to imports.

In 1969 imports of non-Canadian foreign automobiles represented 12 percent of our domestic consumption in number of cars. Together with imports from Canada, imports were 18 percent of domestic consumption.

In January and February 1970, while U.S. production declined from January–February 1969 some 13 percent, imports increased 17 percent.

The increase in imports of automobiles is also reflected in steel tonnage.

TEXTILES

Woolen textiles imports began rising a few years ago and in 1969 supplied 26 percent of our market.

Manmade fibers reached a penetration of 9.4 percent in 1968. They have increased materially since then.

PIANOS

Imports in 1960–62 represented only 2 percent of our domestic consumption. In 1969 they had risen to 11 percent.

On a finding by the Tariff Commission the President in February of this year postponed the further lowering of the tariff as provided in the Kennedy Round.

TOMATOES

Florida tomato growers are being hard pressed by imports from Mexico.

During the 1968–69 season imports had grown to 38 percent of U.S. consumption. During the 1969–70 season imports have risen even more rapidly, because of some deficiency of the Florida crop.

In January and February of 1970 imports have supplied over half of U.S. consumption. During the first week in March 1970, imports equaled 86 percent of the market.

This means a low return for Florida because the higher prices associated with a short supply did not develop.

MUSHROOMS—CANNED

Imports of canned mushrooms are supplying about 30 percent of domestic consumption. The principal source is Taiwan.

FISH PRODUCTS

Over 50 percent of domestic fish consumption is supplied by imports. In some classifications the penetration ranges up to 65 percent and 70 percent. The uptrend has been sharp and relentless.

ELECTRONICS

Imports have worked great havoc in consumer electronic goods—household radio, television, record players, recorders, et cetera.

RADIO

In 1969 imports represented 78.5 percent of domestic consumption of table radios in this country; 94.1 percent of portable radios; 69.6 percent of clock radios, and 71.1 percent of all radios.

Nearly 20 percent of the imports were American brands manufactured abroad.

TELEVISION

In 1969 television imports reached 30.3 percent of the U.S. market.

PHONOGRAPHS

1969 imports of phonographs represented 32.6 percent of U.S. consumption.

HOME MAGNETIC TAPES

Imports reached 88.7 percent of the U.S. Market in 1969.

OFFICE MACHINES

TYPEWRITERS

Imports of portable typewriters represented about 80 percent of domestic consumption in 1969. Japan, Germany and Spain — Olivetti — were the principal sources. Office typewriters, including electric, achieved an import penetration of 38 percent in 1969.

CALCULATORS

Small electronic table model calculators reached 73 percent of U.S. consumption in 1969, most of them from Japan.

COMPUTERS

Imports of components have reached substantial proportions. Univac, for example, imports Japanese printed circuits for incorporation in the finished machines in this country.

TILE

Tile imports of all kinds—mosaic and wall—supplied 38 percent of apparent consumption in 1969.

In the case of glazed mosaic tile the penetration in 1969 was 97 percent, mostly from Japan.

BICYCLES AND BICYCLE TIRES

Bicycle imports have resumed their upward trend after subsiding for several years, reaching 28 percent of the market in 1969, up from 20.5 percent in 1968.

Bicycle tire imports have increased steadily in the past 10 years and now supply over half of domestic consumption. The 1969 penetration was 56.1 percent, up from 52.2 percent in 1968.

HANDBAGS

While import statistics are not easy to obtain, it is estimated that some 50 percent of domestic consumption is now supplied by imports.

SWEATERS

Imports of sweaters supplied 41.9 percent of our market in 1969.

UNFAIR TRADE POLICIES

The SPEAKER pro tempore. Under a previous order of the House the Chair recognizes the gentleman from Pennsylvania (Mr. GAYDOS) for 30 minutes.

Mr. GAYDOS. Mr. Speaker, the handwriting is on the wall about the unfair fair-trade policies of our country. And, if you cannot read it there, you can read it with stark clarity in newspaper reports and the CONGRESSIONAL RECORD.

We are facing serious economic problems because of the damage done by foreign imports to our glass, leather, textile and electronic industries. It may be only a matter of time until the steel industry again is threatened by foreign domination.

There have been confusing and conflicting reports published about the administration's position on this vital issue. I have seen articles which appear to put the President's advisors on both ends of the argument. Some claim the door should be opened wide to foreign products, thereby driving down domestic prices and curbing inflation. Others disagree, maintaining an open door policy will result in a flood of imports, an upward surge of unemployment ending in disaster for American industry.

There are reports the President is considering what appears to be a welfare program for industry in this country, one similar to his expanded, welfare plan for the individual. Under this industrial welfare program, the President would provide improved "adjustment assistance" to aid industries crippled by the blows from foreign competition. It could include subsidies during a crisis, unemployment and retraining benefits for displaced employees or development of new industries to replace outmoded ones.

There are many questions I have concerning this proposal, but I will hold them until more details have been made available to the Congress and the public.

As it stands now, I do not know, and I wonder if anyone does, just where the administration's position is on the import question. I wrote the President twice seeking an official answer if the administration is or is not considering liberalizing import quotas on steel. I finally received an answer, March 17, after a 2-month wait, but it was as confusing as previous reports. I still do not know what the administration is thinking.

William E. Timmons, Assistant to the President, informed me in his letter of March 13:

> The President has not made any decision to ask the foreign companies to modify that commitment (pertaining to the existing voluntary restraint program) and none of the President's advisors are not planning to submit the issue to him for decision in the immediate future . . .

Mr. Speaker, I am not sure I even understand that sentence. The first part would indicate the President has studied some plan but made no decision on his course of action. However, the second half of the sentence contains a double negative, "none—are not planning." Is that a grammatical error? If none are not planning, does it mean all are planning? At any rate, I conclude the advisers, at least, have been studying something.

Furthermore, Mr. Timmons continues in the same paragraph:

> However, I am sure you can recognize that the administration must examine the pros and cons of any measure in light of the over-all implication for the national interest.

This sounds to me as though Mr. Timmons is saying:

> If the question is not being studied now, it will be.

On the other hand, it could be an explanation why the administration now is studying both sides of the import coin.

Mr. Speaker, I feel the letter is vague, inconclusive and ambiguous. I do not believe it answers my specific question: Is the administration considering liberalization of foreign steel quotas?

I would like to submit into the RECORD copies of several newspaper articles which support my feeling the American Industrial market is facing serious problems with increased foreign imports. I hope my colleagues will read them. They have been clipped from the Pittsburgh Post-Gazette, the Pittsburgh Press, and the Daily News of McKeesport.

On March 10 the Post-Gazette carried a story Zenith Radio Corp. expects to cut its working force by an average of 3,000 jobs in 1970 because of Japanese expansion in this industry—one which already has its share of troubles according to accounts reported previously in the RECORD. The article says this severe cutback in jobs is due to the opening of a new plant on Taiwan. An official of Zenith has written the Department of Commerce, warning the electronic industry here is "engaged in a life and death struggle with the Japanese."

I fear what the end might be if the current trend continues. Were I a cartoonist, I might depict a caricature of Uncle Sam, representing U.S. industry, committing hari-kari with a samuri sword, symbolic of our foreign import policies.

On March 12, both the Press and the Post-Gazette included stories dealing with a complaint filed by Westinghouse Electric Corp. with the U.S. Bureau of Customs. The firm is asking for an investigation into "unfair and unlawful" trade in power transformers, accusing companies in France, Italy, Sweden, Switzerland, Japan, and the United Kingdom of "dumping" their products on the U.S. market. Westinghouse states it has had to cut 346 persons from the payroll at its Muncie, Ind., plant because of the action of foreign competitors.

We have heard this sad song sung before in the House by other representatives of the electronic industry as well as those from glass, leather, and textiles.

Mr. Jack Markowitz, business editor for the Post-Gazette, says Westinghouse claims cheapie foreign goods are now grabbing 15 percent of the U.S. market and have cost American firms about $150 million in sales in the past 5 years. Furthermore, his story points out American firms cannot sell—at any price—their transformers in five of the six countries cited in the Westinghouse complaint.

The Markowitz article also points out how Japan plays the game of free trade. He warned on March 12—and formal requests were filed March 14—that five major aluminum firms in Japan were going to ask the Japanese Government to block establishment of an Alcoa smeltering plant on the Ryukyu Islands before this country returns that property to Japanese control.

It seems Japan wants no competition from Alcoa, nor from other American industries. An article from the Daily News of March 16 describes the battle for dollars now being waged between American and Japanese auto manufacturers.

Mr. Markowitz also touches on the matter of steel imports, noting the price of imported steel jumped from an average cost of $124 per ton in 1969 to $151 in January 1970. Why? Partly because of higher prices, he says, but also because foreign competitors began selling a higher percentage of higher priced steel, such as stainless, tool, and alloy.

The overseas producers changed their product mix, despite the fact they have said they would try not to. This paper promise was a provision of the voluntary restraint arrangement which was conceived to ward off congressional action on quotas after 1968's record import tonnage of 18 million tons of steel.

The amount of foreign steel coming into this country greatly concerns me because I represent a steelmaking section of this Nation—the 20th Congressional District of Pennsylvania. While steel may not now be feeling the crunch from foreign competition, due to record export tonnage, the industry is feeling the squeeze of a deflated economy and ballooning inflation.

Unemployment is on the rise throughout the country and there are indications domestic orders for steel now are easing off, which will mean manpower cutbacks since it is the practice of the industry to produce to meet demand. No orders—no work. No work—no need for workers.

The withdrawal of the Nation's involvement in Vietnam, while a most desirable turn of events, is, nonetheless, having its effect on the economic homefront in my district. In early March a shell-making plant employing 1,200 persons announced it will close June 1. Another plant, engaged in bomb production, has been cutting back its working force in recent months as the demand for the explosives slackened.

Steps are being taken to absorb these workers into other industries but it is a difficult process. The 20th District primarily is a steel district. There is not a great deal of diversification of industry. It is common knowledge at home that as steel goes, so goes the district's economy. The men furloughed now may have trouble getting work, but the situation will become extremely critical if the steel industry as a whole begins to cut back on its working force.

Mr. Speaker, the import question remains a serious one today. I realize there is no easy solution to a complicated problem. But, if the administration is considering a plan, I feel the Congress and the American public has a right to be so informed. I do not believe we should have to rely on unconfirmed newspaper articles quoting an unidentified source of information. Such a policy leads only to a nationwide guessing game.

The articles follow:

[From the Pittsburgh Post-Gazette, Mar. 12, 1970]

WESTINGHOUSE CHARGES "DUMPING"

By Jack Markowitz

Westinghouse Electric Corp. says competitors in six foreign countries are playing dirty in their U.S. sales of large power transformers, and the Pittsburgh firm yesterday asked the U.S. Bureau of Customs to do something about it.

Ironically, Uncle Sam is one of the leading customers at the foreigners' transoceanic discount counter where transformers are "dumped" for coveted U.S. dollars at prices under the fair value of the merchandise. Under what the foreign firms charge customers in their own countries.

Westinghouse says the cheapie foreign goods are now grabbing 15 percent of the U.S. market, and have cost American firms about $150 million in sales the past five years.

TAKES PROFITS, JOBS

John W. Simpson, president of Westinghouse Power Systems, said his firm has collected some hard evidence of dumped equipment from France, Italy, Sweden, Switzerland, Japan and the United Kingdom—and ironically, an American firm can't sell its transformers in five of those six countries at any price.

"They won't let you bid," said Simpson.

He indicated the unfair foreign competition is pushing the profits of Westinghouse—and probably the nine other U.S. firms that make big transformers—down to just about the break-even point on that equipment.

It also cost the jobs of 346 employes laid off during 1969 at Westinghouse's Munice, Ind., plant.

The big transformers—huge gray boxes as

tall as 50 feet and priced between $50,000 and a few million dollars—are not made around Pittsburgh, so no local jobs are in danger . . . yet.

Transformers change the flow potential of electric currents, are vital at power plants.

But the same foreign firms that make them make other electrical gear that does compete with Pittsburgh, and any opening for dumpers is a mistake.

"An order you don't get is jobs you don't have," said John Simpson. "An injury might be just a lack of growth." He said Westinghouse's "profit erosion" in transformers hasn't been catastrophic. (The firm earned a record $149.8 million in 1969)—but "there is a principle involved."

The dumper typically loads all his development and engineering costs for a given product onto customers in his protected, own-country market, then makes use of excess plant capacity to ship goods here for an "incremental profit" that keeps his plant working and workers on the job. He frequently gets all kinds of export subsidy aid from his dollar-wanting government, too.

It leads to some crazy results.

The Japanese home prices on big power transformers (over 10,000 kilovolt-amperes) are three times higher, Westinghouse says, than prices they quote in the U.S.—with an ocean to cross, yet. Britain and Sweden sell here at about half price.

U.S. SEES NO EVIL

Uncle Sam, who puts on red-white-and-blue blinders when he opens bids, has been giving foreign transformer makers 95 percent of the current business in agencies like TVA.

A customs probe could lead to big duty charges being slapped on the dumped goods.

Sometimes just the threat of a probe will cause the foreign firms to cut it out.

As a couple of other recent evidences that foreign countries play free trade the funny way:

Japan's five major aluminum smelting firms are saying they'll try to block establishment of a possible aluminum smelter by Alcoa in the Ryukyu Islands, soon to revert to Japanese control. No competition from Alcoa, please, for Asian market.

American Iron and Steel Institute reports the value of an average ton of imported steel went up sharply in January to $151 from $124 during 1969. This partly reflects higher prices but partly, too, the increasing percentage of higher priced steels—stainless, tool and alloy. These grades amounted to 5.9 per cent of January imports versus 4.3 per cent in December.

Foreign steelmakers agreed to a "voluntary" quota on U.S. sales in terms of tonnage. Nobody promised anything on dollars.

[From the Pittsburgh Press, Mar. 12, 1970]

WE FILES DUMPINGS CHARGES

Westinghouse Electric Corp. has asked the Customs Bureau to investigate what it termed "unfair and unlawful" trade in power transformers.

It cited firms in France, Italy, Sweden, Switzerland, Japan and the United Kingdom.

Westinghouse has attempted to purchase large electrical equipment firms in the Common Market recently without success.

In its complaint, Westinghouse claimed that it has reduced employment by 346 persons at its Muncie, Ind., plant "as the result of . . . dumping."

"Dumping" under the treaties is when a firm charges less for a product in a foreign market than it charges in its domestic market.

JAPAN PUSH CUTS ZENITH IN U.S. JOBS

WASHINGTON, March 9.—Zenith Radio Corp. expects to reduce its U.S. work force by "an average of 3,000 jobs in 1970 against 1969," Chairman Joseph S. Wright said in a letter to U.S. Commerce Secretary Stans.

Next year, Maurice Wright wrote, opening of a new plant in Taiwan will generate 4,000 jobs "which will probably be lost in this country." The Chicago-based company had an average 23,000 workers in 1968.

"The most tragic part of this story is that the heaviest impact of our 3,000 lost jobs this year is on blacks we have worked to train and give . . . The economic ability to escape the ghetto," the letter said, specifying that according to seniority "38 percent of those laid off are blacks."

The letter described the electronics industry as "engaged in a life and death struggle with the Japanese."

[From the McKeesport (Pa.) Daily News, Mar. 16, 1970]

JAPANESE TRY TO KEEP OUT U.S. AUTO FIRMS

TOKYO.—Japan and the United States are fighting for auto dollars as fiercely as they fought for land 30 years ago.

Armed with money and technology, Detroit is battling to establish fixed investment beachheads in Japan. Japanese automakers are trying to contain General Motors, Ford and Chrysler.

The stakes are high. Last year Japan built 4,198,429 vehicles, second largest volume in the noncommunist world. While 420,000 of Japan's little cars rolled onto the U.S. market, Detroit sold only a few in Japan.

Nevertheless, Tokyo is awed by Detroit's seemingly unlimited access to investment capital, its efficiency and its expensive research programs. Japan knows such a force eventually will penetrate her market. So she is fighting a rear guard action, hoping to delay and shape the inevitable.

BARRIERS FALLING

Japan's regulations on foreign investments have kept Detroit from buying up Japanese car makers as it has done in Europe. But the door is opening under diplomatic and financial pressures. A booming Tokyo finds it increasingly difficult to justify protectionist policies established in the immediate post-war years to get the country back on its feet. So, in the autumn of 1971, American companies will be free to establish joint ventures with Japanese firms. But it will be limited to a 50-50 basis.

U.S. companies, pointing to the growing number of foreign held firms in the United States, are demanding the same privileges.

Japan's two largest auto producers, Toyota and Nissan (Datsun), say they intend to stay under Japanese control even if unlimited American capital is permitted in Japan. Toyota manufactured 1,714,786 vehicles last year; Nissan 1,026,712.

Both are working closely with government economists to cut production costs and surplus employes.

Smaller Japanese auto producers are not so skittish about U.S. investment. Mitsubishi, the No. 4 automaker, recently signed an agreement with Chrysler for a production center in Japan. Chrysler presently has only 35 per cent control but hopes to increase that share in 1971.

Ford is exploring a tie-up with Toyo Kogyo, developer of the rotary engine. So far, Toyo Kogyo has limited Ford's participation to 7 per cent of the stock.

On the surface, Japan's auto industry looks fat and healthy. And it is projecting 5 million cars and trucks this year.

But both Tokyo and Detroit know that continued growth depends on finding new markets, and both have virtually saturated their home markets.

[From the McKeesport (Pa.) Daily News, Mar. 16, 1970]

FOREIGN TRADE CONTROLS BECOME MAJOR ISSUE AGAIN

(By Don McLeod)

WASHINGTON.—International trade regulation, the oldest continuous issue in American politics, once again is raising a fight, this time in tandem with another ancient but immediate problem—inflation.

As hearings approach on President Nixon's proposed Trade Act, the administration is arguing that the high cost of living is a prime cause of import problems and a sure result of higher trade barriers.

Hobbling U.S. import trade, a State Department official recently declared, "would raise costs and prices at home, adding to a difficult domestic problem."

At the same time Southern congressmen were asking for salvation from Japanese textile competition, and organized labor, traditional champion of free trade, was flirting with protectionists.

The Industrial Union Department of the AFL–CIO has called an unprecedented conference in Washington March 19–20 on what it calls the developing crisis in international trade.

"Large numbers of American workers are sensing an increasing concern about the potential—or the actuality—of unemployment caused by foreign imports to the United States," IUD said.

Indeed, the argument goes, inflation is a principal cause of import excesses, since rising prices of domestic products make cheaper foreign goods more attractive. Raising tariffs or imposing quotas, say the advocates of free trade, would only serve to support inflation prices.

This philosophical overview is cold comfort to stockholders and employes of businesses facing import competition.

Textile imports from Japan, Korea, Taiwan and Hong Kong are hurting U.S. mills in the Southeast. Footwear from Italy and Spain is squeezing Yankee enterprise in New England. Japanese electronics is the other big invader.

The Amalgamated Clothing Workers claim that textile imports have wiped out 200,000 American jobs. This is the kind of thing which is turning unions from their preoccupation with consumer prices.

"These claims come oddly at a time when employment and business activity have been at record highs," said Trezise.

In support of Nixon's liberal proposals, Trezise points to 25 years of unparallelled prosperity under such policies. The protectionists counter that times are changing; that American products are becoming increasingly noncompetitive on the world market.

"Even if this were true," Trezise answers, "it is not clear how we would improve the situation if we cut back on imports, thereby raising costs and prices still more at home and causing other countries to retaliate against our exports."

Free traders feel the problem can be solved by better means than tariffs or quotas.

Nixon's bill would improve the "adjustment assistance" program of aid to industries disrupted by foreign competition. This may include subsidies during a crisis, unemployment and retraining benefits for displaced employes, or development of new industries to replace inefficient ones.

"This is the route we think is the economically sensible one," said one administration official. "The best way is to help develop new industry and new jobs."

This official says the United States should concentrate on the more advanced industries, leaving those dependent on cheap labor to the less developed nations.

The administration is arming for a fight because it fears there will be a massive effort to add protectionist amendments to the Nixon bill.

Only a few particularly distressed industries are clamoring for relief now, but historically once the question is opened in Congress the logrolling gets out of hand.

Regulation of foreign trade has been a problem for this country from the beginning and was, in fact, a major reason for its birth as a nation. Oppression of freedom in Boston

may have led Patrick Henry to call for rebellion, but it was Boston merchants' resistance to British trade restraints that converted rhetoric into action.

Not allowed to develop manufacturing under colonial rule, the United States was careful to protect its infant industry after independence. In 1789, the year George Washington became president, Congress passed the first customs bill—with tonnage duties favoring American shipping.

John C. Calhoun, guessing that the South would develop manufacturing because of its ready cotton and water power was a sponsor of the nation's first protective tariff in 1816. But Calhoun was wrong. All the benefits went to the North, where manufacturing flourished, while the economy of Calhoun's agrarian South Carolina declined.

In 1832, South Carolina declared a new tariff bill "null and void," and only President Andrew Jackson's strong hand saved the Union.

Congress rolled back the duties, and there the issue rested until 1860, when the Republican platform called for another protective tariff.

The Republicans won, the South left the Union—the new Confederate constitution forbade protective tariffs—and the GOP passed the first high tariff act in 29 years.

Protection brought pretty much what its proponents wanted and its opponents predicted. Prices rose 117 per cent from 1860 to 1865 while wages increased only 43 per cent.

High tariff remained U.S. policy for half a century until it was revoked briefly under Democrat Woodrow Wilson in the Underwood tariff of 1913.

But the Underwood tariff never really had a chance to survive. The war in Europe sheltered American industry and fostered new manufacturers, which demanded protection to keep them alive after the peace.

Shortly after becoming president, Warren G. Harding declared "the urgency for an instant tariff revision cannot be too much emphasized." Congress obliged with an emergency tariff which brought farmers into the protection fold, and the Fordney-McCumber tariff act of 1922 with record high rates.

The farmers gained nothing. Foreign nations retaliated with tariffs of their own. Monopolies thrived. And prices outstripped wages.

But perhaps the most devastating result was that the high tariffs made it extremely difficult for European nations to pay their war debts, thus encouraging the debt-reparations cycle that contributed to World War II.

With the Great Depression impending and farmers in distress, Herbert Hoover called Congress into special session in 1929 to help them through "limited changes in the tariff."

What followed was logrolling at its worst. Out of more than 1,000 tariff increases proposed in the Hawley-Smoot tariff of 1930, only 75 were on farm products.

Rates were upped from 33 to 40 percent. Within two years 25 countries established retaliatory tariffs. In 1929 the United States enjoyed 13.8 percent of the world's foreign trade. By 1933 it had fallen to 9.9 percent. And the domestic economy, far from being helped, continued to plummet.

This crisis brought about a new view of world trade. Primarily the work of New Deal Secretary of State Cordell Hull, it is still U.S. policy.

On March 2, 1934, President Franklin D. Roosevelt asked Congress for permission "to enter into executive commercial agreements with foreign nations." Pointing out that world trade had declined 70 percent since 1929, Roosevelt proposed to reduce tariffs and ease restrictions through mutual concessions negotiated between nations. This was "reciprocity."

The Cordell Hull Trade Agreement Act was signed June 12, 1934, and Hull quickly negotiated reciprocity treaties with 25 countries. Within a year trade with Cuba doubled and improved substantially with Canada, Latin America and some European nations.

Since 1934 reciprocity has been supported by both Democratic and Republican administrations. The old alignments over tariff issues dissolved as expanding industries sought world markets and the South developed manufactures.

In 1949 more than 40 nations met in Geneva and agreed to sweeping tariff reductions. The United States cut duties on thousands of items and led in establishing the General Agreement on Tariffs and Trade to promote expansion of world trade.

The last extension of the reciprocal trade legislation was in 1962, when the United States lowered rates on nearly 6,000 items and other countries made comparable concessions.

The extension ran out in 1967. The lapse does not invalidate existing agreements but cramps the government in making even minor adjustments.

While the principle of reciprocity remains pretty well established, the thrust of protectionists now is to impose quotas on offending imports.

"The administration is against quotas," one spokesman said, "but does recognize that some imports are increasing too rapidly."

Talks to negotiate bilateral restraints have been going on for some time and an agreement was signed with Poland last month on textiles.

However, other talks, notably those with Japan, are dragging on, and the administration concedes that "Congress is beginning to lose patience."

[From the Pittsburgh Post-Gazette, Mar. 23, 1970]

SHULTZ, SENATOR MUSKIE SEEK FOREIGN TRADE ANSWERS

By Milton Jaques

WASHINGTON, March 22.—Congress and the Nixon Administration may soon turn their attention to the problems of world trade and U.S. unemployment.

Labor Secretary George P. Shultz, busy enough trying to work out solutions to rail and mail puzzles, said this weekend something has to be done to assist working people hurt by foreign trade.

Senator EDMUND S. MUSKIE, D–Me., on the same subject told an AFL–CIO conference on the developing crisis in international trade that the U.S. should encourage fair labor standards around the world.

CONCERN GROWS

Both positions reflect the growing concern with the problem of imports which hurt and exports which help the American economy.

Shultz acknowledged that help for jobless workers under the Trade Expansion Act of 1962 just aren't satisfactory.

Until the U.S. Tariff Commission last fall in a landmark decision found that about 450 steelworkers in the Pittsburgh area lost their jobs through imports coming on top of trade concessions, the commission hadn't granted a single application for relief.

The workers at Armco and U.S. Steel's closed plants were certified as eligible for special unemployment benefits, a program Shultz's department is supervising.

Both Congress and the Administration at this point seem ready to do what they can to keep international trade channels open without increasing unemployment in this high-wage nation.

Shultz says the Administration will act, even before Congress does, to ease the stress through a Labor Department warning system devised to watch industries most likely to be affected by imports.

ONLY STOPGAP

Shultz isn't knocking the unemployment compensation program, but he looks at it as a stopgap measure until workers are given a wider range of training for new jobs.

The secretary also wants to involve those American industries which benefit through foreign trade in the effort to help the displaced.

Congress always likes a middle ground approach to difficult problems, and in this instance may want to get something which will prevent a return to high tariff barriers which could stifle all overseas trade.

Sen. Muskie thinks the U.S. should do something to encourage fair labor standards elsewhere, as one step which could protect U.S. workers from the threat of goods produced under sweatshop conditions.

Within the labor movement, the mood is still hopeful that a middle ground can be reached, somewhere between economic isolationism and absolute free trade, according to President I. W. Abel of the United Steel Workers of America.

OIL IMPORT RESTRICTIONS RETAINED BY PRESIDENT REQUIRE CONGRESSIONAL SCRUTINY

The SPEAKER pro tempore. Under a previous order of the House the Chair recognizes the gentleman from Indiana (Mr. HAMILTON) for 10 minutes.

Mr. HAMILTON. Mr. Speaker, on March 18, 48 Members advised the President of their disappointment with his failure to implement the recommendations of his Cabinet task force on oil import control.

Last year American consumers paid an extra $5 billion for oil products due to present restrictions on oil imports. The oil import quota system cost the average American family of four an extra $96 last year for gasoline and heating oil.

I direct the attention of my colleagues to the letter:

HOUSE OF REPRESENTATIVES,
Washington, D.C., March 18, 1970.

The PRESIDENT, *The White House, Washington, D.C.*

DEAR MR. PRESIDENT: We are disappointed by your failure to implement the recommendations of your Cabinet Task Force on Oil Import Control. The present restrictions on oil imports, which will remain unchanged unless you act, forced American consumers to pay an extra $5 billion for oil products last year. The annual cost to consumers will rise to $8.4 billion per year by 1980 unless changes are made.

Last year alone, the oil import quota system cost the average American family of four an extra $96 for gasoline and heating oil. In many parts of the country the extra cost greatly exceeded this—in Vermont the average family of four paid an extra $180, and in Wyoming it paid $228 extra.

We can understand your concern for the well-being of the oil industry. However, it is the security of the nation, and not that of the oil industry, that the oil import control program is intended to protect. As your Cabinet Task Force put it:

"The governing statute authorizes government intervention in support of domestic price and production only for the extraordinary and compelling purpose of protecting the national security."

The Task Force then went on to state that the fixed quota limitations, which you are retaining, "bear no reasonable relation to current requirements for protection either of the national economy or of essential oil consumption.

"We find," the Task Force said, "that a

phased-in liberalization of import controls would not so injure the domestic industry as to weaken the national economy to the extent of impairing our national security."

The Task Force then recommended that the current import quota system be phased out over a period of three to five years, and that a system of variable tariffs be substituted for it. The initial tariff on Eastern Hemisphere crude oil would be $1.45 a barrel, with a ceiling (10 percent of domestic demand) on oil from that region. Oil from more secure Western Hemisphere sources would be subject to preferential lower tariffs. The immediate effect of the plan would be a reduction in the price of domestic crude oil from $3.30 to $3.00 per barrel, with savings to consumers estimated at less than a penny per gallon of gasoline.

This is truly a modest proposal, since revolving import controls entirely would save consumers around 4 cents a gallon on gasoline. But it is a step in the right direction and we regret that you have declined to take it.

A necessary further step has been recommended by the Chairman of the Task Force, Labor Secretary George P. Shultz. He has urged that a planning schedule be established now to phase in a reduction of the tariff to $1.00 over a three to five year period. This would reduce the price the consumer has to pay for gasoline by another one cent per gallon.

Finally, we are concerned that the Cabinet Task Force may have dismissed the alternative of total removal of all import controls too hastily. The benefit to American consumers from this alternative—more than $8 billion a year by 1980—requires that it receive careful and continuing consideration. The Task Force said only that it was "unable on present evidence to rule out the possibility" that adopting this alternative would, in the case of certain "conceivable" supply interruptions, leave us with an inadequate supply of oil. "Whether such conceivable interruptions are "reasonably possible," the Task Force said, "is a matter on which judgments may vary."

We urge you, therefore, to direct the Oil Policy Committee which you have established to give full consideration to the possibility of totally eliminating controls on oil imports as part of their task of considering "both interim and long-term adjustments that will increase the effectiveness and enhance the equity of the oil import program."

Sincerely,

Henry S. Reuss, Lee H. Hamilton, Clarence D. Long, Richard Bolling, Edward P. Boland, Richard L. Ottinger, Brock Adams, James G. O'Hara, Donald M. Fraser, Allard K. Lowenstein, George E. Brown, Jr., Thomas M. Rees, Peter W. Rodino, Jr., William D. Ford, Louis Stokes, John C. Culver.

William Clay, James H. Scheuer, Lester L. Wolff, Robert O. Tiernan, Hugh L. Carey, Peter N. Kyros, Robert N. Giaimo, Edward I. Koch, William D. Hathaway, David R. Obey, Benjamin S. Rosenthal, Joshua Eilberg, Leonard Farbstein, William L. St. Onge, John V. Tunney, Abner Mikva.

John Brademas, Joseph P. Addabbo, Sam M. Gibbons, Michael J. Harrington, Dante B. Fascell, Bertram L. Podell, Jonathan B. Bingham, William S. Moorhead, Richard D. McCarthy, Frank J. Brasco, William F. Ryan, James J. Howard, Torbert H. Macdonald, Emilio Q. Daddario, Henry Helstoski, Don Edwards.

SUPREME COURT MUST CLARIFY NATION'S LAWS ON PRESERVING NEIGHBORHOOD SCHOOL SYSTEMS

The SPEAKER pro tempore. Under a previous order of the House the Chair recognizes the gentleman from Illinois (Mr. PUCINSKI) for 30 minutes.

Mr. PUCINSKI. Mr. Speaker, on March 9 of this year, Chief Justice Burger announced in a concurring opinion in Northcross against Board of Education of the City of Memphis that he thought it was time the Court clearly decided the outstanding issues which have divided many lower courts in handling school desegregation cases. He said:

> The time has come to clear up what seems to be a confusion . . . concerning this Court's prior mandates.

Continuing, he said:

> We ought to resolve some of the basic practical problems when they are appropriately presented including whether, as a constitutional matter, any particular racial balance must be achieved in the schools; to what extent school districts and zones may or must be altered as a constitutional matter; to what extent transportation may or must be provided to achieve the ends sought by prior holdings of the Court.

Judge Burger's words take on special meaning today in the wake of President Nixon's excellent statement on school desegregation. This Nation desperately needs to clarify the distinction between de facto and de jure segregation. This nation desperately needs a reaffirmation of constitutional law regarding preservation of neighborhood schools.

President Nixon quite properly stated:

> Several recent decisions by lower courts have raised widespread fears that the nation might face a massive disruption of public education: that wholesale compulsory busing may be ordered and the neighborhood school virtually doomed. A comprehensive review of school desegregation cases indicates that these latter are untypical decisions, and that the prevailing trend of judicial opinion is by no means so extreme.

The President himself notes the confusion that prevails throughout the nation because of varying Court decisions.

Respectfully, Mr. Speaker, as chairman of the Subcommittee on general education, I must say that it seems about time that the Court resolve these matters. One of the Court's criteria in reviewing the constitutionality of legislation is that it must be clear and precise; if it is vague, it will be voided. Legislation may not leave people in doubt as to whether it applies to them or to their contemplated conduct; it may not stand if it leaves too much discretion of application to the police, administrative officials, juries, or judges. That is a sound doctrine.

And yet it is a doctrine which the Court has not applied to its own rulings. What, for example, must a school system do to bring itself in compliance with the mandate of Brown against Board of Education?

In *Alexander* v. *Holmes County Board of Education*, 396 U.S. 19, 20 (1969), the Court told us that a unitary school system, a system in compliance with the Brown case, is one "within which no person is to be effectively excluded from any school because of race or color." Fine. The question is then whether the admitting officers are discriminating. Well, apparently not quite, because in *Green* v. *School Board of New Kent County*, 391 U.S. 430, 442 (1968), the Court said a unitary system is a "system without a 'white' school and a 'Negro' school, but just schools."

Well, if it means that it is not permissible for school officials to designate a school as serving only Negroes and another school as serving only whites and to attempt to route pupils of each race to their respective schools, that complies in theory with what is said in Alexander.

But in *Adams* v. *Matthews*, 403 F. 2d 181, 188 (C.A. 5, 1968), one court apparently read that sentence differently, because it laid down this test for a unitary system:

> If in a school district there are still all-Negro schools or only a small fraction of Negroes enrolled in white schools, or no substantial integration of faculties and school activities, then, as a matter of law, the existing plan fails to meet constitutional standards as established in *Green*.

What if there are all-Negro schools in a system and this is because of residential patterns; that is, Negroes are concentrated in a particular area, the center city, for example, and the nearest school serves that area. It is all-black, but it was established there long before the residential area was so predominantly Negro. It is a true case of de facto segregation. "As a matter of law," is that to be considered a system not in compliance with Brown and Green?

A panel of the fifth circuit on February 17, in Ellis against Board of Public Instruction of Orange County, Fla., No. 29124, said no. The court found that the all-Negro schools resulted from living patterns and a nondiscriminatory adherence to the neighborhood school system.

A district court in Charlotte, N.C., however, went the other way. Swann against Charlotte-Mecklenburg Board of Education, CA No. 1974. Negroes were concentrated in the inner city, whites in the suburbs. The schools reflected the living patterns. It has to be changed, said the judge, and imposed an iron-clad rule that the school board must so arrange its school attendance so that in every school the pupil ratio reflected the pupil ratio in the entire system. Every school must have a ratio of 79 percent white, 21 percent Negro, and this will mean busing at least 10,000 extra children around the city and county every day. Other courts have established ratios in South Carolina and Georgia and elsewhere. It is a far cry from requiring a system "within which no person is to be effectively excluded from any school because of race or color."

Last week the Supreme Court further confused the situation by refusing to order immediate implementation of this lower court ruling. But this action was contained in a one-sentence denial of motion with no opinion added. Does this mean that the Orange County case is the law? If so, the Court owes the country an obligation to make that clear.

Furthermore, as regards faculty desegregation the same confusion exists. In *United States* v. *Montgomery County Board of Education*, 395 U.S. 225 (1969), the Court found it to be within the discretion of a district judge in dealing with

a recalcitrant school board to set a faculty ratio which the board must observe. The Court approved it only after reciting all the difficulties the judge had had; it did not say that all courts must establish similar ratios. Yet since then a constant feature of every order issued by the district courts has been the setting of a faculty ratio.

The Court should clarify this issue of ratios, both pupil and faculty. It should spell out what it means by desegregation and what it conceives a unitary system to be. It should spell out the constitutional duties of school boards, North and South, with regard to de facto segregation and residential patterns.

It has generally been thought that de facto segregation created no constitutional problems. Yet a State court in Los Angeles and Federal courts in Pasadena and in Flint, Mich., have divined de jure violations in school board maintenance of neighborhood schools knowing that residential segregation existed. The Court must make clear what the 14th amendment commands.

The Court must speak on the requirements the lower courts are placing upon school boards in order to overcome de jure segregation. Not only busing is at issue here. The lower courts have said that zone lines must be drawn, new construction planned, additions made, all in the conscious intent to promote integration, whatever the cause of the segregation. *United States* v. *Greenwood Municipal Separate School District*, 406 F. 2d 1086, 1093 (CA 5, 1969); *Brewer* v. *School Board of City of Norfolk*, 397 F. 2d 37 (CA 4, 1968).

There are important questions to be resolved and the Court must soon resolve them or leave our Nation's school system in total disarray.

Our entire school system is seriously threatened throughout the Nation because even well meaning school administrators don't know exactly what is expected of them in the wake of the many judicial decisions being handed down by different courts in the wake of the Brown decision.

I am certain the American people want to preserve at all cost the neighborhood concept of their public schools.

I have no doubt the people would ratify a constitutional amendment—if such action is their only alternative—to preserve their neighborhood schools.

That's why I believe it is of the highest urgency for the Supreme Court to hand down a clear and concise ruling on this entire question. The American people cannot take my action until we know which direction the Supreme Court will go on this entire question of school desegregation. I personally hope the court will sustain the neighborhood school concept. If it does, we can then get down to the serious business of giving all of our children a decent education so they can more readily meet the challenge of the 21st century.

One thing is certain. As chairman of the subcommittee that now has before it a great deal of legislation dealing with the future school needs of this country, it is quite apparent to me that school superintendents all over America are bewildered and befuddled. They have no idea in which direction the local courts will go in this whole problem, and until the Supreme Court takes on the responsibility of setting down a decision on de facto and de jure segregation and all the other problems that I mentioned in my remarks, the confusion will continue to prevail and school boards will not be in a position to intelligently look down range and work out an effective program of providing meaningful education to all children, regardless of their race, their creed, their origin, or their religion.

So it is my hope that the Court will recognize the turmoil that now exists throughout the country and address itself to this problem. We are all encouraged by the statement of Chief Justice Burger. We hope the President's message will stimulate further thought in that direction.

THE COST OF CONVENIENCE

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

Mr. PODELL. Mr. Speaker, I would like to commend the Federal Trade Commission for their recent initiative toward eliminating the mailing of unsolicited credit cards. I have long held this practice to be a source of annoyance and even financial trouble for many consumers.

Unfortunately, however, well intentioned the Commission's action, the proposed trade rule does not go far enough to assure the consumer of the safeguards to which he is entitled. The very action of the FTC has raised several very deep conflicts which only the Congress can resolve. I call upon my colleagues now to speedily seek a legislative solution to the twin problems of jurisdictional definition and the public interest.

The Commission is not to be faulted for the omissions of its trade regulation. It is the responsibility of the Congress to make good where the FTC cannot. I am proud to have introduced in the last session of Congress, legislation specifically designed to remedy both problems.

The strength of the Commission's statement underscores the immediacy of the problem of unsolicited credit cards. As I see it, there are at least two major aspects to the problem. The first is that the receipt of a credit card by a less prudent consumer may well tempt him into overextending his credit. There will be more than 200,000 consumer bankruptcies in 1970. It is generally conceded that there is a direct correlation between the rate of consumer bankruptcies and the mailing of unsolicited credit cards. The protection of the consumer, the soundness of our banks, and the health of the economy all militate against the mass-mailing of credit cards.

Second, it is a sad fact that the consumer has no national safeguard against the unauthorized use of his cards. If his cards are lost or stolen, he may find himself hopelessly in debt by the time his monthly statement reaches him—all for purchases he did not make. To correct this injustice, it is my proposal that we limit the cardholder's liability for unauthorized purchases to $50. In addition, I would recommend that unless certain qualifications are met, among them the holder signing the card and the issuer providing a means of identifying the user, the cardholder assume no liability.

Turning to the problem of jurisdictional conflict, we find that the FTC, by its own admission, does not have the requisite jurisdiction to ban the practice of mailing unsolicited credit cards in all areas of competition. Hence, the most potent sources of credit cards are excluded—banks, common carriers, and airlines.

This raises the question that perhaps the FTC is not the proper body for the safeguarding of the consumer in this most vital area. I would suggest, rather, that the Congress enact legislation designed to empower the Federal Reserve Board to prescribe regulations with respect to unsolicited credit cards.

The Board is particularly well suited for this function. The precedent and power for such an act are grounded in the Truth and Lending Act. More importantly, the Board already possesses real economic sanctions—direct and indirect—which may be brought to bear against potential violators. Its range of powers would be enough to secure immediate compliance.

By enacting this proposal, we would empower the Federal Reserve Board to do what the FTC cannot and thereby bring under regulation all banks, as well as all other issuers.

At a time when spiraling inflation is recognized as the major domestic crisis, it is appropriate that we consider the cost of credit as well as its convenience. It is appalling to me that many of our great financial and commercial institutions have seemingly been engulfed by a case of massive myopia in their credit practices. The extension of credit is now being accomplished at a rate of 18 percent annually in interest charges. This rate is economically regressive. Those who need credit for the purchase of essentials, such as homes, are often driven out of the market. In short, the indiscriminate extension of credit without regard to the credit worthiness of potential cardholders can be regarded as an important contributor to the continuing trend of inflation.

The Federal Trade Commission is to be commended for taking the first steps toward halting the indiscriminate distribution of unsolicited credit cards. That the FTC's action must be of a limited nature cannot be held to be the Commission's fault. The shortcomings of that initiative have made clear the need for legislation. The American consumer can wait no longer. Many of the 1.5 million Americans whose cards shall be lost or stolen this year will find themselves liable for bills charged to a card which they neither desired, requested, nor received.

Excursions into debt, consumer bankruptcies, criminal tampering with the mails, and ever-spiraling inflation are

all abetted by credit card abuse. It is my great hope that the Congress will see its responsibility, as I do, and enact this much needed legislation.

A DISAPPOINTING DECISION

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

Mr. PODELL. Mr. Speaker, yesterday we were greeted with an announcement by Secretary of State William Rogers stating that the United States would not be selling any airplanes to Israel at this time. The official declaration did not come as a surprise. Indeed, for the last week newspapers and commmentators have been telling us the same story. The statement is nevertheless disappointing. Hopefully, after review of the changing situation, as promised by Mr. Rogers, those planes will be sent.

I believe a close examination of the Middle East situation will confirm the need for such a shipment if Israel is to maintain her independence. Only the other day, we learned that the situation in the Middle East was quite altered. The Soviet Union has been sending and installing SAM–3 missiles in the United Arab Republic. To expedite matters, over 1,500 Soviet troops have been sent to train the Arabs in the use of the missiles. This adds a new dimension to the Middle Eastern situation. In addition, France remains intransigent in her declared policy of sending over 150 Mirage jets to the belligerent Libya. The Soviet Union is shipping 15 to 20 planes per month into Egypt. Egypt can, therefore, afford to lose 20 planes for every one of Israel's without sacrificing her military strength.

At this point in time, Israel's pilots are concededly superior. Yet, much of Israel's equipment is archaic and outdated. Israel loses dozens of pilots and Air Force personnel from mishaps caused by faulty equipment on an Air Force that predates 1956, while Syria and Egypt can claim to have two of the most modern air forces in the world today. The number of Israeli planes is currently but one-fifth of the Arab forces, and that number is likely to decrease still further because of archaic equipment.

In 1968, Mr. Nixon declared his firm and unqualified support for Israel's position in the Middle East. I would like to quote from a 1968 statement he made on the subject during the presidential campaign. I feel that the content is quite revealing. He said:

> Israel must possess sufficient power to deter an attack. As long as the threat of an Arab attack remains direct and imminent, sufficient power means the balance must be tipped in Israel's favor.

Let me explain that from a highly technical standpoint. An exact balance of power, which in any case is purely theoretical and not realistic, would run risks that the potential aggressors might miscalculate and would offer them too much temptation. For that reason—to provide Israel a valid self-defense—I support a policy that would give Israel a technological military margin to more than offset her hostile neighbor's numerical superiority."

He then continued:

> We support Israel because we oppose aggression in every form. We support Israel because it is threatened by Soviet imperialism and we support Israel because it offers hope in the Middle East . . . Israel cannot afford to lose even once.

Mr. Speaker, my purpose here is not to redeliver President Nixon's campaign speech. Rather, it is to highlight Mr. Nixon's analysis of the Middle East question—he said that his administration would come to the support of Israel in her hour of need.

All events today—the introduction of the Soviet missiles, the planes to Libya, the increased Arab aggression point up the fact that Israel's need has intensified and will continue to grow.

Any advantage that Israel now claims can be easily and quickly lost should the Soviet Union's offensive continue. In the meantime, the Arabs have not changed their avowed claim to destroy Israel. The armaments installed in Egypt may well change Israel's already tenuous superiority. I believe that there is a clear and present danger to the security of Israel in the Middle East.

As I said earlier, I hope that a reassessment and review of the situation will lead to a reaffirmation—in word and in deed—of Mr. Nixon's 1968 campaign statement. The security of Israel depends on it.

MR. McCORMACK'S REMARKS BEFORE THE NATIONAL LEGISLATIVE CONFERENCE OF THE BUILDING AND CONSTRUCTION TRADES DEPARTMENT, AFL–CIO

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

Mr. McCORMACK. Mr. Speaker. In my extension, I enclose remarks made by me on March 23, 1970 before the National Legislative Conference of the Building and Construction Trades Department, AFL–CIO:

President Haggerty, Bishop Williams, Officers and Delegates of the 15th National Legislative Conference of the Building and Construction Trades Department, AFL–CIO:

President Nixon's Construction Statement last week was an acknowledgment of the desperate straits in which this nation's homebuilding industry now finds itself. Our current housing depression was foisted upon the industry by this Administration's misguided policies. It resulted in a 40 percent drop in housing starts last year. This, at a time when the nation's unmet housing needs were never greater. On March 17, the *Wall Street Journal* reported that non-residential construction is now expected to likewise suffer a marked decline in the months ahead.

Unemployment in the construction industry now stands at some 8 percent compared with 5.5 percent when President Nixon took office. Total counted unemployment in February reached almost 4 million.

The seriousness of the plight in which the homebuilding industry finds itself cannot be over-emphasized. The impact of new residential construction is a major force in and spreads throughout the entire American economic structure.

The difference between the 1,878,000 annual rate of housing starts in January of 1969 and the 1,166,000 annual rate for January 1970 meant the loss of $8.5 billion in direct construction expenditures. It also meant the loss of 1.5 million man years of work, half of it on-site and half of it in materials production. This loss of some 700,000 houses, by way of example, meant the loss of a market for 890,000 bathtubs, 511,000 furnaces, 224,000 garbage disposal units, 7 million kitchen cabinets, 8.4 million doors, and 1.4 million tons of steel, and 66 billion pounds of cement.

Every reliable economic indicator now gives evidence that the country is slipping into an economic recession. We are thus witnessing an unfortunate replay of what happened to this nation's economy during the 1950's. In 1957 the Republican Administration, as has been the case during the past year, pursued economic policies which crippled the housing industry. The sickness in housing then spread like a virus through the entire economy. The result was the 1958 recession when unemployment reached 7 percent, our highest post-World War II level. So great was the economic slump that year that Government revenues were drastically reduced, resulting in a thirteen billion dollar deficit for F.Y. 1959. Unless action is taken and taken immediately by the President, I fear a similar economic catastrophe awaits the country.

While the Executive Branch has presided over the strangulation of the homebuilding industry, the 91st Congress by way of contrast has striven to bring some measure of relief to this beleaguered industry. Last year's housing legislation, approved by the House 339 to 9, contained a provision which makes available $2 billion to the Government National Mortgage Association to purchase FHA and VA mortgages on low-cost housing. The release of these funds which has not taken place would provide over 100,000 units of new housing to those most acutely in need of shelter, low- and moderate-income families. It would have also provided much needed employment for construction workers. The President, however, refuses to utilize these funds. The Congress also in Public Law 91–151 granted the President authority to impose selective credit controls. The utilization of this authority would permit the channeling of available credit into those activities which national policy requires, such as low- and moderate-income housing. Other forms of credit, such as commercial paper, which are far more inflationary could be sharply curtailed and thus reduce inflationary pressures. Although this measure received the near unanimous approval of the House, 358 to 4, the President in signing the legislation declared he would never exercise the authority to establish credit controls.

The Administration's housing policy has as one of its chief victims our returning veterans. The Administration's tight money policy denies them the opportunity to take advantage of the VA home loan program which the Congress has established. To rectify this situation the Committee on Veterans Affairs has reported out H.R. 9476 which would authorize the investment of $5 billion of the veterans' own insurance monies in the National Service Life Insurance fund in VA mortgages. There is not a dime of government money involved. This measure has received the endorsement of all veterans' organizations and enjoys widespread support from all elements of the housing industry. Opposition is confined to the Nixon Administration. Veterans would be two-way beneficiaries of H.R. 9476. First, over 250,000 additional homes would be provided for veterans. Secondly, the fund, now a captive market for government bonds yielding a sub-market 3.9 percent, would experience a return of 7½ percent, the VA mortgage rate of 8½ percent

less 1 percent administration fee, on the $5 billion invested in mortgages. It would likewise reduce unemployment in the construction industry.

The Housing Subcommittee of the Banking and Currency Committee has reported out an urban transit program of $5 billion. This represents an almost 40 percent increase over the figure recommended by the Nixon Administration. This legislation is vitally needed to solve the acute transportation problems in our traffic clogged urban areas. It too should provide many jobs for construction workers. The action of the Congress last year in raising the President's request for an appropriation of some $300 million to $800 million for the construction of sewage treatment plants, if the Administration will utilize the funds, should provide a major breakthrough in the fight against water pollution and be an immense help to the construction industry.

As you all know, the Congress has passed Public Law 91–54 providing for the promotion of health and safety in the construction industry. I would point out that this measure is another example of Congressional, rather than Executive, initiated legislation. The House likewise on January 27, 1970 passed H.R. 860, Joint Industry Promotion Boards, a major legislative goal of your organization, by a vote of 189 to 186. Democrats voted 148 to 60 for this progressive measure. Republicans were recorded 126 to 41 against. This by the way is the third time this legislation has passed the House.

This year the Congress will pass additional legislation in the air and water pollution fields together with highway legislation which should help to revive the construction industry.

The President's announcement that he is releasing $1.5 billion in Congressionally appropriated funds for federally assisted construction projects, clearly an effort to soften the recessionary slide of the economy, is most welcome. It is a small step in reversal of Administration policy which has brought on increasing unemployment, shorter work weeks, a depressed housing industry, declining production and disregard for the human effects of these failing policies. We believe the President's action resulted from the attention which we in Congress have focused on the Administration's failures. I hope the President will now also release $1.8 billion of frozen funds for direct federal projects, and take necessary actions to control inflation, and prevent an economic recession.

HEARINGS TO LOWER INTEREST RATES

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

Mr. PATMAN. Mr. Speaker, today the House Committee on Banking and Currency held hearings on House Conference Resolutions 522, 523, 524, and 525. These resolutions, if enacted, would express the sense of Congress in its opposition to the current high interest rate, tight money situation and call on the administration to make every effort to reverse this policy in all programs. Further, the resolution would call on the Federal Reserve Board to take steps immediately to roll back the prime interest rate, which now is at the historic high of 8.5 percent.

Mr. Speaker, approximately 85 Members of Congress have sponsored this resolution from both sides of the aisle.

I have recommended to Mr. Wright of Texas and Mr. Alexander of Arkansas, who are to be commended for having taken the lead on this subject in this instance, that they constitute this group as a steering committee to appeal to all Members of the Congress to become members in support of this resolution.

I heartily commend all the members of the House who have joined in this resolution and trust that the House Banking and Currency Committee will expeditiously report the resolution to the floor and allow all the members of this House to go on record against the current restrictive economic policy of high interest rates and tight money which falls so overbearingly on consumers, workers, farmers, small business men, and the proposed financing for State and local municipal facilities.

Mr. Speaker, a list of the members who have cosponsored this resolution, by State, follows:

STATES OF THE UNION REPRESENTED BY SPONSORS OF HOUSE CONCURRENT RESOLUTIONS EXPRESSING THE SENSE OF CONGRESS IN OPPOSITION TO THE HIGH-INTEREST-RATE POLICY

Alabama—Mr. Bevill and Mr. Flowers.
Arizona—Mr. Udall.
Arkansas—Mr. Alexander and Mr. Pryor.
California—Mr. Anderson; Mr. Clausen; Mr. Corman; Mr. Edwards; Mr. Holifield; Mr. Johnson; Mr. Leggett; Mr. Rees; Mr. Tunney; Mr. Van Deerlin; and Mr. Waldie.
Florida—Mr. Burke; Mr. Chappell; Mr. Fascell; Mr. Gibbons; Mr. Haley; and Mr. Sikes.
Georgia—Mr. Stuckey and Mr. Thompson.
Hawaii—Mr. Matsunaga and Mrs. Mink.
Illinois—Mr. Gray; Mr. Mikva; and Mr. Pucinski.
Indiana—Mr. Madden.
Louisiana—Mr. Caffery; Mr. Edwards; and Mr. Passman.
Maryland—Mr. Friedel.
Massachusetts—Mr. Boland; Mr. Harrington; and Mr. O'Neill.
Michigan—Mr. Dingell and Mr. Nedzi.
Minnesota—Mr. Fraser.
Missouri—Mr. Ichord; Mr. Hungate; Mr. Randall; and Mr. Symington.
Montana—Mr. Melcher and Mr. Olsen.
New Jersey—Mr. Daniels; Mr. Helstoski; Mr. Howard; and Mr. Roe.
New York—Mr. Addabbo; Mr. Halpern; Mr. Hanley; Mr. Koch; Mr. Ottinger; Mr. Podell; Mr. Ryan; Mr. Scheuer; and Mr. Wolff.
North Carolina—Mr. Galifianakis and Mr. Taylor.
Ohio—Mr. Hays and Mr. Stokes.
Oregon—Mrs. Green.
Pennsylvania—Mr. Barrett; Mr. Dent; Mr. Nix; and Mr. Yatron.
Rhode Island—Mr. Tiernan.
Tennessee—Mr. Anderson; Mr. Blanton; and Mr. Jones.
Texas—Mr. Cabell; Mr. Casey; Mr. Gonzalez; Mr. Patman; Mr. Purcell; Mr. White; and Mr. Wright.
Washington—Mr. Adams and Mr. Hicks.
West Virginia—Mr. Heckler and Mr. Slack.
Wisconsin—Mr. Obey.

SMALL BUSINESS NEEDS A STRONG MAGNA-CARTA

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

Mr. PATMAN. Mr. Speaker, I have always referred to the Robinson-Patman Act as the Magna Carta of small business. And I consider the passage of the Robinson-Patman Act in 1936 as one of the most personally satisfying laws that I have been connected with since I have been a member of this body.

I cannot help but wonder how many small businesses would have closed their doors had the Robinson-Patman Act not been on the books. The act prevents price discrimination by suppliers to competitors in the marketplace. It makes certain that the little man is not penalized because he is little. This is the same thought that the drafters of the Magna-Carta had in mind and this is the thought behind the Robinson-Patman Act.

There are those who now seek to weaken the Robinson-Patman Act, if not totally destroy it. This must not be allowed to happen. I do not contend that the Robinson-Patman Act is perfect for there have been those who, rather than trying to work within the spirit of the act, have sought to subvert it through loopholes. However, if any changes are to be made in the act, we must strengthen, not weaken, it, for the very future of small business in this country could well depend upon the strength of the Robinson-Patman Act.

In the March issue of the monthly publication of the National Association of Retail Druggists, the group's executive secretary, Mr. Williard Simmons, spoke out sharply against any attempt to water down the Robinson-Patman Act. The National Association of Retail Druggists worked long and hard for the passage of the Robinson-Patman Act and many druggists will tell you that the act saved their business. I am including the following copy of Mr. Simmon's article so that every Member of this body may have an opportunity to see what would happen to small businessmen in their districts if there is any dilution of the effects of the Robinson-Patman Act:

ROBINSON-PATMAN ACT UNDER FIRE

(By Williard Simmons)

Among the more outstanding accomplishments in the legislative field has been those activities of the NARD which led to the passage of the Robinson-Patman Act of 1936.

In view of the constantly increasing attempts to erode the enforcement provisions of the Robinson-Patman Act, it might be well for all NARD members to review some of the developments which resulted in Congress adopting this all-important legislation.

The history of federal anti-trust laws is a complicated one and we have every reason to believe that major attempts are being made to use the complications to confuse those who would honestly wish to interpret the law in terms of its most equitable affect on our economic system and the nation's small businessmen.

The basic federal anti-trust law was the Sherman Act of 1890, followed by the supplementary Federal Trade Commission Act of 1914, the Clayton Anti-Trust Act, and the Robinson-Patman Price Discrimination Act, as well as state Fair Trade laws. Changes in these laws have taken place through legislative action and judicial interpretation over the years.

At this moment we're concerned with the Robinson-Patman Act. It was enacted for the purpose of preventing price discrimination by suppliers to competitors in the marketplace. Its intent was to prevent large retailers, or other large businesses, from putting their smaller competitors out of business by using their bigness to influence suppliers to

give them privileged discounts, which in turn gave them the advantage needed to undersell smaller competitors who were denied that special treatment.

The Robinson-Patman Act, of which the distinguished Congressman Wright Patman from Texas was co-author, has served well to protect small businessmen. The Act has been subject to the erosion of time, and loopholes have been found that have impaired its protectiveness; but it continues to be a barrier against laissez-faire business methods.

Now, some of those who would like to trample ruthlessly over their smaller competitors are trying to do away with this law. The Select Committee on Small Business of the House of Representatives has been asked to review the law and its effects; and its foes are marshaling their forces to have it repealed or made ineffective by amendments.

At our recent convention we were fortunate to be addressed by Congressman Patman who said: "It is no secret that there are some who would like to see the Robinson-Patman Act weakened, if not destroyed altogether. I have always regarded this Act as a Magna-Carta of small business and along with the other anti-trust laws it should be strengthened, not weakened.

"Steps must also be taken to see that this law is enforced with vigor all down the line to assure that there is not discrimination against retail druggists."

I am sure every NARD member will endorse Congressman Patman's position with enthusiasm. We urge all retail pharmacists to alert Congressmen and Senators to the dangers which may accrue if small business is allowed to be destroyed by the misuse of the competitive purchasing power of big business.

TEXTILE COMMITTEE REPLIES TO THE HONORABLE FUKUDA

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

Mr. DORN. Mr. Speaker, the Honorable Hajime Fukuda, representing the Special Committee for Textiles of the Liberal Democratic Party of Japan, contacted, it is my understanding, every member of the Congress outlining the position of the Government of Japan with reference to Japanese textile exports to the United States. The following is the reply sent to Mr. Fukuda in Tokyo by the leadership of our Informal Textile Committee of the House. I recommend a very careful study of our reply, which follows, by my colleagues in the Congress:

U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., March 19, 1970.

HON. HAJIME FUKUDA,
House of Representatives,
Tokyo, Japan.

DEAR MR. FUKUDA: As the elected officers of the Informal Textile Committee of the United States House of Representatives, we are responding to your letter of March 1 concerning the problem of Japanese textile exports to the United States. We agree with your view of the urgency of the situation and of the need to take action promptly to resolve it. However, we are unable to agree with the approach suggested by you.

As you must know, the textile sector poses special problems for all mature industrial countries. In our case, the sector is so large and so important economically and socially that we cannot afford to remain indifferent to its fate. We must also remember in this connection the quarter million wool growers and half million cotton producers of the United States whose future depends upon the preservation of a vigorous textile industry.

The United States Government has made a sincere and good faith effort to negotiate a viable bilateral agreement to ease the pressures on our textile market. Our government has not urged upon Japan any arrangement which need cost her a single job. But these efforts have been rejected.

On numerous occasions in the past, the Government of Japan has felt it necessary to take steps in the area of economic policy which have been detrimental to U.S. interests. The United States has not retaliated, but circumstances have now changed dramatically.

You should know that Japan's position on the textile matter, as well as on other trade and investment issues, is profoundly affecting the attitude of the United States Congress toward Japan.

Your government, which has admittedly either negotiated restraints on various products with other countries or has permitted such countries to unilaterally impose quotas on your textile products, so far has refused to negotiate seriously with the United States.

Our own experience and familiarity with the situation in the United States industry has convinced us that excessive imports of textile and apparel articles are causing widespread damage and that the American textile industry and its employees are faced with a fundamental threat to their future.

At any rate, the proper GATT principle involved here is not the Escape Clause, as you suggest, but Market Disruption. It is on this latter GATT principle that the Long Term Arrangement for Cotton Textiles (LTA) has been successfully based since 1962. Furthermore, experience under the LTA has demonstrated conclusively that a comprehensive overall approach is the only effective one when dealing with such a highly diversified industry as textiles. As a matter of fact, the necessity for such a comprehensive approach has been recognized by our two governments as long ago as the U.S.-Japan cotton textile bilateral agreement of 1957.

Your expression of the allegedly "bitter experiences" of the Japanese textile industry with the Long Term Cotton Textile Arrangement is astonishing. U.S. imports of cotton textiles and apparel from Japan have increased from 235 million square yards in 1961 to 396 million in 1969. Total United States cotton textile imports have more than doubled during the life of the LTA.

Your point that not only Japan but a number of other exporting countries as well are contributing to the U.S. textile import problem is well taken. As the 1957 Japanese bilateral—then representing the largest portion of U.S. cotton textile imports—preceded negotiation of the LTA, so Japanese bilateral controls over man-made fiber and wool textile trade with the U.S. should precede multilateral negotiations under GATT. Certainly, the multilateral GATT negotiation should follow closely upon conclusion of the bilateral.

We are pleased to see that you consider relations with the United States to be more important than those with any other country. We are without doubt your most important customer. In addition, at tremendous expense, we are providing for the major defense of Japan against outside threats. In the last quarter century we have witnessed with great admiration Japan's remarkable economic growth. We are proud of our cooperation in that fantastic progress.

It is particularly disappointing to us in light of this history that Japan has prolonged discussions of the textile question for almost one year without making a constructive counterproposal on the issue at hand. Unfortunately, we are forced to conclude that it will be necessary for us to deal with this problem directly. We hope that you will understand our position on this matter, but believe that the time has come when further discussion is pointless unless there is an immediate and responsive change in the position of your government.

Respectfully and sincerely,

———, *Chairman.*

CHARLES R. JONAS, *Vice Chairman.*

WM. JENNINGS BRYAN DORN,
Secretary, House Informal Textile Committee.

HOUSE OF REPRESENTATIVES OF JAPAN,
Tokyo, Japan, March 1, 1970.

DEAR SIR: On behalf of the Special Committee for Textiles of the Liberal Democratic Party of Japan, I take pleasure as the chairman of the Committee in sending you herewith a brief explanation of the basic Japanese views with regard to the problem of Japanese textile exports to the United States. I am taking the liberty of doing so in view of the urgency and importance of the matter in the light of U.S.-Japan economic relations.

In spite of sincere and serious efforts on the part of both the United States and Japan to find a solution to the textile problem, there are no signs of a solution in sight yet. A careful study of the past developments of the textile issue will show that the major obstacle hindering the solution to the problem is that the United States does not fully understand the fundamental views of Japan on this issue. Should the friendly relations between the United States and Japan be allowed to deteriorate by the lack of the understanding on both sides, it would be truly an unfortunate incident not only to Japan but also to the development of the free world.

I sincerely hope that this will serve to broaden your better understanding of our fundamental views on the matter and dispel any misunderstanding which might be harbored by some Americans.

In November of 1969 President Nixon and Prime Minister Sato reached an agreement with regard to the reversion of Okinawa to Japan which had been a long standing aspiration of the Japanese people. This agreement would not have been reached without the understanding and support of the Senators and Representatives of the United States Congress. My colleagues and I are deeply appreciative and grateful for your support and understanding shown in the reversion of Okinawa to Japan.

I consider our relations with the United States are far more important than those with any other country. I firmly believe the maintenance of our close cooperative relations in all fields will be a vital factor in the achievement of peace and prosperity of the world.

Sincerely yours,
Chairman of the Special Committee for Textiles of the Liberal Democratic Party of Japan.

HAJIME FUKUDA

PERSONAL HISTORY OF HAJIME FUKUDA, MEMBER OF THE JAPANESE HOUSE OF REPRESENTATIVES

(ELECTED EIGHT TIMES TO THE HOUSE OF REPRESENTATIVES)

1902—Born in Fukui Prefecture.

1927—Graduated from School of Law, Toyko University.

1952—Parliamentary Vice-Minister of the Ministry of Labor.

1959—Chairman of the Standing Committee on Cabinet, the House of Representatives.

1961—Chairman of the Standing Committee on House Management, the House of Representatives.

1962—Minister of the Ministry of International Trade and Industry.

1964—Member of the Policy Committee of the Liberal Democratic Party.

1965—Member of the Executive Council of the Liberal Democratic Party.

1966—Chairman of the Standing Committee on Budget, the House of Representatives.

Chairman of the Special Committee for Textiles of the Liberal Democratic Party.

THE BASIC JAPANESE VIEWS WITH REGARD TO THE PROBLEM OF JAPANESE TEXTILE EXPORTS TO THE UNITED STATES

I. THE BASIC POSITION OF JAPAN ON THE TEXTILE ISSUE

A. During the U.S.-Japan Fact-Finding Conference held last September in Washington, D.C. it was reported that one official of the United States delegation referred to the situation of the American textile industry as healthy on the whole. On the basis of the information and data available to Japan, it is extremely difficult to recognize that the American textile industry has been seriously injured or faces threat of serious injury caused by imports. Accordingly Japan cannot accept the United States arguments that comprehensive restrictions on exports of woolen and man-made fiber products to the United States are necessary.

B. The only proper approach to this problem should be one that is based on a selective approach in cases where injury has been proven. Japan feels the problem should basically be handled under the escape-clause procedures stipulated by the United States law which is in line with Article 19 of the General Agreement on Tariffs and Trade (GATT) that restrictive measures may be taken if it is proven a particular section or item of an industry has sustained serious injury or faces threat of injury due to increase of imports.

However, in view of the above and taking into consideration the current United States position on this problem, Japan is prepared to take appropriate measures with regard to those products concerning which sufficient proof of injury or threat of injury due to increased imports can be shown in fair and equitable procedures.

C. The whole problem of textiles concerns not only Japan but also a number of exporting countries. If Japan evaluates the impact of imported textile products on the American textile industry on the basis of its own judgments alone, it would invite criticism and distrust from these countries toward Japan. Therefore, the textile problem should be dealt with on a multilateral basis, including all the major exporting countries.

The Japanese position explained above is based on the principles of the GATT that only if a domestic industry has sustained serious injury or faces threat of serious injury caused by imports, temporary restrictive measures can be taken. On the basis of the internationally established principles of trade, a solution can be found to the textile problem which may not only involve a number of other exporting countries concerned but also adversely affect the development of international trade. At the same time domestically a solution can be found to the matter persuasive enough to secure understanding and support of the Japanese textile industry and the labor unions as well as general public.

II. BRIEF EXPLANATION OF THE U.S.-JAPAN DISCUSSION ON THE TEXTILE PROBLEM

A. In the course of the discussions between the United States and Japan during the past ten months on textile import restrictions, the United States has failed to present any convincing evidences to prove that a specific section of the American textile industry is facing serious difficulty in spite of repeated requests by Japan for the presentation of substantial data. At the U.S.-Japan Fact-Finding Conference of September of 1969 Japan was given little information on the difficult situation of specific items of the American textile industry. In February of 1970 the United States presented the statistical data to Japan in response to the Japanese request. Although voluminous, the United States data consisted mainly of statistics on imports and domestic production, and lacked complete, objective and concrete information sufficient to prove that specific items had been injured. Japan's repeated request for more data regarding injury caused by imports is not to prolong the discussions between the two countries, but to obtain the minimum data necessary to show evidence of injury.

B. Dissatisfaction has been expressed by some Americans that in spite of Japan's voluntary export controls on textile products to countries of European Economic Community (EEC), England, and Canada. Japan continues to oppose the United States demands for similar export restrictions on Japanese woolen and man-made fiber textile products. It should be noted that in the case of EEC countries such controls are not administered voluntarily by Japan, but are imposed unilaterally upon Japanese textile products by these countries.

There exists historic background for voluntary export controls on Japanese textile products to England and Canada. Based on an exchange of notes, these two countries forced Japan to agree to voluntary restrictions on Japanese exports of textiles in exchange for Japan's admission to the GATT, or the abolition of the invocation of the GATT Article 35 against Japan. Since that time, Japan had made consistent efforts to have such export restrictions eliminated and with the passage of time the number of restriction items was considerably reduced. In recent years Japan has not agreed to any additional voluntary export control demands from these countries. England has announced its plan to lift its restrictions on Japanese exports to England in a few years. It is reported that in preparing for the coming EEC–Japan trade talks EEC countries will also relax its restrictions on Japanese products.

III. SITUATION IN JAPAN

The Japanese textile industry has 1.9 million workers and 9 million people directly or indirectly connected with the textile industry. As in the United States, the industry in Japan is one of the most important. Members of the Japanese Diet are under heavy pressures from the domestic industry and business which forcefully advocate the principles of free trade. They are strongly opposed to compliance of any kind of unreasonable voluntary controls. The textile problem is a serious political issue and places members of the Japanese Diet in very difficult situation.

The Japanese textile industry cannot forget its bitter experiences in connection with the Cotton Long-Term Arrangements (LTA) for a number of reasons, some of which are:

(1) The voluntary controls on Japanese cotton textile exports to the United States which was begun in 1956 was later extended into the International Cotton Long-Term Arrangement with more cotton textile items under its restrictions in 1962 at the insistence of the United States.

(2) In spite of the LTA goal of orderly expansion of cotton textile trade, its application of the LTA became extremely restrictive.

(3) Although the LTA was concluded as a temporary measure, an exception to the principles of free trade, it has indeed become a long-term measure.

Because of the bitter experiences above, all concerned in the Japanese textile industry are deeply concerned and apprehensive over the U.S. demands for restrictions on Japanese exports of textiles in spite of the fact that it was internationally agreed in Article 1 of the LTA that these measures are not to be considered as lending themselves to application in other fields.

The United States repeatedly presented to Japan proposals on voluntary export restrictions on Japanese textile products which did not reflect the Japanese basic position and feeling of the Japanese textile industry. The way the United States presented the proposals to Japan was taken by the Japanese textile industry as coercive, and led to unified and strong opposition of both the management and labor of the Japanese textile industry to the unreasonable settlement of this problem.

The Japanese Government cannot commit itself to restrictions on exports of textile products to the United States without the consent and understanding of the textile industry. Therefore, unless the basic position explained above is adhered to, the Government cannot persuade the textile industry to agree to any voluntary restrictions on exports of Japanese textile products to the United States.

TO OFFER PAYMENT LIMIT; LISTS FARMERS WHO GOT OVER $25,000 IN 1969

The SPEAKER pro tempore. Under a previous order of the House the Chair recognizes the gentleman from Illinois (Mr. FINDLEY) for 20 minutes.

Mr. FINDLEY. Mr. Speaker, the moment of decision is fast approaching in the House Committee on Agriculture as to the future course of feed grains, wheat, and cotton programs. Authority under the Agricultural Act of 1965 expires this year. Anticipating the possibility—remote though it is—that this Congress will enact no follow-up legislation, the Department of Agriculture is taking the essential first steps under the old permanent law to call a wheat referendum in August.

It is my belief that the Committee on Agriculture will report out a bill, and within the next very few weeks. It is also my belief that it will amount to an extension of the Agricultural Act of 1965 with no fundamental changes, only a little cosmetic treatment here and there.

The 1965 act had no limitation on individual payments, and I forecast that the end product of the Committee on Agriculture will contain no limitation on payments, at least none worthy of the word. Possibly the reported bill will contain a gesture toward the limitation concept, perhaps something like the one suggested by the Department of Agriculture which would let wealthy farmers like Senator EASTLAND draw as much as $110,000 per crop each year from the U.S. Treasury.

A limitation at this level would mock the word limitation. It would be unacceptably high to me, and I believe to a majority of House members. On several occasions during the past 2 years the House has voted by a 3-to-2 margin to establish a $20,000 per farm limit on payments. Last year this provision was dropped from an appropriations bill only under pressure of Christmas Eve adjournment, and then only by four votes. Many Congressmen, and many farmers, believe $20,000 is much too high.

Over the past 6 years I have campaigned persistently among my colleagues in behalf of the payment-limit concept. I have offered limitations at var-

ious levels from $50,000 a year to as low as $10,000 a year. The concept is a sound one that each year wins wider acceptance, even among cotton belt farmers who would be most directly affected.

By this statement I announce to my colleagues that when the farm bill finally emerges from the Committee on Agriculture I will offer an amendment to establish an annual limitation on payments in the $20,000 range.

So that Members may see clearly the continued need for a limitation of this order I am placing in the CONGRESSIONAL RECORD today a listing of all farmers in the Nation who last year received aggregate payments under commodity programs—excluding sugar and wool—in excess of $25,000.

The names are classified by counties within State categories, so it will be relatively easy for each Congressman or Senator to determine which of his constituents would be affected by my amendment and to what extent.

My colleagues will also find a comparison with the previous year instructive. For the most part, big payments are more numerous and higher than ever. See the CONGRESSIONAL RECORD, volume 115, part 10, page 13287, for a listing of 1969 payments.

A USDA study was cited a year ago which shows that a limitation on payments, such as I am proposing, will have no serious adverse effects on production or on the effectiveness of production adjustment programs and would yield annual budget savings from $200 million to nearly $300 million. These same arguments for approving a limit on farm program payments are still valid. With increasing pressure for bringing inflation under control and trimming Federal expenses, these savings to the treasury should be welcome by all of us.

In evaluating the impact of the payment limit on the bank accounts of these fortunate farmers, it should be kept in mind that my amendment would not leave any of them exactly penniless. Each would continue to receive $20,000 a year, which is extremely generous when compared with even the most extravagant proposals for family income guarantees.

Total payees and total payments rose sharply last year in this category. In 1968 5,914 payees received $273,333,643. In 1969 7,795 payees received $366,779,995.

Of great public interest has been the level of payments to Eastland Plantation, Sunflower County, Miss. In 1968 payments totalled $116,978. The data below shows 1969 was a much better year for the plantation, at least in terms of money from the U.S. Treasury, as the total rose to $146,792.

Mr. Speaker, I am informed that another Member has also placed in this RECORD the same data, and in order to save expense I will not repeat it at this point.

RHODESIAN POLICY ILL-ADVISED

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

Mr. WAGGONNER. Mr. Speaker, I have addressed the House on a number of occasions to express my concern over this Nation's ill-advised policy toward Rhodesia since that nation declared its independence from Great Britain. Even though a previous administration started us down the ridiculous policy road we have been on since that event, I had hoped against hope that the Nixon administration would see the utter futility of continuing to harass the Rhodesian Government, would cease acting as Great Britain's paw and as a toady follower of the United Nations.

My hopes were raised when the President said in his inaugural address:

> Let all nations know that during this Administration our lines of communication will be open. We seek an open world, open to ideas, open to the exchange of goods and people, a world in which no people, great or small will live in angry isolation. We cannot expect to make everyone our friend, but we can try to make no-one our enemy.

Yet, the President has seen fit to close the U.S. Consulate in Rhodesia, effectively isolating that nation which is guilty of only one thing, declaring itself to be free and independent from Great Britain. The President has closed our lines of communication. He has brought about a closed world, closed to ideas, closed to the exchange of people and a world in which a friendly nation has been forced into isolation.

The Prime Minister of Rhodesia has expressed regret over this slap in the face and has assured us that, in spite of it, the interests of our American citizens will continue to be protected by his government.

Several items have come to my attention in the past week which comment on this misguided step of the Nixon administration and I would like to share them with you.

This is a shameful step our Government has taken and I hope that commonsense will return to the White House and the State Department soon and this closing countermanded. No man can take pride in what has been done.

The articles I refer to appear herewith:

[From the Indianapolis (Ind.) Star, Mar. 13, 1970]

BRITAIN, U.S. UNREALISTIC ON RHODESIA

(By Anthony Lejeune)

LONDON—The first rule in international affairs is "Be realistic." To deceive oneself is, at best, folly; at worst, an invitation to catastrophe. As an example of obstinate unrealizing it would be hard to beat the policies adopted by the Western powers, particularly Britain and America, towards Rhodesia.

So let's state a few plain truths.

1. Everything which has happened in Rhodesia has been inevitable and predictable for at least 10 years—since Britain first tried to push the white Rhodesians into accepting constitutional changes which would have meant the loss, in a very short while, of their country as they had built it and known it.

2. It was equally inevitable and predictable that sanctions would fail. When Harold Wilson said, four years ago, that the Rhodesian rebellion would be over "within weeks, not months" he was either being flagrantly and short-sightedly dishonest, in the hope of warding off pressure from the Afro-Asian members of the Commonwealth, or else he was crassly refusing to believe what everybody who knew anything about Africa must have told him.

3. International disapproval matters very little to Rhodesia, so long as the back door to South Africa remains open. And South Africa must, in practice, support Rhodesia, because if Rhodesia could be brought down, the same weapons would certainly be turned against South Africa.

4. Rhodesia, South Africa and the Portuguese provinces are perfectly capable of dealing with any foreseeable threat, whether from internal subversion or from Communist-equipped infiltrators.

5. Short of some lunatic and (one hopes) inconceivable military adventure, there is nothing the outside world, however disapproving, can do about the Republic of South Africa or the Republic of Rhodesia.

Ian Smith's declaration of a republic is, we are told, "illegal." But very few republics were born legally—certainly neither the United States nor the Soviet Union was. Sooner or later and generally sooner, the world had to accept them. There is nothing uniquely wicked about Rhodesia; on the contrary, there is far less cruelty and injustice there than in many states which occupy honored places at the United Nations.

The only difference lies in the sanctions which Wilson was foolish enough to invoke, and the United Nations to impose, on the ludicrously false grounds that it was Rhodesia, not the African nationalists menacing her from neighboring territories, which constituted "a threat to world peace."

It is a great pity that America connived at this hypocrisy, this foolishness, this unrealism. And it is a pity that the secretary of state, Rogers, should still be identifying America with the "unfinished business" of trying to overthrow the government of Rhodesia, South Africa and Portuguese Africa.

Let's be realistic again. What are, or should be, the objects of British and American policy in southern Africa?

First, surely, the protection of our own interests, the West's interests, in this strategically and commercially very important part of the world. We need the sea routes around the Cape. We need Rhodesian chrome. We need friendly governments there.

Secondly, we desire the happiness, freedom and well-being of the people, both white and black, who live there. Can we really believe that they would be better off under the sorts of regime which now prevail north of the Zambezi?

All we have succeeded in doing so far is to drive Rhodesia into South Africa's arms, and to make South Africa a more united country than she has ever been before. Sanctions have strengthened Rhodesia: It is Britain and the West they hurt.

The wisest and kindest course for America would be to help Britain off the hook on which a decade of unrealism has impaled her.

[From the Los Angeles (Calif.) Times, Mar. 16, 1970]

U.S. SLAP AT RHODESIA WAS A DISGRACEFUL ACT

(By James J. Kilpatrick)

At a time when foreign news is dominated by a deepening involvement in Laos and by continuing tension in the Middle East, the decision of the Nixon Administration to close the U.S. Consulate in Rhodesia will attract small attention.

Yet this was a disgraceful act by the President, a weak and pusillanimous act, rooted in hypocrisy, having nothing in its favor but political expedience. The best that can be said is that the decision is consistent, at least, with all that has gone before: It is one more blunder.

The decision is wrong on its merits. For better or for worse, American industry retains large investments in Rhodesia. Many American nationals live there. Hundreds of American tourists visit Rhodesia every year. To close the small but useful consulate is an affront to common sense.

This is the least of the wrongness. Abandonment of the U.S. Consulate is a symbolic act, a political and diplomatic gesture. It is a way of saying, to quote Secretary Rogers, that the United States "continues to regard Great Britain as the lawful sovereign in Rhodesia."

Such a posture is pure sham, of course, and Rogers knows it. The proposition is as spurious as the palpable lie, solemnly propounded by the United Nations, that Rhodesia has threatened international peace and security since November of 1965. The blunt fact is that Britain holds no sovereignty whatever in Rhodesia today.

Why is this fact not accepted philosophically? Why do we persist, as to Rhodesia, in pursuing a foreign policy violative of every principle of law, history, and self-interest?

The rule of non-intervention in the internal affairs of other nations is a principle explicitly stated in the charter of the United Nations. By going along with the Afro-Asian lynch mob in the imposition of sanctions against Rhodesia, the United States has closed its eyes to this principle.

Our course of action makes a mockery of our own history. What is the great event we shall celebrate in 1976? Why, sir, it is the 200th anniversary of our own unilateral declaration of independence from the British crown. It is we who provided the high example for Rhodesia; our own founding fathers, renouncing colonial status, dissolved the political bands which had connected them with another. We call them patriots. And what an irony it is for the United States, thus born, to assert the illegitimacy of Rhodesia! What sanctimony, to denounce Ian Smith and his colleagues as rebels!

Diplomacy ought to be based, if not on principle, if not on law, if not on history, at least upon self-interest. Even this homely rule has been lost in the chain of blunders. As one consequence, the United States now finds itself in this imbecile position, that we must purchase vitally needed chrome at high price from the Soviet Union, our avowed enemy, rather than at low cost from Rhodesia, whose only offense is to adhere to the West.

Dean Acheson, former secretary of state, summed up the travesty in a speech to the American Bar Assn. two years ago. In its course of conduct against Rhodesia, he said, "The United States is engaged in an international conspiracy, instigated by Britain, and blessed by the United Nations, to overthrow the government of a country that has done us no harm and threatens no one. This is bare-faced aggression, unprovoked and unjustified by a single legal or moral principle."

Nothing has changed since Acheson delivered that stinging reproach. Rhodesia has overcome the United Nations sanctions. She has resisted the Communist-trained terrorists, based in Zambia, who in fact constitute a threat to African peace. She has proclaimed her status as a wholly independent republic. She will triumph over those peace-loving members of the United Nations who would wage war upon her. And she surely will survive the mean, needless and contemptible act of the Nixon Administration in destroying the last small symbol of a friendship far better than we ever deserved.

PUSILLANIMOUS SURRENDER

(By Andrew Tully)

WASHINGTON.—President Nixon's pusillanimous surrender to the international wetpants liberal mob on the Rhodesia question is a reminder that politics does not stop at the north portico of the White House. Nixon is looking for Negro votes and the approbation of those singular characters who could give our last dime to the United Nations.

Nixon let Secretary of State William P. Rogers do the dirty work on this one. In a Sunday School manner which must have pained the usually hard-nosed Rogers, our top diplomat made a point of the racial issue in announcing that the U.S. will cut its last tie with white-ruled Rhodesia by closing its consulate-general in Salisbury.

Rogers, of course, noted that the U.S. "has regarded and continues to regard the United Kingdom as the lawful sovereign" despite Rhodesia's declaration of independence in November, 1965. Baloney. The action was taken to score points with Africa's Negro leaders, who put Rogers through the old arm-twisting routine during his African tour last month.

Washington has never recognized Ian Smith's Rhodesian regime, but had kept the consulate open for more than four years to protect American interests. Now it has decided, after Rogers' poll taking, that the U.S. henceforth will throw in its lot with Africa's Negro majorities.

I suppose this action is okay in that it will please the Black Panthers, the Students for a Democratic Society and other untidy howlers, some of them ensconced in New York penthouses. But I expect it caused the remains of folks like George Washington, Tom Jefferson and Lafayette to revolve in their graves.

But in Rhodesia's case, the elegantly raffish UN is now demanding that Britain take all necessary measures "to put an end to the rebellion of the Smith regime." Naturally. The UN now is dominated by nations, some of them so-called, with less than 10 per cent of the world's population and which contributes less than 5 per cent of the UN budget.

In fact, the Rhodesia case is an ominous example of the way these half-baked nations work their will. Britain would have let Ian Smith go his independent way had it not been for pressure from these unfrocked cutpurses, directed by the Soviet Union and its Communist flunkies. Britain had enough on its frazzled mind without needling in Rhodesia's internal affairs.

It is a curious, if not sinister, situation. The UN has proved it couldn't keep the peace in a tearoom. This assembly of third-rate international ward heelers and saloon statesmen is supported in the U.S. only by professional do-gooders, dismissed public servants and a claque of bankers and merchants who can smell loot. Its flavor is mostly foreign and therefore delectable to silly women, busted Ph.D.'s and Anglophiles.

Yet we find the Nixon-Rogers team capitulating to this crowd and even admitting that principle runs second to the opportunity to improve U.S. relations with Africa's Negro nations. Maybe what we need is a ruddy king, who doesn't have to go foraging for votes.

STROM THURMOND REPORTS TO THE PEOPLE—OUR STAKE IN AFRICA

The Department of State has announced its intention to close the American Consulate in Salisbury, Rhodesia on March 17. This decision is a lamentable one and should be reversed.

Earlier this month, Rhodesia severed all relations with Great Britain. Although Rhodesia sometime ago declared its independence, its leaders clung to the hope that Great Britain would see the futility of its anti-Rhodesian policy and agree to an amicable settlement within the British Commonwealth. The Rhodesian people, through ties of history and sentiment, found it difficult to break their allegiance to the British Crown, but the unreasonable attitude of Britain's political leaders left no other choice.

With the question of Rhodesia's independence irrevocably settled, there can be no doubt that the Rhodesian government has both legal and actual control of its territory. The United States should recognize this valiant African country as a sovereign state. Now is the time to take steps to improve, not sever, relations with those African States with which our Nation has the most in common. The time has come to take the long range view in Africa and adopt policies which will protect the major American interests.

The United States has vital interests at stake with the governments of the Southern African States; that is, Rhodesia, South Africa, and the overseas provinces of Portugal, namely, Angola and Mozambique. The future of Europe—and the United States—may well depend upon the friendship of these three governments. With the Suez Canal closed—and little likelihood that it can be opened, the vital oil link with the Mid-Eastern oil fields is the shipping route around the tip of Africa. Even if the Suez Canal should be opened, the new gigantic supertankers make it more efficient to ship oil on this route.

Therefore, we must be greatly concerned with whoever controls the Portuguese ports in the Indian Ocean and the South African ports on the Cape. An unfriendly, or even a neutral power, in control of these ports could control the oil lifeline of NATO. In these days of the destructive power of long range nuclear weapons, it is likely that an enemy might seek methods of blackmail that would fall short of unleasing major nuclear explosions. An oil blockade imposed upon the West would result in unacceptable economic and social burdens. The expanding Soviet submarine fleet, coupled with anti-Western powers controlling the ports, could impose severe contraints.

We should be working more closely with friendly countries for our common defense. In particular, South Africa's small Navy should be improved and enlarged. The South African naval base at Simonstown, on the Cape, should be modernized and increased in capacity to handle NATO ships. We should drop the embargo on selling armaments to South Africa, since it is no longer appropriate to the changed international strategic conditions. We cannot base our defenses upon the power balance of ten years ago.

Although Rhodesia is a land-locked country, we must remember that it is the only major source of high grade chromium ore besides the Soviet Union.

It would be a great strategic mistake for the United States to sever relations with this brave little Nation, since in a world crisis we will need the close friendship of Rhodesia in order to secure supplies of chromium ore which is vital to our defense. We must remember, too, that all of land-locked Rhodesia's chrome must be shipped through the Portuguese ports. Every reason, therefore, urges us to take positive steps toward improving our relations with these friends of the United States.

The time has come to take the long range view in Africa and adopt policies which will protect American interests. It is my hope the State Department will review the matter of Rhodesia and conclude that it is in the interest of our Nation not to close the Consulate there.

THE POSTAL STRIKE IS A NATIONAL EMERGENCY

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

Mr. BLACKBURN. Mr. Speaker, the postal strike is a national emergency; it is not a political issue.

The President of the United States is dealing with it as an emergency affecting

all Americans. He is acting under his constitutional authority, in fact, his constitutional duties.

Those who have gone out on strike have gone out in defiance of the law. The law applicable to postal workers must be upheld as would traffic laws upheld for all of us.

Under these circumstances it is a shame that some have seized on this strike as a political issue, as a way to divide the people, as a way to make personal political gains.

I refer, unfortunately, to a very few in the Congress, but I also refer to a Democratic candidate for Governor of New York, a man who should know better, Arthur Goldberg.

Mr. Speaker, to digress a moment, how could anyone who voted to confirm Arthur Goldberg for a seat on the Supreme Court oppose G. Harrold Carswell. Mr. Goldberg had no judicial experience when he went on the Court and he seems to have learned little since he went off of it.

Another who should know better is Lawrence O'Brien, who even better than most, is aware what this administration is doing to try to improve the Post Office and the conditions of postal workers.

Mr. Speaker, I repeat, delivery of the mails is not a political issue. I am sorry that some of the leaders of the other party find it difficult to recognize this fact.

RARE SUNDAY AFTERNOON

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

Mr. WAMPLER. Mr. Speaker, it was my privilege to participate recently in the 100th birthday celebration of my constituent and dear friend, Lee Greer, of Pound, Va.

Uncle Lee, as he is known by so many, comes from a long line of distinguished, patriotic American citizens. It has been said that he is the dean of Republicans in southwest Virginia, and probably the entire State.

He has been deputy sheriff, carpenter, farmer, and postmaster. Even now his days are not idle, and he still talks with conviction of the Constitution and democracy.

Uncle Lee's birthday was March 17, but we celebrated it Sunday, March 15. Kinfolk and friends from near and far gathered at his daughter's home in Pound that afternoon. Brothers and sisters, grandchildren and great-grandchildren, nieces and nephews from New York, Kentucky, Ohio, and Virginia came with happy birthday wishes. A special guest was Uncle Lee's brother John from Myer, Ky. Uncle John will be 103 years old May 1.

A letter and card from President and Mrs. Nixon were presented, and also greetings from Virginia Governor Linwood Holton, who himself was born in southwest Virginia.

Most of all, it was a simple Sunday afternoon of friendship and talk. It was one of those Sunday afternoons which we remember from our childhood, but which we do not take much time for anymore. For this reason, I would like to insert in the RECORD an editorial from the Bristol Virginia-Tennessean of March 17, 1970.

AS WE SEE IT—REAFFIRMING ROOTS

At the risk of sounding mundane, trite, sentimental, and a victim of cliches, we say, emphatically that America is very much alive and well in Southwest Virginia.

We are talking about the kind of disappearing America where friends and neighbors get together on a Sunday afternoon to kiss grandchildren, swap stories, smile for the group pictures—and, generally, display that unaffected respect for each other that has always been America.

There used to be a time when this kind of Sunday afternoon wasn't unusual; when it didn't merit special comment because everyone did it.

And it still isn't totally alien, especially in rural America, where friends and kin get together on sunny, summer Sunday afternoons and eat ice cream, watermelon and drink iced tea.

But it is becoming more alien than it should. Thus it was with a sense of joy mixed with profound sadness and nostalgia that we joined with others Sunday afternoon in Pound to help "Uncle" Lee Greer celebrate his 100th birthday.

They came from all over to the modest little home in Pound where "Uncle" Lee lives with his daughter. They were there because they were kinfolks or just good friends. And they were there because they respect Lee Greer and the 100 years he has been on this earth and because they respect the accomplishments, hopes, dreams of each other.

They listened reverently while "Uncle" Lee, an amazing man, recounted his childhood in Kentucky and Southwest Virginia. And, because they are simply Americans, they nodded in agreement when Lee Greer warned of the dangers threatening democracy.

It was an afternoon of no television, no loud records, no radios, no newspapers. It was just an afternoon of good, hardworking people, talking about their children, their grandchildren, and with pride about the things they had done, and were doing. It was an afternoon to talk about the weather and when spring would come and how beautiful the mountains would be in bloom again. It was an afternoon of posing with "Uncle" Lee and laughing with friends and relatives so seldom seen.

There was no real purpose in it, no organization, nothing planned—and it reminded one of the Sunday afternoons of childhood.

The world, as they say, is too much with us. Pressures and commitments and obligations and duties—and instant awareness and electronic gadgets—crowd in on every moment. There is scant time now for Sunday afternoons of friendship and talk.

But so long as these events occur, the roots of America are firm, if not as plentiful as perhaps they once were. It was the kind of Sunday that has made our country great and if, in this age of so-called sophistication, we are found guilty of a cliche then it is the same as indicting America as being a cliche.

So long as "Uncle" Lee Greers are among us, we can't accept that verdict.

THE REVEREND DR. MARTIN LUTHER KING, JR.—MONTGOMERY TO MEMPHIS

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

Mr. RYAN. Mr. Speaker, today, across the country, Americans will pay homage to a man of grace and dignity—the Reverend Dr. Martin Luther King, Jr. In 1,000 theaters, in over 300 cities, 1 million Americans will see "King: A Filmed Record . . . Montgomery to Memphis," a documentary film showing the greatness of the man who stood in the forefront of the struggle for equal rights for all Americans.

A gentle man of love and honor, Dr. King has left all Americans a legacy of justice, compassion, and humility. The signs of recent times illustrate all too starkly how poorly this land has lived up to that legacy. Lamar, S.C.; the continuation of the war in Vietnam; the incipient war in Laos; the surrender of the administration to the foes of integration—a sad litany of injustice by man to man.

I urge my colleagues to pay tribute to Dr. King by attending this movie memorializing his struggle. And I urge them all as well to honor this man, and his people, and all people who believe in equal rights and in equal opportunity and in peace, by supporting H.R. 7703, which establishes January 15, the Reverend Dr. King's birthday, as a legal public holiday.

By honoring Dr. King, we honor all the people in this country who have struggled against prejudice and disadvantage. And we thereby commit ourselves to the ideals he exemplified—brotherhood, compassion, and concern for his fellow men.

Mr. Speaker, I include William Raspberry's column, Potomac Watch, which appeared in the March 23 edition of the Washington Post. It is a fine report on this movie recapturing Dr. King's struggle—our struggle.

The article follows:

[From the Washington Post, March 23, 1971]

POTOMAC WATCH—KING HAD A DREAM; FILM RECAPTURES IT

(By William Raspberry)

Aside from the fact that Ely Landau and his associates have put together an extraordinarily faithful account of the King years, using little more than every piece of newsreel they could lay hands on, there are two primary reminders in the movie, "KING: A Filmed Record . . . Montgomery to Memphis."

The first is how savage was the brutality visited upon civil rights workers, white and black, in the Deep South.

Many of us who were shocked by the brutality in Chicago in the summer of 1968, or by the recent inhumanity in Lamar, S.C., had forgotten how bad it can be. (The present college generation never knew it to begin with.)

We remember names like Bull Connor and Sheriff Clark; we remember the fire hoses and the police dogs—and Cicero—but we remember vaguely. Perhaps the mind protects itself from extinction by dimming intolerable memories.

But television film, which has it all over newspaper morgues in some regards, cannot forget. And at the recent preview of the King film, it all came back.

Many blacks who saw the preview—and I mean your well-educated, reasonable responsible blacks—confess that if the movie had ended with the savagery, they would not have trusted themselves to behave like human beings on the way home. Inhumanity, we discovered again, can make you at least temporarily inhuman.

But it also helped to explain the almost unparalleled esteem in which Dr. King is

held, by white and black. For, incredibly, he really did love the enemy who was bent on his destruction. It is easy to forget what enormous strength and courage it takes to remain nonviolent in the face of unbelievable violence.

Too many of us, I suspect, would have been tempted to take the Nat Turner route, striking out at everything white until we ourselves were killed.

Nat Turner died a martyr (or at least we think so now), but he didn't change anything. Dr. King died a saint, and the world will never be the same again.

What kept those who saw the film from parting with their sanity was that the movie is, at bottom, an account of triumph.

And that is the other thing we've allowed ourselves to remember only dimly. August, 1963—can it have been only six and a half years ago?—was in its own way just as incredible as Bull Connor and his police dogs.

The movie comes as close as anything could to reminding us that the quarter of a million people who gathered at the Washington Monument and the Lincoln Memorial really did believe it when they sang "We shall overcome" and "black and white together."

In our 1970s sophistication, we see August, 1963, as a sort of giant-sized picnic, an emotional jag, a time of good feeling and peace, with people going out of their way to be nice to each other.

But it was infinitely more, and more profound, than that. We really did believe that only a sort of mopping-up operation remained between us and the day when Americans, black and white, would live together in love and peace.

And more than that, we believed that the mopping up would not be left to Martin Luther King and John Fitzgerald Kennedy; we all had a part to play, and we were exquisitely grateful for the opportunity.

We, too, had a dream.

See the film because it will help you understand—and put a stop to—what is happening to us now, not just in Lamar, S.C., but in Washington, D.C., as well.

For while the spirit of Martin Luther King Jr. is not dead, neither is that of Bull Connor.

SMALL BUSINESS ADMINISTRATION

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

Mr. WIDNALL. Mr. Speaker, today I have introduced an act cosponsored by Mr. CONTE of Massachusetts, H.R. 16644, to clarify and extend the authority of the Small Business Administration and for other purposes. This is the administration's bill. A section-by-section analysis follows:

SECTION-BY-SECTION ANALYSIS

TITLE I

Section 101

Section 101 of the bill authorizes SBA, in connection with the financial assistance programs established by the Small Business Act, by the Small Business Investment Act of 1958, and by Title IV of the Economic Opportunity Act of 1964, to make loans in cooperation with persons or organizations not normally engaged in lending activity, as well as with banks and other lending institutions, and to service these loans; to extend guarantees to banks or other lending institutions, or to persons or organizations not normally engaged in lending activity, without requiring that advance approval be obtained from SBA for each of the related loans; and to make interest subsidy grants to persons who borrow from SBA, through the cooperation of banks or other lending institutions or through the cooperation of persons or organizations not normally engaged in lending activity. In no case, however, shall the amount of such a grant exceed the product of the amount of the loan multiplied by the least of (A) 3 percent; (B) one-third of the prevailing rate of interest applicable to the loan; or (C) the difference between the prevailing rate of interest applicable to the loan and five and one-half percent. No grant shall be made under this section relating to interest due on a loan later than three years from the time the loan was disbursed.

Section 102

Section 102 of the bill authorizes SBA to extend grants to public or private organizations to pay all or part of the costs of providing business management assistance and related technical aid to socially or economically disadvantaged persons. Included among the purposes of these grants is the payment of the costs, including tuition, of the participation of such persons in courses and training programs for the development of skills relating to any aspect of business management. Repealed by section 102 is section 406 of the Economic Opportunity Act of 1964.

Section 103

Section 103 of the bill authorizes SBA to conduct research and studies with a view to identifying categories of small business which lack growth possibilities, as distinguished from small business built around innovations promising rapid growth, and with a view to identifying the nature and causes of small business failures. This section makes it clear that where necessary for the successful conduct of such research or study, or of any other research or study which it is authorized to undertake, SBA is to employ the services of experts and consultants.

Section 104

Section 104 of the bill provides that appropriations are authorized for the purposes of the programs under sections 101, 102, and 103 in such amounts as may be necessary.

TITLE II

Section 201

Section 201 amends section 103 of the Small Business Investment Act of 1958 (SBI Act of 1958) by adding a new paragraph (8), which defines a minority enterprise small business investment company (MESBIC) as a small business investment company (SBIC) whose investment policy states that its investments will be designed to contribute to a well-balanced national economy by facilitating ownership of small business concerns by persons who, because of social or economic disadvantages, have been hampered in their participation in the free enterprise system.

Section 202

Section 202 adds a new subsection (d) to section 301 of the SBI Act of 1958, providing that a MESBIC may be organized and chartered under the nonprofit corporation laws of any State, and providing as well that a MESBIC so chartered may be licensed by SBA to operate under the provisions of the SBI Act of 1958.

Section 203

Section 203 adds a new subsection (d) to section 302 of the SBI Act of 1958, providing that, notwithstanding the 50% limitation of subsection (b) (2) of this section or any other provision of law, shares of stock, other equity and debt securities issued by a MESBIC may be purchased by banks and other financial institutions, subject to the present limitation which prohibits bank ownership of the shares of SBICs in an aggregate amount exceeding 5 percent of a bank's capital and surplus. This allows whole or partial ownership of MESBICs by such banks and other financial institutions.

Section 204

Section 204 authorizes SBA, to the extent that the necessary funds are not available to the companies involved from private sources on reasonable terms, to purchase or to guarantee the payment of principal and interest on debentures issued by SBICs on such terms and conditions as SBA deems appropriate, and pledges the full faith and credit of the United States to the payment of all amounts required to be paid under any guarantee so issued. This strengthens SBA's authority to guarantee loans to SBICs, including the power to guarantee an SBIC debenture for the original amortization terms.

Section 205

Section 205 amends subsection 304(a) of the SBI Act of 1958 to authorize SBICs to invest in unincorporated as well as incorporated business concerns.

Section 206

Section 206 deletes from subsection 305(b) of the SBI Act of 1958 the present 90 percent limitation on SBIC deferred participation in loans to small business concerns. This amendment authorizes 100 percent SBIC guarantees on loans made to small concerns by other lenders.

Section 207

Section 207 provides that Title II of the bill may be referred to as the "Small Business Investment Act Amendments of 1970."

TITLE III

Section 301

Section 301 establishes a program of surety bond guarantees by authorizing SBA, upon such terms and conditions as it may prescribe, to guarantee and enter into commitments to guarantee any surety against loss as the result of the breach of the terms of a bid bond, payment bond, or performance bond by a principal on any contract up to $500,000 in amount. Authority for the program is incorporated into title IV of the Small Business Investment Act of 1958, which title presently specifies SBA's lease guarantee authority; and funding for the program is provided by the revolving fund already established by that title. A guarantee or commitment to guarantee under this program is only to be available (1) where the principal is a small business concern; (2) where such bond is required in order for the small concern to bid on a contract, or to serve as a prime contractor or subcontractor thereon; (3) where such concern is not able to obtain the required bond on reasonable terms and conditions without such a guarantee as this section provides; (4) where SBA determines that such concern will be able to perform the contract with respect to which the bond is required; (5) where the contract meets requirements established by SBA for feasibility of successful completion and reasonableness of cost; and (6) where the terms and conditions of any bond guaranteed are found to be reasonable. A contract of guarantee under this section obligates SBA to pay to the surety 90 percent of the loss which he incurs in fulfilling the terms of his contract because of the principal's breach of a bid bond, payment bond, or performance bond. The section also provides that SBA shall fix such uniform annual fees as it deems reasonable and necessary for guarantees issued under this section, and shall also fix uniform fees for the processing of applications for guarantees.

Section 302

Section 302 provides that title III of the bill may be referred to as the "Surety Bond Assistance Act of 1970".

THE HOUSING AND URBAN DEVELOPMENT ACT OF 1970

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

Mr. WIDNALL. Mr. Speaker, today I introduced H.R. 16643, the Housing and Urban Development Act of 1970. This is the administration bill and the following is the section-by-section summary of the proposed act:

TITLE I—MORTGAGE CREDIT

Section 101—The Mortgage Credit Assistance Act

This section would provide a new "Mortgage Credit Assistance Act" (MCAA) which would supersede the National Housing Act (NHA). No additional insurance could be written pursuant to the NHA after the effective date of the new Act. The new Act would: (1) consolidate the numerous authorities scattered throughout the National Housing Act into a minimum number of broad, flexible programs, (2) eliminate obsolete or duplicatory authorities, and (3) improve existing operations and subsidy programs.

Structure of the Act

Home mortgages would be insured under two authorities—unassisted (section 401 of the MCAA) and assisted (section 402). Multifamily mortgages would also be divided into one unassisted (section 501) and one assisted (section 502) authority. These four authorities would replace nearly 40 existing programs. Three existing programs covering hospitals, group practice facilities, nursing homes and intermediate care facilities would be provided for in one mortgage insurance program for health facilities (section 503). The Title X Land Development Program (section 505) would be retained but without a new communities component. One Supplemental Loan Program (section 504) would consolidate three existing programs. The Home Improvement and Mobile Home Program (Title III) would be retained but in simplified form. The various provisions spread throughout the National Housing Act relating to insurance funds, payment of insurance benefits, premiums and similar items would be clarified and consolidated in the new MCAA.

TITLE I—GENERAL AUTHORITY

Section 1—Definitions

This section would define "first mortgage", "mortgagee", "mortgagor", "home mortgage", "project mortgage", "maturity date", "condominium", "experimental property", "State", and "Secretary", in substantially the same way these terms are used in the National Housing Act. In addition, the term "advances" would be defined to permit "advances" of insured mortgage proceeds during construction or rehabilitation of projects to cover the cost of materials and building components which are located off-site but which will ultimately become part of the mortgaged property. No statutory authority presently exists for financing the purchase of off-site materials through insured mortgage advances.

Section 2—General insurance authority

This section would give the Secretary general authority to insure mortgages and loans under this Act and would establish conditions to be satisfied prior to issuance of such insurance.

Subsection (a) is based on the provisions contained in section 203 of the National Housing Act and would require that a mortgage insured under the Mortgage Credit Assistance Act be made to, and held by, a mortgagee approved by the Secretary as responsible and able to service the mortgage properly.

Subsection (b) would provide general authority for the Secretary to insure and make commitments to insure mortgages and loans. The Secretary could, prior to final endorsement for insurance, amend the amount of any commitment consistent with limitations on the maximum mortgage amount for the particular class of mortgage and loan involved (under existing law—sec. 515 of the National Housing Act, the amended amount must be eligible under provisions in effect at the time of the original commitment rather than at the time of final endorsement).

Subsection (c) would require that a mortgage transaction eligible for insurance under the Act be determined by the Secretary to be an "insurable risk", except that mortgage transactions involving assistance payments, experimental property, property located in an older, declining area, or single-family housing for employees of research or development installations could be accepted for insurance by the Secretary as a "special risk".

Section 3—Flexible mortgage amounts

This section would provide, in lieu of the various statutory dollar limitations on maximum mortgage amounts contained in the National Housing Act (e.g. sections 203, 207, 221, etc.) a flexible formula to be used by the Secretary in periodically establishing maximum mortgage amounts for home and multifamily mortgages insured under the Act. With respect to multifamily projects, the mortgage limits established pursuant to this section would be per unit limitations. There would be no overall dollar limit on project mortgage amount. (Sections 207, 221, etc. presently contain both a per unit and per project maximum insurable mortgage amount).

Subsection (a) would limit the insurance of any mortgage under the subsidized homeownership and rental programs (sections 402 and 502 of the Act) to properties the cost of which does not exceed by more than 10 percent the "development cost" established by the Secretary for the "housing market area" in which the property covered by the mortgage is located. For multifamily structures, the limitation on mortgage amount would be based on the sum of the development cost figures applicable to the various sized units in the project and would be applicable only to that part of the mortgage attributable to the portion of the property to be used for dwelling use.

Subsection (b) would provide for the establishment by the Secretary of the "development cost" for different sized homes and multifamily dwelling units in each housing market area. The "development cost" would be determined by establishing for each housing market area the "total construction cost" of a standard-sized new single-family home (and a standard-sized dwelling unit in a new multifamily structure) based on plans and specifications drawn for modest dwellings suitable for occupancy by persons receiving homeownership or rental assistance under section 402 and 502 of the Act and of a quality consistent with property and design standards acceptable in the area. On the basis of these determinations of total construction cost for the standard-sized home (and standard-sized dwelling unit in a multifamily structure) the Secretary would establish the total construction cost of varying sized dwellings (i.e., more or fewer bedrooms). The total construction cost of the various sized dwellings would then be increased by the same percentage which the average cost of land and site improvements in the area bears to the total construction cost for similar sized homes and multifamily units in the area.

For example, if the estimated total construction cost of a prototype unit in housing area "X" is $14,000 and the average ratio of land cost to construction cost for a house of comparable size in the area is 25 percent, the development cost would equal:

Development cost: Construction cost times average land cost ratio ($14,000 times 1.25) equals $17,500.

The maximum insurable assisted (section 402) single-family home mortgage would be:

Maximum insurable *assisted* mortgage: Development cost times 1.10 ($17,500 times 1.10) equals $19,250.

The maximum insurable unassisted (section 401) single-family home mortage would be:

Maximum insurable *unassisted* mortgage: Development cost times 2.00 ($17,500 times 2.00) equals $35,000.

Subsection (c) would define (1) "total construction cost" to mean those cost items which are includable in a home or multifamily mortgage insurable under the Act except the costs of land and site improvement, and (2) "housing market area" as a contiguous geographical area in which the Secretary determines that the cost of materials, labor and other construction cost expenses are generally similar.

Subsection (d) would provide for periodic revisions by the Secretary of total construction or development cost estimates in any area on the basis of available cost data or for a redetermination of cost estimates for all areas where there has been a material change in property standards or for other reasons. The development cost figures established for each area pursuant to this section would become effective upon the date of their publication in the Federal Register.

Section 4—Interest rates

This section would authorize the Secretary to establish interest rates consistent with market conditions on all mortgages and loans insured under this Act. Authority would also be given to the Secretary to assure that discounts and settlement costs are equitable for all parties involved.

Subsection (a) would give the Secretary permanent authority to prescribe maximum interest rates for insured mortgages and loans based on his determination of the needs of the mortgage or loan market. These rates could differ for each of the different types of mortgages or loans which would be insured under the various sections of the Act and could further take into account differences in repayment requirements within each provision. The Secretary presently has temporary authority to set maximum interest rates on FHA-insured mortgages and loans (this authority is to expire on October 1, 1970; section 3(a) of Public Law 90–301).

Subsection (b) would permit the collection of a discount by the mortgagee from the mortgagor, builder, seller or any other person or entity connected with the transaction. The amount to be collected from each would be determined on the basis of negotiation between the parties. The mortgagee would be required to report to the Secretary the amount collected from each party. Under the current interpretation of the National Housing Act, the mortgagor is generally not permitted to be charged discounts which serve the purpose of increasing the yield on a mortgage.

Subsection (c) would require the Secretary to prescribe standards, based on a determination of reasonable charges, governing the amounts of settlement costs payable by mortgagors in connection with housing financed with mortgages insured under the Act, with a view to accumulating experience leading to legislative recommendations to reduce settlement costs and standardize these costs for all areas.

Section 5—Water and sewer facilities

This section which is similar to section 522 of the National Housing Act would require that there be adequate public or community water and sewerage facilities serving newly constructed housing except

where it is determined that the establishment of a public or adequate community system is not economically feasible and the Secretary determines that the absence of such a system will not create a significant environmental hazard.

For the purposes of this section, the determination of economic feasibility is to be made without regard to whether the establishment of the particular type of system is authorized by law or is subject to approval by one or more local governments or public bodies.

Section 6—Approval of technically suitable materials

This section, which is based on section 521 of the National Housing Act, would require the Secretary to adopt a uniform procedure for the acceptance of materials and products to be used in structures approved for mortgages and loans insured under the Act.

Section 7—Insurance contract incontestability

This section, which is similar to existing provisions of the National Housing Act (e.g. 203), would establish the incontestability of an insurance contract in the hands of an approved mortgagee from the date of its execution, except for fraud or misrepresentation on the part of such mortgagee.

TITLE II—INSURANCE FUNDS, PREMIUMS AND CHARGES

Section 201—Insurance funds

This section, which is similar to sections 519 and 238(b) of the National Housing Act, would provide that all insurance obligations incurred pursuant to the Mortgage Credit Assistance Act be assigned to two insurance funds—the General Insurance Fund and the Special Risk Insurance Fund. Premiums under the General Insurance Fund would be fixed on an actuarially sound basis. Premiums under the Special Risk Insurance Fund would correspond to those established for the General Insurance Fund but would not have to be fixed on actuarially sound basis. No provisions permitting a distribution of surplus premiums would be included in the MCAA.

All mortgages and loans insured pursuant to provisions of the NHA which were obligations of the General Insurance Fund would continue to remain assigned to the General Insurance Fund (which would be carried over into the MCAA). In addition, all mortgages and loans insured under the MCAA as "insurable risks" (i.e. actuarially sound) would become obligations of the General Insurance Fund.

All mortgages and loans insured pursuant to the provisions of the NHA which were obligations of the Special Risk Insurance Fund would continue to remain obligations of the Special Risk Fund (which would be incorporated into the MCAA). In addition, all mortgages and loans insured under the MCAA as "special risks" would become obligations of the Special Risk Insurance Fund. Mortgages covering experimental property and single-family housing for employees of research and development installations would, unlike existing law, be obligations of the Special Risk Insurance Fund (under existing law these mortgages are obligations of the General Insurance Fund).

The Mutual Insurance Fund (section 202 of the NHA) which was assigned obligations insured under section 203 of the NHA, and the Cooperative Management Housing Fund which was assigned mortgages insured under section 213 of the NHA would continue to service such obligations but would not be carried over into the MCAA.

Subsection (a) would provide that in addition to those insurance obligations incurred pursuant to the National Housing Act, the General Insurance Fund also be used to carry out the insurance obligations with respect to (1) property improvement and mobile home loans insured under title III of this Act, (2) home and project mortgages insured under sections 401, 501, 503, and 505 (except as provided in Subsection (b)), and (3) supplemental project loans insured under section 504 where the original project mortgage is an obligation of the General Insurance Fund.

Subsection (b) would provide that in addition to those insurance obligations incurred pursuant to the National Housing Act, the Special Risk Insurance Fund also be used to carry out the insurance obligations with respect to (1) home and project mortgages involving assistance payments under sections 402 and 502, (2) home and project mortgages insured under sections 401, 501, and 503 where the mortgage involves experimental property or property located in an older, declining area, and (3) supplemental project loans insured under section 504 where the original project mortgage is an obligation of the Special Risk Insurance Fund.

Subsection (c) would provide that income received or expenses incurred in connection with the insurance of mortgages or loans be credited or charged to the fund obligated for such insurance.

Subsection (d), which is similar to provisions in section 520 of the National Housing Act would authorize the Secretary to borrow from the Treasury from time to time such amounts as he determines are necessary to make cash insurance payments, in lieu of payments in debentures.

Subsection (e) would allow moneys in an insurance fund which were not needed for current operations to be invested in obligations of, or guaranteed by, the United States, or in debentures which are the obligation of the particular fund.

Subsection (f) would authorize repayable advances from one insurance fund to the other (under the National Housing Act, a $20 million advance is authorized from the General Insurance Fund to the Special Risk Insurance Fund).

Subsection (g) would authorize the appropriation of such sums as may be needed to cover losses sustained by either insurance fund (under the National Housing Act appropriations are authorized only with respect to losses sustained by the Special Risk Insurance Fund).

Section 202—Insurance premiums and charges

This section would give the Secretary authority to establish insurance premiums and set certain payment conditions on such premiums for mortgages and loans insured under this Act.

Subsection (a), which is based on provisions contained in sections 203(c), 207(d), 2(f), and 1008 of the National Housing Act, would authorize the Secretary to establish insurance premiums. (Unlike existing law, no maximum or minimum insurance premium would be prescribed). The Secretary could require payment of the insurance premium either on an advanced or deferred payment basis, except that payment in advance would be required with respect to premiums for a project mortgage or loan or home improvement or mobile home loan.

Subsection (b), which incorporates provisions contained in sections 203(c) and 207(e) of the National Housing Act, would authorize the Secretary, in his discretion, to collect an adjusted premium charge in the event a home or project mortgage were prepaid, but not to exceed the amount of premium that would have been paid if the mortgage were held to maturity.

Subsection (c), which is based on provisions contained in section 229 of the National Housing Act, would authorize the Secretary to terminate any insurance contract upon request of the mortgagor and the mortgagee, and to require the payment of a termination charge computed in the same manner as an adjusted premium charge.

Subsection (d), which is based on provisions contained in section 203(c) of the National Housing Act, would permit payment of premiums and charges under this section to be either in cash or in debentures of the insurance fund to which the premium is to be credited.

Subsection (e), which incorporates the provisions of section 222 of the National Housing Act, would require the Secretary of Defense or the Secretary of Transportation (in the case of a member of the Coast Guard) to pay the mortgage insurance premiums in the case of a mortgage on a single family dwelling or a one-family unit in a condominium, insured under section 401, during such time as the mortgagor was a serviceman. These payments would continue for a maximum of two years on behalf of a widow of a serviceman who died while on active duty.

Section 203—Processing fees and service charges

This section would provide the Secretary with specific authority to require payment by both the mortgagee and mortgagor of certain expenses.

Subsection (a), which incorporates sections 203(a) and 207(d) of the National Housing Act, would authorize the Secretary to charge the mortgagee processing, appraisal, inspection and other appropriate charges for the services rendered. Such charges would be payable in cash. Provisions in section 207(d) of the National Housing Act which limit charges for appraisal and inspection to an aggregate of not more than 1 percent of the original principal face amount of the mortgage are not included in subsection (a).

Subsection (b) would authorize the Secretary in the case of mortgages held by him or made payable to him to collect a service charge from the mortgagor in an amount not exceeding the applicable mortgage insurance premium.

TITLE III—INSURANCE FOR PROPERTY IMPROVEMENT AND MOBILE HOME LOANS

Section 301—Types of loans

This section would consolidate and simplify provisions of section 2(a) of the National Housing Act relating to eligibility for insurance of financial institutions making home improvement and mobile home loans.

Subsection (a) would authorize the Secretary to insure financial institutions against losses in making, advancing credit in connection with, or purchasing property improvement and mobile home loans.

Subsection (b) would make eligible for insurance home improvement loans for the purpose of repairing or improving existing structures or the building of new structures (including the repair or replacement of improvements damaged or destroyed by natural disasters) by the owner or a lessee under a lease expiring not less than six months after the maturity of the loan.

Subsection (c) would make eligible for insurance mobile home loans for the purpose of financing the purchase of a mobile home to be used by the owner as his principal residence.

Section 302—Loan terms

This section, which is based on section 2(b) of the National Housing Act, would establish the maximum dollar amounts and maturity of home improvement and mobile home loans.

Subsection (a) would require that a home improvement loan (1) involve an amount not in excess of $5,000, except that where the structure to be repaired includes two or more dwelling units the loan could not exceed $15,000 or an average amount of $2,500 per unit, and (2) have a maturity not ex-

ceeding seven years and thirty-two days, except where the loan involves the construction of a new structure for use in whole or in part for agricultural purposes.

Subsection (b) would limit a mobile home loan to an amount not in excess of $10,000 and require that it have a maturity not in excess of twelve years and thirty-two days.

Section 303—Refinancing

This section, which is similar to the last proviso of section 2(b) of the National Housing Act, would authorize the Secretary to refinance and extend the maturity of any loan insured under the title, provided that the additional amount or term of the loan did not exceed the limitations prescribed in section 302.

Section 304—Prohibitions

This section, which is based on provisions contained in section 2(a)(iii) of the National Housing Act, would require the Secretary to prevent (1) the use of multiple loans which would result in outstanding loans, with respect to the same property, in an amount in excess of the dollar limits prescribed in section 302 for an individual loan, and (2) the insuring of home improvement loans involving new residential structures which have not been completed and occupied for at least six months. The Secretary would be authorized to waive the prohibitions in (2) above.

Section 305—Property standards

This section would authorize the Secretary to restrict the type of products and services which qualify for insured home improvement loans and would establish property standards for mobile homes.

Subsection (a), which is based on provisions contained in section 2(a)(ii) of the National Housing Act, would direct the Secretary to periodically declare products or repairs which do not improve the basic livability or utility of properties or are especially subject to selling abuses ineligible for financing under this title.

Subsection (b), which is based on provisions contained in the last sentence of section 2(a) of the National Housing Act, would direct the Secretary to (1) prescribe minimum property standards for mobile homes and the sites on which they are to be located, and (2) obtain assurances from the borrower that the mobile home will be placed on a site meeting standards prescribed by the Secretary and any local zoning or other local requirements.

Section 306—Contract provisions

This section would limit the liability of the Secretary for any losses incurred on home improvement and mobile home loans and would establish conditions under which payment is final.

Subsection (a), which is based on the provisions contained in section 2(a) of the National Housing Act, would provide that the insurance obligation of the Secretary with respect to any lender not exceed either (1) 10 percent of the total amount of loans made by the lender (under this title and under Title I of the National Housing Act after July 1, 1939), or (2) 90 percent of the loss on any individual loan.

Subsection (b), which is based on provisions contained in section 2(g) of the National Housing Act, would make any payment for loss incontestable after two years in the absence of fraud or misrepresentation by the lender unless a demand for repurchase of the obligation on behalf of the United States has been made prior to the end of the two-year period.

Section 307—Waiver of requirements

This section, which is based on provisions contained in section 2(e) of the National Housing Act, would authorize the Secretary to waive compliance with any regulation issued pursuant to this title if the lender has acted in good faith and enforcement would impose an injustice on him, but the waiver could not involve an increase in the amount of the Secretary's obligation.

Section 308—Transfer of insurance

This section, which is based on provisions contained in section 2(d) of the National Housing Act, would authorize the Secretary to transfer the insurance of any loan to any approved lender which purchases such loan.

TITLE IV—HOME MORTGAGE INSURANCE

Section 401—Basic insurance program

This section would establish uniform criteria under which the Secretary could insure unassisted home mortgages. The separate insuring authorities for home mortgages contained in sections 203(b), 203(h), 203(i), 220, 221(d)(2), 222, 223(e), 233, 234(c) and 809 of the National Housing Act would be incorporated into this provision.

Subsection (a) would authorize the Secretary to insure unsubsidized home mortgages (covering a one- to four-family residence or a one-family unit in a condominium).

Subsection (b), which is similar to section 203(b) of the National Housing Act, would provide certain eligibility requirements for mortgages insured under this section:

(1) The principal obligation of the mortgage could not exceed 100 percent of $20,000 of the appraised value of the property, 90 percent of such value in excess of $20,000, and 80 percent in excess of $30,000. These loan-to-value ratios would be somewhat higher than those provided under the basic home mortgage provisions of the National Housing Act (sec. 203(b)). The Secretary could also include in the principal obligation of the mortgage an amount equivalent to discounts to be paid by the mortgagor. Closing costs which previously could be included in the principal obligation of the mortgage under section 203(b)(2) of the National Housing Act would not be includable under this provision. Provisions of section 203(b)(2) of the National Housing Act which provide for higher loan-to-value ratios for veterans, and prescribe lower loan-to-value ratios for new properties not approved prior to construction would not be carried forward into the section.

(2) The term of the mortgage could not exceed the lesser of 35 years or three-quarters of the remaining economic life of the property. The shorter mortgage term presently applicable to new properties not approved prior to construction (sec. 203(b)(3)) would be eliminated.

(3) The mortgage must require periodic payments which are not in excess of the mortgagor's ability to pay.

(4) The mortgagor would have to make a minimum downpayment in cash or its equivalent equal to closing costs (exclusive of prepaid expenses). A larger downpayment could be required by the Secretary. Under the provisions of section 203 of the National Housing Act, a downpayment of at least 3 percent of the acquisition cost is required to be paid by the mortgagor, except in the case of certain specified categories of mortgagors.

(5) The mortgage must contain such terms with respect to insurance, taxes, repairs, etc., as the Secretary provides.

Subsection (c), which is similar to section 234(c) of the National Housing Act, would authorize the Secretary to establish such requirements as he finds necessary to protect the rights of owners of one-family units in a condominium.

Subsection (d) would require that the maximum principal obligation of a mortgage permitted under subsection (b) be reduced to 85 percent of that amount if the mortgagor is not the occupant of the property, except where (1) the mortgagor is in the military service and intends to occupy the property upon discharge (similar to section 216 of the National Housing Act), (2) the mortgagor and mortgagee agree to reduce the mortgage by 15 percent if the property is not sold to a purchaser who assumes the mortgage and occupies the property before the due date of the eighteenth amortization payment (similar to section 203(b)(8) of the National Housing Act), or (3) the mortgage covers experimental property and the Secretary waives the requirements of this subsection (similar to section 233 of the National Housing Act).

Subsection (e), which is similar to section 226 of the National Housing Act, would require that the mortgagor receive a written statement of the Secretary's appraisal of the value of the property prior to completion of the sale.

Subsection (f) would require a one-year warranty on new homes approved by the Secretary prior to construction protecting the mortgagor against substantial deviation from approved plans and specifications. A similar warranty is required for home mortgages insured under the National Housing Act (section 801 of the Housing Act of 1954). This subsection goes beyond the warranty required by section 801 of the Housing Act of 1954 in that it would require a builder to provide a one-year warranty against structural defects in new homes not approved prior to construction.

Subsection (g), which is based on provisions contained in section 203 of the National Housing Act would authorize the Secretary to consent to the release of a part or parts of the mortgaged property from the lien of the mortgage.

Section 402—Homeownership for lower income families

This section, which is based on provisions contained in section 235 of the National Housing Act, would establish uniform criteria under which the Secretary could insure all subsidized home mortgages.

Subsection (a) would authorize the Secretary to contract to make periodic assistance payments on behalf of lower income homeowners to mortgagees holding mortgages insured under this section.

Subsection (b) would require that the assistance payments be made only during such time as the original mortgagor occupied the property but payments could be continued if the mortgage is assumed by an eligible homeowner if assistance payments had been made on behalf of the previous owner, or if the mortgage is assigned to the Secretary.

Subsection (c) would provide a formula for determining the amount of the assistance payment. The maximum assistance payment on behalf of any homeowner could not exceed (1) with respect to not less than 80 percent of the contract funds authorized by appropriation Acts, the difference between the monthly payment for principal, interest, and mortgage insurance premium due under the mortgage and the monthly payment for principal and interest due under a one percent mortgage (this is the maximum assistance payment for all homeowners under section 235 of the NHA), and (2) with respect to not more than 20 percent of the total amount of contract funds for assistance payments authorized by appropriation Acts the lesser of the monthly payment for principal, interest, and mortgage insurance premium due under the mortgage or 60 percent of the mortgagor's "monthly homeownership expense". This method of computing maximum assistance payments would be applicable only with respect to contract funds made available for use under this section (excluding funds made available for use under section 235 of the NHA).

The amount of assistance payment on behalf of any individual homeowner would equal, subject to the maximum assistance payment available on any mortgage, the

balance of the mortgagor's "monthly homeownership expense" remaining unpaid after applying one-twelfth of the "homeowner's income contribution." The term "monthly homeownership expense" would be defined to include the monthly payment for principal, interest, mortgage insurance premium, insurance, and taxes due under the mortgage plus an amount attributable to the cost of utilities. The term "homeowner's income contribution" would be defined to mean an amount equal to the sum of 20 percent of that portion of the mortgagor's income which does not exceed $3500 plus 25 percent of that portion of the mortgagor's income in excess of $3500. (Under section 235 of the National Housing Act the mortgagor must contribute at least 20 percent of his income toward mortgage payments exclusive of utilities and maintained.)

For example, for a family of 4 with an annual income of $7,000 the homeowner's monthly contribution would equal:

Homeowner's Monthly Contribution: 1/12 ($3,500 × .20 + $3,500 × .25) equals 1/12 ($700 + $875) equals $131.24.

Subsection (d) would authorize the Secretary to reimburse the mortgagee for the additional expense involved in handling a mortgage insured under this section.

Subsection (e) would require the Secretary to provide for recertifications of the mortgagor's income at intervals of two years (or at shorter intervals where the Secretary deems it desirable) for purposes of adjusting the amount of assistance payments.

Subsection (f) would require the Secretary to assure that the sales price paid by the purchaser is not increased above the Secretary's appraised value of the property.

Subsection (g)(1) would provide contract authorizations not to exceed (for contracts entered into under this section and under section 235 of the National Housing Act) $75 million per year prior to July 1, 1969, which amount would be increased by $125 million on July 1, 1969, by $125 million on July 1, 1970, and by such amounts as may be necessary thereafter. This provision would make clear that these dollar limitations are applicable to contracts outstanding at any one time.

Subsection (g)(2) would provide that not more than 20 percent of the total amount of assistance payments authorized to be contracted to be made could be used for assistance payments to homeowners whose incomes at the time of their acquisition of the property exceeded 80 percent of the median income in the area (as determined by the Secretary and adjusted for family size), but such incomes could in no case exceed the median income for the area. The median income for any area would be deemed not to be less than 60 percent of the national median income. Annual reports to the Senate and House Banking and Currency Committees would be required with respect to the income levels of families assisted under this section. The existing income limits under section 235 of the NHA are 135 percent of public housing initial occupancy limits in the area and exception limits at 90 percent of the section 221(d)(3) BMIR limits for 20 percent of the contract funds.

Subsection (g)(3) would provide that 15 percent of contract funds authorized by appropriation Acts (for use under this section) could be contracted to be made with respect to existing housing. (Existing law authorizes a temporary 30 percent existing housing exception plus permanent specific exceptions).

Subsection (h) would authorize the Secretary to insure mortgages under this section (including advances during rehabilitation where the mortgagor is the owner-occupant or where the property is constructed or rehabilitated pursuant to a self-help program) which meet the requirements of section 401 of this Act except as modified. The mortgage must involve a single-family dwelling or a one-family unit in a condominium or a single-family unit to be rehabilitated by the owner-occupant who meets eligibility requirements for a direct rehabilitation loan under section 312(a)(1) of the Housing Act of 1964. Unlike section 235 of the National Housing Act this provision would include in its coverage owner-occupied dwellings to be rehabilitated but would exclude the previously eligible cooperatives and the limited category of two-family dwellings. The provisions of section 235(j) (involving rehabilitation of properties by nonprofit organizations for subsequent sale to lower income purchasers) would be essentially provided for under this Act through a combination of the multifamily housing provisions of sections 501 and 502 and of this section.

The principal obligation of the mortgage could not exceed the appraised value of the property, or, in the case of rehabilitation by the owner-occupant, the sum of the estimated cost of rehabilitation and the amount required to finance existing indebtedness. The mortgagor would be required to make a payment of at least $200 in cash or its equivalent. Subject to the $200 downpayment, closing costs, prepaid expenses, and discounts paid by the mortgagor could be included in the mortgage (under existing law, homeowners eligible under the regular income limits are required to make at least a $200 downpayment and homeowners eligible under the exception income limits a downpayment of at least 3 percent of acquisition cost.

Subsection (i) would define income for purposes of this section as income from all sources of each member of the family in the household, but would give the Secretary discretion to exclude income earned by minors or income determined by him to be nonrecurring. In addition, a $300 deduction from income would be permitted for each minor in the household in excess of two, for purposes of computing the homeowner's income contribution. Section 235 of the National Housing Act would permit a $300 deduction for each minor in the household for all purposes.

Subsection (j) would direct the Secretary to transfer periodically part of the contract authority to the Secretary of Agriculture for use in rural areas and small towns.

TITLE V—PROJECT MORTGAGE INSURANCE

Section 501—Multifamily housing

This section would establish uniform criteria under which the Secretary could insure non-subsidized multifamily mortgages. The separate insuring authorities for multifamily non-subsidized mortgages in sections 207, 213, 221(d)(3) and (4), 231, 233, and 234 would be incorporated into this provision.

Subsection (a) would provide for four categories of multifamily housing; (1) rental projects, (2) cooperative projects, (3) projects in which the individual units are to be sold upon completion on a condominium or other basis, and (4) a mobile home court. The mortgage amount would be based on "replacement cost" of the project which would include, among other expenses, discounts to be paid by the mortgagor.

Subsection (b) would authorize the Secretary to regulate the mortgagor with respect to rates of return, capital structure and method of operation.

Subsection (c) would authorize the Secretary to insure mortgages financing the construction of new multifamily projects and the rehabilitation, purchase or refinancing of existing multifamily projects.

Subsection (d) would provide that with respect to new construction the amount of the mortgage could not exceed 90 percent of the replacement cost (97 percent in the case of a cooperative mortgagor). Specific dollar limitations on the project or individual unit contained in the National Housing Act (e.g. sections 207, 213, 234) are not carried forward in this subsection.

Subsection (e) would provide that in the case of rehabilitation the amount of the mortgage not exceed 90 percent (97 percent for a cooperative) of the sum of the Secretary's estimates of the cost of rehabilitation and the value of the property before rehabilitation. If refinancing is also involved, the mortgage would be limited to the Secretary's estimates of the cost of rehabilitation and the amount required to refinance existing indebtedness.

Subsection (f) would provide that in the case of the purchase or refinancing of an existing project without rehabilitation, the mortgage amount not exceed 90 percent of the appraised value of the project (97 percent in the case of a cooperative).

Subsection (g) which is similar to section 207(c) of the NHA, would authorize the Secretary to insure mortgages for mobile home courts up to $2500 per space, which amount could be increased up to 45 percent in high cost areas.

Subsection (h) would limit the mortgage amount for projects in which the units are to be sold to individual purchasers. The project mortgage could not exceed the sum of the individual mortgage amounts which could be insured for owner-occupants under title IV of the Act.

Subsection (i) which is similar to existing law (e.g. section 207 of the NHA), would authorize the Secretary to establish the maximum term of the mortgage.

Subsection (j), which is similar to provisions in the NHA, (e.g. 207(c)(3)) would authorize the Secretary to consent to a release of part or parts of the mortgaged property from the lien of the mortgage.

Subsection (k) would require that a project contain at least 5 dwelling units or spaces in a mobile home court. Provisions of the NHA, (e.g. 207) which require that the dwelling units be self-contained living units are not carried forward in this subsection. The project would be required to be primarily residential but could include non-dwelling facilities adequate to serve the occupants and surrounding neighborhood (similar to section 236 of NHA but broader than section 207 of NHA). In addition, projects designed primarily for the elderly could include various health, dining and other service facilities.

Section 205—Multifamily housing for lower income tenants

This section, which is based on section 236 of the NHA, would establish uniform criteria under which the Secretary could insure all subsidized multifamily mortgages.

Subsection (b), which is similar to section 236(b) of the NHA, would require that the assistance payments be made only with respect to projects (1) covered by mortgages insured under this section or assigned to the Secretary, or (2) financed under a State or local program if the project is approved for receiving the benefits of this section by the Secretary prior to the completion of construction or rehabilitation.

Subsection (c) would provide for assistance payments with respect to two types of projects: (1) standard projects and (2) special projects.

With respect to at least 80 percent of the units in a standard project assistance payments to the mortgagee on behalf of the project owner could not exceed the maximum payments available under section 235(c) of the NHA—the difference between the monthly payment for principal, interest and mortgage insurance premium on a market rate mortgage and the monthly payment for principal and interest that would be due on a mortgage at one percent. With respect to the remaining 20 percent of the units in a standard project the assistance payments could equal the monthly payments for princi-

pal, interest and mortgage insurance premium due under the mortgage which are attributable to such units. In a special project, all units would qualify for the assistance payments equal to principal, interest and mortgage insurance premium. Not more than 20 percent of the total amount of contracts for assistance payments authorized by appropriation Acts could be made with respect to special projects.

Subsection (d) would authorize the Secretary to reimburse the mortgagee for its additional expenses in handling mortgages insured under this section.

Subsection (e) would require the Secretary to provide for recertification of tenant incomes at intervals of two years (or shorter intervals where the Secretary deems it desirable) and would require the project owner to comply with the Secretary's requirements as to tenant eligibility and rentals.

Subsection (f) would provide for the establishment of a "basic rental" for each unit in an assisted project determined on the basis of operating the project with the benefit of the assistance payments attributable to the unit. A tenant would pay the basic rental for his unit or such greater amount, not exceeding the fair market rental for such unit (the rental without subsidy), as represents his "income contribution" (defined in the same manner as under section 402 of the Act (homeownership assistance). (Under section 236 of the NHA, the tenant's contribution would equal 25 percent of his income). In any special project (where all basic rentals would be equal to the operating expenses attributable to the individual dwelling unit), the rental charged for any unit could be lower than the basic rental if the total amount of assistance payments available for the project is more than is needed to make up the difference between the aggregate of all the rents and the cost of running the project (i.e., to the extent that the rentals charged for some units in the project exceed the basic rentals for such units because of the tenant's income contribution).

Subsection (g) would require a project owner to pay to the Secretary any rentals charged in excess of the aggregate of the basic rental charges.

Subsection (h)(1) would provide contract authorizations not to exceed (for contracts entered into under this section and under section 236 of the NHA) $75 million per year prior to July 1, 1969, which amount would be increased by $125 million on July 1, 1969, and by $225 million on July 1, 1970, and by such sums as may be necessary thereafter. (Existing law authorizes an additional $125 million on July 1, 1970. The increase would reflect the termination of the rent supplement program and the use of this program for the same purposes.) This provision would make clear that these dollar limitations are applicable to contracts outstanding at any one time.

Subsection (h)(2) would provide that not more than 20 percent of contract funds could be used for assistance payments on behalf of tenants whose incomes at the time of the initial renting of the project exceeded 80 percent of the median income for the area (as determined by the Secretary and adjusted for family size), but such incomes could in no case exceed the median income for the area. The median income for any area would be deemed not to be less than 60 percent of the national median income. Annual reports to the Senate and House Banking and Currency Committee would continue to be required with respect to the income levels of tenants assisted under this section.

Subsection (h)(3) would authorize the use of up to 15 percent of contract funds with respect to existing properties (section 236 assistance is limited to new or rehabilitated projects and purchases of existing 236 projects by nonprofit or cooperative organizations).

Subsection (i) would authorize the Secretary to insure mortgages under this section which meet the requirements of section 501 except as modified. The difference from section 501 is that nonprofit and cooperative mortgagors would qualify for 100 percent mortgages.

Subsection (j) would define "tenant" and "rental charge" as applicable to cooperatives.

Subsection (k) would define "income" as income from all sources of each member of the family in the household, but would give the Secretary discretion to exclude income earned by minors and income determined by him to be nonrecurring. In addition, a $300 deduction would be permitted for each minor in the household in excess of two for purposes of computing the tenant's income contribution. Section 236 would permit a deduction for each minor in the household for all purposes.

Section 503—Mortgage insurance for health facilities

This section, which is based on the provisions contained in sections 232 and 242 and title XI of the National Housing Act, would establish criteria under which the Secretary could insure all health facility mortgages.

Subsection (a) would define various terms used throughout the section. The terms "hospital", "nursing home" and "intermediate care facility" would be defined in substantially the same manner as under the National Housing Act (sections 232 and 242). The term "group practice facility" would be defined more broadly than it presently is in title XI of the National Housing Act to permit it to include proprietary groups as well as nonprofit organizations as eligible mortgagors.

Subsection (b) would authorize the Secretary to insure mortgages which do not exceed $25 million for a hospital, $12,500,000 for a nursing home or intermediate care facility, and $5 million for a group practice facility. For new construction the permissible mortgage amount would not be permitted to exceed 90 percent of the estimated replacement cost, including equipment. In the case of rehabilitation, the mortgage could not exceed 90 percent of the cost of rehabilitation plus the appraised value of the property before rehabilitation (or if refinancing is involved, the mortgage would be further limited to the cost of rehabilitation and the amount required to finance existing indebtedness.

Subsections (c), (d), (f) and (g) of this section are substantially the same as provisions contained in section 232 and 242 and title XI of the National Housing Act which (1) establish the general types of hospitals, nursing homes and intermediate care facilities with respect to which mortgages could be insured, (2) authorize the Secretary, after consultation with the Secretary of Health, Education and Welfare as to medical aspects of these facilities, to prescribe such regulations as are necessary to carry out the insurance program authorized by this section, (3) provide that hospitals insured pursuant to this section be encouraged to carry out comprehensive health programs for defined populations, (4) authorize the Secretary to release part or parts of the mortgaged property from the lien of the mortgage, and (5) authorize the Secretary to insure combined nursing home and intermediate care facilities.

Section 504—Supplemental project loans

This section, which is based on the provisions contained in section 213(j), 223(d) and 241 of the National Housing Act, would establish criteria under which the Secretary could insure supplemental project loans.

Subsection (a) would authorize the Secretary to insure a supplemental loan for a multifamily or health facility project mortgage insured under the National Housing Act or the Mortgage Credit Assistance Act. This subsection would also make explicit the availability of such insurance for project mortgages held by the Secretary. A limited number of uninsured cooperatives which qualify for supplemental loan insurance under existing law (section 213(j)(1)) would continue to be eligible. Supplemental loans could be made: (1) to cover the operating losses of a project which during the first two years of operation has had costs exceed income; (2) to finance repairs, improvements, and additions to projects, and equipment for health facilities; and (3) to finance the purchase and resale of cooperative memberships provided that the downpayment of new members is at least equal to the original downpayment for such memberships.

Subsection (b) which is similar to section 223(d) of the National Housing Act would require that a loan covering operating losses not exceed in duration the unexpired term of the original mortgage and be limited in amount to the actual losses incurred by the project, as determined by the Secretary.

Subsection (c) which is similar to section 241 of the National Housing Act would establish requirements for a loan financing repairs, improvements, additions and equipment. (1) The amount of the loan would be limited to 90 percent of the estimated cost of the eligible items provided that the sum of the loan plus the outstanding balance on the original mortgage does not exceed the maximum mortgage limit prescribed by the section of the MCAA covering similar projects. The NHA (section 213(j)(2)(A)) permitted supplemental loans to cooperative projects (but not to any other projects) to be equal to 97 percent of the estimated value of eligible items. No supplemental loans under the MCAA could exceed 90 percent of the cost of eligible items). (2) The maximum maturity of the loan could not exceed the remaining term of the mortgage except that a supplemental loan with a maturity up to 10 years in excess of the outstanding mortgage term could be made for a limited class of uninsured cooperatives.

Subsection (d) would establish requirements for a loan to a cooperative to finance the purchase and resale of memberships. (1) The amount of the loan plus the outstanding balance remaining on the mortgage could not exceed the maximum mortgage limit prescribed by the section of the MCAA covering similar projects. Existing law (section 213(j)(2)(A)) limits the amount of the loan plus the outstanding mortgage amount to the principal balance of the original obligation of the mortgage. (2) The maturity of the loan could not exceed the remaining term of the mortgage.

Subsection (e) would authorize the Secretary to establish conditions and restrictions including the type of security required on supplemental loans.

Section 505—Mortgage insurance for land development

This section, which is based on the provisions contained in title X of the National Housing Act, would authorize the Secretary to insure land development mortgages. Existing provisions (section 1004) authorizing insurance for mortgages covering new community development would not be included.

Subsection (a) would define the terms "land development" and "improvements" in substantially the same manner as they are used in the National Housing Act (section 1001 (e) and (4), respectively).

Subsection (b) would establish certain conditions under which a land development mortgage could be issued. The mortgage could cover land to be developed and the improvements to be made, except that facilities intended for public use and in public ownership would be excluded. Any eligible party

approved by the Secretary other than a public body could qualify as a mortgagor. The mortgage maturity would be 10 years but the Secretary would have discretion to establish a reasonable mortgage term for a privately owned system of water or sewage. The mortgage would contain such terms as the Secretary prescribed.

Subsection (c) would limit the principal obligation of the mortgage to the lesser of (1) 75 percent of the estimated value of the property upon completion of the development or (2) the sum of 50 percent of the estimated value of the land before the development plus 90 percent of the estimated cost of development.

Subsection (d) would authorize the Secretary to extend the maturity date or otherwise modify the terms of the mortgage.

Subsection (e) would require that the improvements comply with applicable State and local governmental requirements as well as minimum standards set by the Secretary.

Subsection (f), which is substantially similar to section 1003 of the National Housing Act, would establish certain conditions under which a land development project could be undertaken.

Subsection (g) would authorize the Secretary to adopt requirements for land development including encouragement of broad participation by small builders and a proper balance of housing for low and moderate income families.

Subsection (h) would require that public or private water and sewage systems consistent with existing or planned area systems be provided after development of the land.

Subsection (i) would authorize the Secretary to release or subordinate part or parts of the mortgaged property from the lien of the mortgage.

Section 506—Cost certification

This section, which is based on the provisions contained in section 227 and title XI of the National Housing Act, would establish requirements and procedures for the cost certification of various projects insured under the Mortgage Credit Assistance Act.

Subsection (a) would authorize the Secretary to adopt requirements for the certification of costs incurred in the construction or rehabilitation of multi-family housing, land developments or health facilities insured under the Act. The amount of the mortgage or loan at the time of final endorsement could not exceed the approved percentage of the estimated value of the land or property prior to construction or rehabilitation plus the actual cost of such construction or rehabilitation.

Subsection (b) would require the mortgagor to certify the actual costs of construction or rehabilitation. The Secretary could, in his discretion, require other parties involved in the transaction to certify the actual costs they have incurred with respect to the project or property. The Secretary could exempt from the requirements of this section (1) a mortgage covering a multi-family project designed for occupancy by less than 12 families, or (2) a mortgage of less than $250,000. Authority to exempt classes of property from the cost certification process did not exist under the NHA.

Subsection (c) would define various terms used in this section: (1) The term "approved percentage" would be defined in substantially the same manner as it is used in section 227(b) of the National Housing Act. "Approved percentage" is the percentage of estimated value, cost or replacement cost of a project or property which the Secretary is authorized to insure under the appropriate section of the MCAA except that "approved percentage" would be 100 percent for a mortgage which would finance repairs or rehabilitation of property if the proceeds were also not used for the purchase of the land or structure. (2) The term "actual cost" means the cost to the mortgagor of various improvements. Allowable expenditures which could qualify as actual costs could include labor, materials, construction contracts, land planning, engineers' and architects' fees, surveys, off-site public facilities, streets, organizational expenses, legal expenses, taxes and interest during construction, discounts and similar expenses allowed by the Secretary. If the mortgagor is also the builder or has an identity of interest with the builder, contractor or similarly interested party the term "actual cost" could include an allowance for profit. The NHA (section 227(c)) specified the percentage of profit allowed to a sponsor of a multi-family project. This subsection does not specify the profit allowable to a sponsor of such a project.

Section 507—Labor standards

This section, which simplifies and consolidates the provisions of section 212 of the National Housing Act, would require the payment of prevailing wages as determined by the Secretary of Labor with respect to the construction of multi-family housing (except housing with 11 or fewer units) health facilities and land development projects covered by mortgages insured under the Mortgage Credit Assistance Act. Existing provisions permitting a waiver of these requirements with respect to volunteer labor would be included.

TITLE VI—INSURANCE CLAIMS

Section 601—Home mortgage insurance claim settlement

This section, which is based on section 204(a) of the National Housing Act, would establish insurance claim settlement provisions governing the home mortgage programs.

Section 602—Forebearance of payments

This section, which is substantially similar to the seventh provision of section 204(a) of the National Housing Act, would authorize the Secretary to permit a mortgagee to extend the time for curing a default in a home mortgage, to extend the time for commencing foreclosure, or to approve a recasting of the terms of the mortgage.

Section 603—Acquisition of home mortgages to avoid foreclosure

This section, which is similar to section 230 of the National Housing Act, would permit the Secretary to accept an assignment of a home mortgage for the purpose of avoiding foreclosure and hardship to the homeowner. Where such assignment occurs, the mortgagee would be entitled to receive full reimbursement for the unpaid mortgage balance, any unpaid mortgage interest, and an allowance for costs incurred as a consequence of the default and assignment of the mortgage.

Section 604—Project mortgage insurance—claim settlement

This section, which is similar to sections 207(g) and (h) of the National Housing Act, would establish mortgage insurance claim settlement provisions applicable to project mortgages.

Section 605—Modifications in terms of project mortgages

This section, which is similar to section 239 of the National Housing Act, would provide that the Secretary could consent to any extension or modification of a mortgage covering multifamily housing only under and in conformity with regulations prescribed by him. Such regulations must provide that during the period of any such extension or modification the mortgagor will be required to place in trust any income from the project in excess of operating needs; except that the Secretary may consent to an extension or modification of a mortgage without regard to this requirement if he determines that it would not jeopardize the interests of the United States. Criminal penalties would be prescribed for the misuse of project income.

Section 606—Settlement of insurance claims with debentures

This section, which is based on the provisions in sections 204 and 207 of the National Housing Act, would establish the terms and conditions under which debentures are to be issued by the Secretary in the settlement of mortgage and loan insurance claims.

TITLE VII—MISCELLANEOUS

Section 701—General Authorization for Dealing with and Disposing of Property

This section which would consolidate into section 2, 204(g), 207 (1) and 208 of the National Housing Act, would provide authority to the Secretary for dealing with and disposing of property acquired in connection with the settlement of insurance claims.

Section 702—Acquisition of title by the Secretary

This section which is similar to section 207(h) and the last provision of section 204 of the National Housing Act would authorize the Secretary, in connection with a mortgage assigned to him, to acquire possession and title to the property by a voluntary conveyance in extinguishment of the mortgage debt or to institute foreclosure proceedings and prosecute such proceedings to conclusion. It also would authorize the Secretary to bid at a foreclosure sale of a mortgage held by him and to exercise all the rights of a mortgagee under such mortgage.

Section 703—Insurance for Mortgages Sold or Executed in Connection with the Sale of Property by the Secretary

This section, which is based on section 223(c) of the National Housing Act would authorize the Secretary to insure mortgages sold by him or executed in connection with the sale of property by him. Such insurance is permitted to be made without being limited to the eligibility, insurance premium and settlement provisions of the Act.

Section 704—Expenditures to correct or compensate for structural defects in mortgaged homes and experimental property

This section would give the Secretary authority to take appropriate action where structural defects are found in homes or experimental property. Section 518 of the National Housing Act is incorporated into this provision. Subsection (a) (based on 518 (a)) would authorize the Secretary to make expenditures to correct structural defects or to pay the claim of the owner arising from such defects, or to acquire title to the property in which defects exist if the property involves a one- to four-family dwelling that has been approved for mortgage insurance prior to the beginning of construction and the owner requests assistance within 4 years after insurance of the mortgage. Subsection (b) which is similar to section 233(c) of the National Housing Act would authorize the Secretary to expend available funds to correct defects or failures (when he determines it necessary to protect the occupants) with respect to experimental property covered by an insured mortgage.

Subsection (c) (based on 518(b)) would empower the Secretary to issue regulations prescribing conditions under which he would make payments under subsection (a) and (b).

Section 705—Statistical and economic surveys

This section, which is similar to sections 209 and 233(d) of the National Housing Act, would direct the Secretary to make such statistical surveys, legal and economic studies and reports on improved housing technology as he considered appropriate to guide in the development of housing and the creation of a sound mortgage market.

Section 706—Penalties

This section, which is similar to section 512 of the National Housing Act, would authorize the Secretary to refuse the benefits of participation in any of the mortgage insurance programs prescribed in the Act to anyone who (1) knowingly violates a provision of the Act or of the law governing the Veterans Home Loan Guaranty Program, or (2) who violates a penal statute in connection with property assisted under such provisions, or (3) materially fails to properly carry out a contractual obligation with respect to the completion of construction of work financed with assistance under the Act or under the VA provisions.

Other provisions of title I

Section 102—Experimental dual interest rate system

This section would authorize the Secretary to insure mortgages under such sections as he deemed appropriate of the Mortgage Credit Assistance Act at whatever interest rate was negotiated by the mortgagor and mortgagee, provided no discounts were collected. This authority would expire on October 1, 1972, and would provide an alternative to the interest rate administratively established by the Secretary.

Section 103—Rentals for low and moderate income projects

This section would amend section 221 of the National Housing Act to require that occupants of section 221 below-market-rate projects pay a rental not less than the tenant's income contribution (as defined in section 502(f)(2) of the Mortgage Credit Assistance Act) up to the fair market rent. Any rentals collected in excess of those needed to operate the project would be periodically paid to the Government National Mortgage Association as holder of the mortgages. Tenant incomes would be reviewed at least once every two years. Any increase required in the rental for existing tenants would be delayed for at least one year and then applied in two steps.

Section 104—GNMA special assistance purchases

This section would amend section 302(b) of the National Housing Act to remove any limitations on the maximum mortgage amount which may be purchased by GNMA under its special assistance functions and to remove the prohibition on GNMA purchasing mortgages offered by or covering property held by a public body. In addition, this section would transfer $1.5 billion in special assistance authority from section 306(g) (congressional program for purchase of low-cost single-family home mortgages at par) to the Presidential authority under section 306(c) for use in purchasing a broader range of mortgages.

Section 105—Housing for the elderly

This section would amend section 202(a) of the Housing Act of 1959 to require that tenants of projects assisted with loans under that section pay a rental not less than the tenant's income contribution (as defined in section 502(f)(2) of the Mortgage Credit Assistance Act) up to fair market rent. Tenant incomes would be reviewed at least once every two years. Any increased required in the rental for existing tenants would be delayed for at least one year and then applied in two steps. In addition, this section would prohibit the approval of new loans after the effective date of section 502 of the Mortgage Credit Assistance Act (rental assistance program).

Section 106—Rent supplement program

This section would amend section 101 of the Housing and Urban Development Act of 1965 to prohibit new contracts for rent supplement payments to be entered into after the effective date of section 502 of the Mortgage Credit Assistance Act.

Section 107—Exemption from State usury laws of FHA and VA loans

This section would exempt FHA insured and VA guaranteed mortgages and loans from the limitations on interest rates imposed by State or local usury laws.

Section 108—Authority of FNMA to deal in conventional mortgages

Subsection (a) would authorize the Federal National Mortgage Association, with the approval of the Secretary of Housing and Urban Development, to purchase, and lend on the security of, conventional mortgages. Under existing law, FNMA is authorized only to purchase (or lend on the security of) mortgages or loans insured by the Secretary of Housing and Urban Development or the Farmers' Home Administration or insured or guaranteed by the Veterans' Administration.

Because the conventional mortgages will not be insured or the credit of the mortgagor and value of the property examined by a Federal agency, safeguards would be provided against the sale of "inferior" mortgages to FNMA. The seller would be required either to retain an interest in the mortgages (at least a 10 percent participation) or agree to repurchase or replace the mortgage if it is in default within three years of the purchase. In addition, if the seller is required only to retain a participation in the mortgage, the mortgage could not be purchased by FNMA pursuant to a commitment entered into prior to the date the mortgage was originated.

Generally, mortgages eligible for purchase by FNMA would be required to have been originated within one year of the purchase date. However, up to 10 percent of the aggregate amount of conventional mortgages purchased by FNMA could be older mortgages purchased from sellers who were engaged in mortgage lending or investing activities at the time of the purchase. The principal obligation of any conventional mortgage could not exceed the dollar limitation on maximum mortgage amount in effect on the date the mortgage was originated which would be applicable to the mortgage if it were insured by the Secretary of Housing and Urban development.

Subsection (b) would exempt any liabilities that may be incurred by a national bank in connnection with the sale of conventional mortgages to FNMA from the limitations on the amount of indebtedness such bank is authorized to incur.

Section 109—Termination of insurance authority under National Housing Act

This section would rewrite section 217 of the National Housing Act to prohibit the insurance of mortgages and loans under that Act after the effective date of the Mortgage Credit Assistance Act, except pursuant to commitments issued prior to that date.

TITLE II—PUBLIC RENTAL HOUSING AND HOMEOWNERSHIP ASSISTANCE PROGRAM

Section 201—Revision to United States Housing Act of 1937

This section would extensively revise the United States Housing Act of 1937—the program of assistance to local public housing agencies in the provision of housing for low income families. The principal changes are:

Subsidy provisions would be clarified and simplified. The Housing and Urban Development Act of 1969 authorized the payment of annual contributions in excess of debt service requirements up to the statutory annual maximum—an amount equal to the capital cost of the project multiplied by the going Federal rate plus 2 percent. The revised Act perfects this amendment by making it explicit that this maximum subsidy is available to pay (a) the full principal and interest payments due on the debt outstanding on the project, and (b) the amount necessary to make up the difference between the rents actually collected from tenants and the operating costs (other than debt service costs) on all dwelling units in the project with respect to which the tenant's rent does not equal the operating cost of the unit he occupies. The subsidy for operating costs would be allocated on a needs basis to those individual units in the project housing the very poor whose rental payment cannot cover the operating costs allocable to the unit they occupy. The total amount of operating subsidy available for a project would be limited by the statutory formula—the going Federal rate plus 2 percent times the capital cost, less the amount needed for debt service, is the amount available for operating subsidy. The amount of operating subsidy available per unit in a project would depend upon the income distribution of tenants occupying all units in the project. If, for example, 50 of the 100 dwelling units in the project are occupied by families whose required rental does not cover the operating costs on their units, the average operating subsidy per unit could not exceed the total amount of operating subsidy available for the project divided by 50, the number of dwelling units with respect to which operating subsidy is needed. The actual amount of operating subsidy provided for each individual unit requiring operating subsidy could, of course, be higher or less than this amount. With these perfecting changes, the present authorization to pay an additional annual subsidy of up to $120 per dwelling unit occupied by a special category family is no longer required and would be eliminated.

Rents for dwelling units would be required to be fixed on a uniform basis. The existing provision of law authorizing local agencies to fix rents was enacted in the context of a maximum Federal subsidy which could not exceed project debt service requirements—that is subsidy was not provided to cover deficiencies between rental charges and local agency operating costs excluding debt service costs. The fixing of rents by local agencies is incompatible with the payment of subsidy for operating costs. Since the tenant rental charge constitutes the basis for the subsidy amount, it would in effect permit the local agency to control the amount of Federal subsidy. The uniform rent criteria contained in the revised Act, which requires that rents be based on a percentage of the tenant's income (between 20 and 25 percent), would assure that the operating subsidy made available is allocated on a uniform and equitable basis.

Uniform income limit criteria would be established for the program in lieu of present provisions which require individual income limit studies for each locality. The criteria provide that dwelling units may be made available for families whose incomes at the time of their initial occupancy does not exceed 80 percent of the median income for the area in which the dwelling units are located. A significant change included in the criteria would permit 20 percent of the dwelling units to be occupied by families whose income at initial occupancy does not exceed the median income for the area. This limited authorization to broaden the economic range of families served by the program is directed toward improving the quality of life in the low income housing environment. The new income criteria would also eliminate existing requirements for the establishment of income limits for continued occupancy which have proven undesirable from the standpoint of achieving an economic mix of families in housing developments and have contributed to family insecurity and instability.

A new public homeownership program would be established for low income families, which would permit individual low income families or an association formed by or for the benefit of such families to purchase newly developed housing as well as existing projects now operated as rental housing. Existing homeownership provisions of the United States Housing Act of 1937 are in-

effective because they provide insufficient subsidy to assist a low income family in acquiring ownership and the purchaser has to wait a long period before achieving homeowner status. The new program provides for conveyance of the property as soon as the family undertakes the obligation to purchase the property by executing a mortgage to the public housing agency. The family enjoys all the benefits of homeownership immediately. Subsidy is provided up to the full amount of principal and interest payable by the public housing agency with respect to the property. The purchaser's contribution for homeownership would be based on the same income formula as used for rental housing (between 20 and 25 percent of income) and would have to be sufficient to cover utilities, taxes, and insurance. He would also be required to take care of his own maintenance requirements.

Flexible dwelling unit construction and development cost limits would be established to replace the present fixed construction and equipment room cost limits which are difficult to relate to total development costs and have been largely ineffective in controlling costs. The construction cost per dwelling unit could not exceed by more than 10 percent the total construction cost established by the Secretary on the basis of uniform plans and specifications for each housing area. Total construction costs would have to constitute at least 65 percent of the total development cost, with other development costs such as land acquisition and site improvements limited to not more than 35 percent of the development cost. The 35 percent limitation on other development costs varies from the limit applicable to the private subsidized programs because of special factors which affect the cost of land and exterior improvements under the public program and because there are certain costs, such as the cost of nondwelling facilities and relocation payments, which are not includable under the private program.

The provision contained in subsection 15 (10) of the existing Act authorizing grants for tenant services and programs to public housing agencies would be deleted. Section 601 of the bill provides for the inclusion of this provision as a part of a broadened program of advice and assistance with respect to housing for lower income families under section 106 of the Housing and Urban Development Act of 1968.

The revised Act would delete a number of obsolete provisions, such as the sections concerning the creation of a United States Housing Authority, the making of capital grants, and the disposal of Federal projects, and would make numerous technical amendments.

Section 1--Declaration of policy

This section amends the declaration of policy contained in section 1 of the existing Act to delete obsolete or unnecessary language. In this section and elsewhere in the revised Act the term "low income housing" is used in lieu of "low-rent housing."

Section 2—Definitions

This section would continue, with several important modifications, definitions contained in section 2 of the existing Act. The definition of "low income housing" in section 2(1) would amend the existing definition so as to delete the requirement that income limits and rents be fixed by the local public housing agency. Statutory income limit and rent criteria are prescribed in section 9 of the revised Act. The existing definition would also be modified to delete language which requires the establishment of income limits for continued occupancy in low income housing. Under the revised Act income limits are applicable at the time of admission, but families would not be required to move because of subsequent increases in income.

This section would also delete several terms, such as "slum" and "slum clearance" which are no longer pertinent to the program. A definition of "low income housing project" or "project" has been added to make it clear that the modernization or improvement of an existing low income housing project may constitute a separate project for purposes of assistance under the Act.

Section 3—Tax exemption of public housing agencies

This section is based on the provision contained in section 5(d) of the existing Act and provides that public housing agency obligations issued in connection with low income housing projects and the income from such projects shall be exempt from Federal taxes.

Section 4—Loans for low income housing projects

This section is based on the loan provisions contained in section 9 of the existing Act. The provision would be amended to require that loan contracts provide for the periodic revision of the interest rate on the balance outstanding on the loan based on the going Federal rate for each six-month period. This variable interest rate requirement is the same as the requirement now applicable to loans under the urban renewal program.

Section 5—Annual contributions for low income housing projects

This section is based on the annual contributions provisions contained in section 10 of the existing Act. It would amend the present section 10(a) so as to eliminate the authorization to pay an additional annual subsidy of up to $120 per dwelling unit occupied by an elderly or handicapped family, a displaced family, a very large family, or a family of unusually low income. The authorization contained in the Housing and Urban Development Act of 1969 to pay subsidy in excess of debt service requirements up to the statutory annual maximum provides sufficient subsidy to bridge the gap between the rents which low income housing tenants can afford to pay and the full cost of the dwelling unit provided to that family. In addition, section 9 of this Act makes explicit the availability of subsidy (up to the statutory maximum) to bridge the gap between rents charged for a dwelling unit and the cost of providing that unit. The special category subsidies are no longer required.

Section 5(f) of the revised Act would amend the present section 10(g) and delete inconsistent and confusing provisions which encourage public housing agencies to establish admission policies which give preferential consideration to special categories of applicants.

Section 6—Amendment of contracts

This section is based on the provision contained in section 14 of the existing Act which authorizes the Secretary to consent to the modification, with respect to rate of interest, time of payment of any installment of principal or interest, security, amount of annual contribution or any other term of any contract or agreement to which the Secretary is a party, subject to specific limitations contained in the Act. It also authorizes the Secretary to amend annual contributions contracts so that the going Federal rate on which annual contributions are based may be established as the going Federal rate at the time of the contract amendment.

Section 7—Contract requirements

This section is based on the provisions contained in section 15 of the existing Act concerning provisions to be included in contracts for loans and annual contributions and related contract requirements. These include provisions for local governing body approval of projects, cooperation agreements, and relocation payments for those displaced by low income housing projects.

Subsection 7(2) would abolish the statutory dollar limits on construction costs per room now contained in section 15(5) and replace them with flexible limits based on the total construction costs per dwelling unit which are includable in a home mortgage or multifamily mortgage assisted under the new section 402 and 502 private subsidized homeownership and rental programs. The construction cost per dwelling unit on which the computation of any annual contributions may be based could not exceed by more than 10 percent the appropriate total construction cost established by the Secretary on the basis of uniform plans and specifications for each housing cost area. This subsection would also establish a limitation on total development cost by requiring that the total construction cost constitute at least 65 percent of total development costs, with other development costs, such as land acquisition and site improvements, to constitute not more than 35 percent of the development cost.

Section 8—Low income housing in private accommodations

This section is based on the provision contained in section 23 of the existing Act which authorizes public housing agencies to provide low income housing in private accommodations under a leasing arrangement. This section would amend existing law by deleting the provision which requires local governing body approval before the section 23 program may be used in a locality. It would also amend the present section 23(g) provision concerning the sale of leased units to tenants so as to authorize such sales under the terms and conditions applicable to the new public homeownership program which would be authorized by section 10 of the revised Act.

Section 9—Occupancy of low income housing

This section is a new section which establishes statutory income limit and rent criteria which are compatible with those applicable to the private rental assistance program which would be authorized under section 502 of the Mortgage Credit Assistance Act. Under present law, public housing agencies fix income limits and rents subject to the approval of the Secretary.

Subsection 9(a) provides that low income housing dwelling units may be made available to families whose incomes at the time of their initial occupancy does not exceed 80 percent of the median income as determined by the Secretary, with standard percentage adjustments for small and large families, for the area in which the dwelling units are located. However, not more than 20 percent of existing low income housing units, and not more than 20 percent of the additional units provided after enactment of the legislation, could be occupied by families whose incomes at the time of their initial occupancy does not exceed the adjusted median income for the area. Public housing agencies would retain authority to fix income limits within this statutory maximum. The requirement in the present section 10(g)(3) for the establishment of maximum income limits for continued occupancy in low income housing would be eliminated.

Subsection 9 (b) and (c) require that rents be fixed on a uniform basis in the low income housing program. The public housing agency would be required to establish the actual cost—the operating expenses as well as the debt service charge attributable to a dwelling unit—of providing a dwelling unit to a family. A basic rental charge would be established for each dwelling unit in an amount equal to the operating expenses (excluding debt service charge) attributable to the dwelling unit. The monthly rental charged a tenant family could not exceed one-fourth of the family's income and would be the greater of (1) the basic rental charge or (2) one-twelfth of the "tenant's

income contribution"—an amount determined by adding 20 percent of that portion of the tenant's income which is below $3,500, and 25 percent of that portion of the tenant's income which exceeds that amount. However, the rental charge could not exceed an amount equal to one-twelfth of the "tenant's income contribution" for those dwelling units with respect to which the Secretary has contracted to pay an operating subsidy to make up the difference between the basic rental charge and the rental collected from the tenant. The monthly rental for any dwelling unit could not exceed a fair market rental charge based on the actual cost of providing the dwelling unit including the debt service charge attributable to the unit.

Subsection 9(d) would provide that in determining income for purposes of eligibility and determining the "tenant's income contribution" under this section and the "homeowner's income contribution" under the new section 10 homeownership program, income from all sources of each member of the family in the household shall be included, except that the Secretary may in his discretion exclude income of minors and any nonrecurring income. It also provides that in determining income for purposes of rent and allocation of income for homeownership, there shall be deducted an amount equal to $300 for each minor person in the family's household in excess of two.

Section 10—Homeownership for low income families

This section would authorize a new public homeownership program for low income families.

The new homeownership program would permit low income families and public housing tenants, or an association formed by or for the benefit of such families or tenants, to purchase newly developed or acquired housing, as well as existing projects now operated as rental housing. Individual homes and dwelling units or entire projects could be purchased.

The program which would be authorized by section 10 provides for conveyance of the property to the low income family as soon as it undertakes the obligation to purchase the property by executing a mortgage to the public housing agency. The family would enjoy all the benefits of homeownership immediately, just as in the private homeownership assistance program.

The maximum subsidy for the homeownership program would be the same as the debt service subsidy provided for with respect to the public housing rental projects—that is, the subsidy could not exceed the amount of principal and interest payable by the public housing agency with respect to the mortgaged property.

The amount of income which the purchaser would be required to allocate for homeownership would be the greater of (1) an amount equal to all monthly homeownership expenses except principal and interest—that is, the monthly amounts due for taxes and insurance and an amount attributable to the cost of utilities or (2) one-twelfth of the "homeowner's income contribution"—an amount determined by adding 20 percent of that portion of the purchaser's income which is below $3,500, and 25 percent of that portion of his income which exceeds that amount. If the purchaser makes the required allocation of income and otherwise fulfills his mortgage obligations, his mortgage would be amortized as if he were making full principal and interest payments.

In the case of newly developed or acquired property the amount of the purchaser's mortgage would be equal to the amount of the debt incurred by the public housing agency in producing or acquiring the housing and the mortgage would provide for amortization over the same period of time. The amount of the mortgage for the purchase of existing public housing would be an amount equal to the public housing agency's outstanding debt on the property or its appraised value, whichever is greater. Where the mortgage amount is based on appraised value, the mortgage would provide for an amortization period satisfactory to the Secretary which would extend beyond the remaining term on the public housing agency's debt. The purchaser's mortgage would provide for an interest rate based on the rate then applicable to mortgages insured under the private homeownership program authorized by section 402 of the Mortgage Assistance Act.

Section 11—General powers of the Secretary

This section is based on the provisions contained in section 13 of the existing Act concerning the Secretary's power to foreclose on property and to acquire or take possession of any project which he previously owned or in connection with which he has made a loan or annual contribution.

The section also contains a provision in section 17 of the existing Act which makes the budget program and audit requirements of the Government Corporation Control Act applicable to the low income housing program.

Section 12—Labor standards

This section is based on the labor standards provision now in subsection 16(2) of the existing Act which requires that contracts include a provision that laborers and mechanics employed in the development of a low-income project be paid not less than the wages prevailing in the locality as predetermined by the Secretary of Labor pursuant to the Davis-Bacon Act and that they be compensated at a rate not less than one and one-half times the basic rate of pay for hours in excess of 8 hours in any workday or 40 hours in the workweek.

Section 13—Financial provisions

This section is based on the financial provisions in sections 19, 20, and 21 of the existing Act. It authorizes the Secretary to issue and have outstanding at any one time notes and other obligations for purchase by the Secretary of the Treasury in an amount which shall not, unless authorized by the President, exceed $1.5 billion. It also contains provisions concerning the availability of receipts and assets for purposes of the program and the use of Federal Reserve Banks as depositories, custodians, and fiscal agents.

Section 14—Private financing

This section is based on the provisions now in section 22 of the existing Act which are designed to facilitate the enlistment of private capital through the sale of bonds and other obligations by public housing agencies.

Section 15—Severability clause

This section provides that if any provision of the revised Act is held invalid, the remainder of the Act will not be affected thereby.

Section 16—Short title

This section provides that the revised Act may be cited as the United States Housing Act of 1937.

Section 202—Applicability of rental requirement

This section would provide for the deferred implementation of the new rental criteria prescribed in section 9 of the revised United States Housing Act of 1937 in the case of any family now occupying a public housing unit whose rent would be increased. In such cases, the required rental increase would become effective in two increments—(1) an increase equal to one half the amount of additional rent at the time the public housing agency makes the first review of the family's income (other than an interim review) which occurs at least one year after the effective date of the title, and (2) the family's rent would be increased to the full amount of the rental charge required under section 9 when the public housing agency makes its next review of the family's income. The revised Act requires public housing agencies to review family income at intervals of two years.

TITLE III—URBAN REDEVELOPMENT

Section 301—Authorization for urban renewal

This section would amend section 103(b) of the Housing Act of 1949 to increase the aggregate amount of capital grants which may be made under the urban renewal program after June 30, 1971, by such sums as may be necessary.

Section 302—Early closeout of urban renewal projects

This section would amend section 106(1) of the Housing Act of 1949 to authorize the Secretary, in cases where urban renewal project land intended for private reuse cannot be disposed of in the near future due to circumstances beyond the local public agency's control, to compute the net project cost and closeout the project at no additional cost to the locality. The locality would receive an additional grant equal to one-third (or one-fourth) of the estimated proceeds from the undisposed of land. When such land is subsequently disposed of in accordance with the urban renewal plan the net proceeds realized would be paid to the Secretary. Under existing law early project closeout is only permitted where 5 percent or less of project land remains unsold.

Section 303—Expenses in connection with the sale of federal surplus lands to local urban renewal agencies

This section would amend section 108 of the Housing Act of 1949 to permit the Secretary to charge against the gross proceeds realized any property management or other expenses he incurs when Federal surplus property is transferred to him for sale to a local urban renewal agency. Under existing law all the proceeds from such a transfer and sale must be deposited into the Treasury.

Section 304—Interim assistance program

This section would amend section 118 of the Housing Act of 1949 to remove the present statutory $15 million limit on interim assistance grants in any one year.

Section 305—Rehabilitation loans

This section would amend section 312 of the Housing Act of 1964 to (1) delete the requirement which requires, for residential rehabilitation loans, that a preference be given to persons whose annual incomes are within the locally applicable income limits for the section 221(d)(3) below market interest rate program, (2) require that the applicant must be unable to secure funds from other sources upon "reasonable" terms and conditions rather than upon "comparable" terms and conditions as in existing law, (3) provide that the term of the loan may not exceed the lesser of thirty years (twenty years under existing law) or three-fourths of the remaining economic life of the structure after rehabilitation, (4) provide that the loan shall bear interest at the maximum rate established by the Secretary, at the time the loan is approved, for mortgages insured under section 402 of the Mortgage Credit Assistance Act (homeownership assistance for lower income families). Loans to owner-occupants of residential property, however, may bear interest at such rate, not less than three percent annually, as the Secretary determines to be necessary to enable the applicant to amortize the loan as part of his monthly housing expense without having such housing expense exceed 25 percent of the applicant's average monthly income. (Under existing law rehabilitation loans shall bear interest at such

rate as the Secretary determines to be appropriate but not to exceed 3 percent per annum.), (5) provide, in the case of residential property, that the amount of the loan may not exceed the lesser of (1) the maximum mortgage amount which could be insured under section 402 of the Mortgage Credit Assistance Act for the area multiplied by the number of dwelling units to be rehabilitated (as determined pursuant to section 3 of such Act); or (2) the estimated cost or rehabilitation plus, where the Secretary approves refinancing, the amount required to refinance existing indebtedness secured by the property. In all cases, however, the amount of the loan shall be limited to an amount which, when added to any outstanding indebtedness, creates a total outstanding indebtedness, which does not exceed (1) in the case of owner occupied property, 97 percent of the first $15,000 and 90 percent of any amount over $15,000 of the estimated cost of rehabilitation plus the Secretary's estimate of the value of the property before rehabilitation; (2) in the case of property which is not owner occupied, 90 percent of the sum of the estimated cost of rehabilitation plus the Secretary's estimate of the value of the property before rehabilitation. (Under existing law the amount of a rehabilitation loan may not exceed, in the case of residential property, the amount of a loan which could be insured under section 220(h) of the National Housing Act.)

These amendments would only be effective with respect to loan commitments entered into on or after the effective date of this section.

Section 306—Authorization for model cities

This section would amend section 111 of the Demonstration Cities and Metropolitan Development Act of 1966 to authorize after June 30, 1971, appropriations for supplementary grants for the model cities program of such sums as may be necessary. Amounts appropriated would remain available until expended and any amounts authorized for any fiscal year but not appropriated may be appropriated for any succeeding fiscal year.

TITLE IV—METROPOLITAN DEVELOPMENT

Section 401—Open space land programs

This section would rewrite title VII of the Housing Act of 1961 (grants for open space land, urban beautification and historic preservation) to authorize a single program of grants for (1) acquisition of title to, or other interests in, open space land in urban areas and (2) the development of open space or other land in urban areas for open space uses (including historic preservation).

Section 701 of the amended title would restate basic Congressional findings and purposes. Section 701(b) would be amended to include a finding that the need for parks and other open space in built-up portions of urban areas is especially great in low income neighborhoods and communities.

Section 702(a) of the amended title would authorize the Secretary to make grants to States and local public bodies to help finance (1) the acquisition of title to, or other interest in, open space land in urban areas and (2) the development of open space or other land in urban areas for open space uses. Such grants could not exceed 50 percent of the eligible project cost, as approved by the Secretary, of such acquisition or development. In effect, the section would provide statutory authority for the Secretary to provide all assistance currently authorized in section 702 (grants for preservation and development of open space land), section 705 (provision of open space land in urban areas), section 706 (urban beautification and improvement), and section 709 (historic preservation) of the Housing Act of 1961. The existing statutory authorities would be amended to make clear that grants may be made to (1) help acquire less than fee interests in open space land (2) help develop, for open space uses, lands which were not originally acquired with assistance under section 702. A new provision would be added which would authorize, where regulations of the Secretary permit, 50 percent of the non-Federal share of eligible project costs to be made up by donations of land or materials.

Section 702(b) of the amended title would provide that no grants under the title may be used to (1) defray ordinary State or local governmental expenses (2) help finance the acquisition by a public body of land outside the urban areas for which it exercises (or participates in the exercise of) responsibilities consistent with the purposes of the title, (3) acquire and clear developed land in built-up urban areas unless the local governing body determines that adequate open space land cannot be effectively provided through the use of existing undeveloped land, or (4) provide assistance for historic and architectural preservation, except for projects which the Secretary finds meets criteria comparable to those used in establishing the National Register maintained by the Secretary of Interior. In effect, this section incorporates the statutory requirements now found in section 702(c) and 705 of the Housing Act of 1961 and section 605(h) of the Demonstration Cities and Metropolitan Development Act of 1966.

Section 702(c) of the amended title would restate existing section 702(d) which permits the Secretary to set such further terms and conditions for grants as he determines to be desirable.

Section 702(d) of the amended title would restate existing section 702(e) which requires the Secretary to consult with, and exchange information with, the Secretary of the Interior with respect to his activities under this title.

Section 702(e) of the amended title would authorize the Secretary to provide advice and technical assistance to States and local public bodies.

Section 703 of the amended title would authorize grants under the title only if the Secretary finds that such assistance is needed for carrying out a unified or officially coordinated program, meeting criteria established by him, for the provision and development of open space land. Such program must be either a part of, or consistent with, the comprehensively planned development of the urban area.

Section 704 of the amended title would prohibit the conversion to other uses of open space land acquired with assistance under the title without prior approval of the Secretary. Such prior approval to be granted only upon satisfactory compliance with regulations established by the Secretary which shall require findings that (1) there is adequate assurance of the substitution of other open space land of as nearly as feasible equivalent usefulness, location, and fair market value; (2) the conversion and substitution are needed for orderly growth and development; and (3) the proposed uses of the converted and substituted land are in accord with the then applicable comprehensive plan for the urban area, meeting criteria established by the Secretary. The section is based upon, and is substantially similar to, section 704 of the Housing Act of 1961.

Section 705 of the amended title would authorize to be appropriated for purposes of making grants under the title not to exceed $460,000,000 prior to July 1, 1971 and such sums as may be necessary thereafter. Any amounts appropriated shall remain available until expended.

Section 707 of the amended title defines—

(1) "open space land" to mean any land located in an urban area which has value for (A) park and recreational purposes, (B) conservation of land and other natural resources, or (C) historic, architectural, or scenic purposes.

(2) "urban area" to mean any area which is urban in character, including those surrounding areas which, in the judgment of the Secretary form an economic and socially related region, taking into consideration such factors as present and future population trends and patterns of urban growth, location of transportation facilities and systems, and distribution of industrial, commercial, residential, governmental, institutional, and other activities.

(3) "State" to mean any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Territories and possessions of the United States, and Indian tribes, bands, groups and nations, including Alaska Indians, Aleuts, and Eskimos of the United States.

(4) "open-space uses" to mean any use of open-space land for (A) park and recreational purposes, (B) conservation of land and other natural resources, or (C) historic, architectural or scenic purposes.

Section 402—Authorization for comprehensive planning

This section would amend section 701(b) of the Housing Act of 1954 to increase the total amount authorized to be appropriated for comprehensive planning assistance after June 30, 1971, by such sums as may be necessary.

Section 403—Authorization for water and sewer facilities and neighborhood facilities.

This section would amend section 708(b) of the Housing and Urban Development Act of 1965 to increase the total amount authorized to be appropriated for grants after June 30, 1971 for basic water and sewer facilities and for neighborhood facilities by such sums as may be necessary. The existing authorization for appropriations for the advance acquisition of land program would be deleted.

Section 404—Authorization for training and fellowship program

This section would amend section 806 of the Housing Act of 1964 to authorize to be appropriated such amounts as may be necessary for Fellowships for City Planning and Urban Studies and the Community Development Training Program.

Section 405—New communities program

Subsection (a) of this section would amend section 407(a) of the Housing and Urban Development Act of 1968 to authorize the Secretary to issue obligations to the Secretary of the Treasury in an amount outstanding at any one time sufficient to enable the Secretary to carry out his functions with respect to guarantees covering the obligations of new community developers. Any obligations issued by the Secretary would have maturities and bear interest at a rate determined by the Secretary of the Treasury.

Subsection (b) of this section would amend section 407(d) of such Act to increase the aggregate of the outstanding principal obligations of new community developers which may be guaranteed at any one time from $250,000,000 to $400,000,000.

Subsection (c) of this section would amend section 412(d) of such Act to provide that any amounts authorized for any fiscal year for new community assistance grants but not appropriated may be appropriated for any succeeding fiscal year.

Subsection (c) of this section would add a new section 416 to such Act authorizing the Secretary to provide technical and advisory services to new community developers and to States, municipalities, and other political subdivisions and instrumentalities.

TITLE V—RESEARCH AND TECHNOLOGY

Section 501—Technical research and demonstrations

This section would authorize and direct the Secretary of Housing and Urban Devel-

opment to undertake such programs of research, studies, testing, and demonstration relating to the mission and programs of the Department as he determines to be necessary and appropriate. To carry out activities under this section there would be authorized to be appropriated such sums as may be necessary. All funds so appropriated would remain available until expended unless specifically limited.

Section 502—General provisions

This section brings together under one heading a series of administrative and other provisions which are applicable to activities under section 501.

Subsection (a) of this section, which is based on section 1010 of the Demonstration Cities and Metropolitan Development Act of 1966, and section 417 of the Housing and Urban Development Act of 1969, directs the Secretary, to the extent feasible, to require the use of advanced technology under programs administered by him, and to encourage and promote the acceptance and application of such advanced technology by all segments of the housing industry, communities, and the general public. In carrying out his activities under section 501, the Secretary shall assure, to the extent feasible, in connection with the construction, major rehabilitation, or maintenance of any housing assisted under that section, that there is no restraint by contract, building code, zoning ordinance, or practice against the employment of new or improved technologies, techniques, materials, and methods or of preassembled products which may reduce the cost or improve the quality of such construction, rehabilitation, and maintenance, and therefore stimulate expanded production of housing under this title, except where such restraint is necessary to insure safe and healthful working and living conditions. The subsection also contains a new authorization to the Secretary to waive, with respect to his activities under section 501, those provisions of the United States Housing Act of 1937 and other acts administered by him which impede the acceptance and application of new or improved technology.

Subsection (b) of this section is based on section 108 of the Housing and Urban Development Act of 1968. It provides that in order to encourage large-scale experimentation in the use of new technology with a view toward the ultimate mass production of housing and related facilities, the Secretary shall, wherever feasible conduct programs under section 501 in which qualified organizations, public and private, will submit plans for development and production of housing and related facilities using such new advances on Federal land or other land where local building regulations or variances from them permit such experimental construction. The Secretary may utilize the funds and authority available under section 501 to assist in the implementation of plans which he approves.

Subsection (c) of this section is based on provisions in section 1010 of the Demonstration Cities and Metropolitan Development Act of 1966 and section 108 of the Housing and Urban Development Act of 1968. The Secretary would be authorized, in connection with projects under this title, to acquire and dispose of land and other property required for the project as he deems necessary. It further provides that any land which is excess property within the meaning of the Federal Property and Administrative Services Act of 1949, may be transferred to the Secretary upon his request if the Secretary determines that the land is suitable for use in furtherance of the purposes of section 502(b).

Subsection (d) of this section which is based on section 314 of the Housing Act of 1954, section 301 of the Housing Act of 1948, section 602 of the Housing Act of 1956, and section 1011 of the Demonstration Cities and Metropolitan Development Act of 1966, authorizes the Secretary to pay for the cost of writing and publishing reports on activities financed under section 501, and similar activities, not so financed, which are of significant value in furthering the purposes of that section. Information acquired could be disseminated in the form most useful to agencies of Federal, State and local governments, industry, and the public. The Secretary would also be authorized to provide advice and technical assistance as may be required in carrying out his activities under section 501.

Subsection (e) of this section is based on provisions in section 301 of the Housing Act of 1948, section 314 of the Housing Act of 1954, section 207 of the Housing Act of 1961, and sections 1010 and 1011 of the Demonstration Cities and Metropolitan Development Act of 1966. It authorizes the Secretary to carry out his functions under section 501 either directly, or by contract or grant. The making of advance and progress payments would be authorized and contracts made without advertising. Contracts or grants may be made for work to continue for not more than 4 years from the date thereof.

Subsection (f) of this section is based on title III of the Housing Act of 1948, section 602 of the Housing Act of 1956 and section 601 of the Economy Act of 1932 (31 U.S.C. 686). It requires the Secretary to utilize facilities of other Federal departments and agencies, to consult with and make recommendations to such agencies, and authorizes him to enter into working agreements with them; including the making of contracts or grants on behalf of such agencies or having such contracts or grants made on his behalf. The Secretary would also be authorized to work with, and enter into contracts with, State and local governments, industry and labor, educational and other organizations.

Subsection (g) of this section is based on provisions in section 602 of the Housing Act of 1956 and provides that the Secretary is authorized to obtain information from private and public sources. Such information may be used only for the purposes for which it is supplied, and no publication may be made whereby the information furnished by a particular source can be identified except with the consent of such source.

Section 503—Repeal of existing research authorities

This section would repeal, effective July 1, 1971, except for contracts commitments, reservations, or other obligations entered into prior to that date, title III of the Housing Act of 1948, section 314 of the Housing Act of 1954, section 602 of the Housing Act of 1956, section 207 of the Housing Act of 1961, section 301 of the Housing and Urban Development Act of 1965, sections 1010 and 1011 of the Demonstration Cities and Metropolitan Development Act of 1966, and section 108 and subsection 1714(b) of the Housing and Urban Development Act of 1968.

TITLE VI—MISCELLANEOUS

Section 601—Advice and assistance with respect to housing for lower income families

This section would amend section 106 of the Housing and Urban Development Act of 1968 to authorize cooperative as well as nonprofit sponsors to receive advice, assistance, and "seed money" loans with respect to the provision of housing for lower income families. It would also consolidate and expand existing advice and assistance programs for lower income families—section 235(e) and 237(e) (homeownership assistance) and section 15 (10) of the U.S. Housing Act (tenant services grants) and provide statutory authorization for these programs under section 106. The program of tenant services grants now authorized under section 15(10) of the U.S. Housing Act of 1937 would be extended to low-income housing tenant organizations assisted under that Act and to nonprofit cooperative and limited dividend housing organizations or lower income tenant organizations in projects assisted under the National Housing Act or the Mortgage Credit Assistance Act.

Section 602—General administrative powers of the secretary

This section would include among the administrative powers of the Secretary set forth in section 7 of the Department of Housing and Urban Development Act general authority to (1) keep in a consolidated checking account in the Treasury all funds made available from appropriations, recoveries, fees or otherwise in connection with any loan or grant program—such funds to be available for administrative expenses if authorized by the Congress, (2) foreclose on, acquire, manage, and sell property in connection with loan and grant programs, (3) establish fees and charges to cover such nonadministrative expenses as costs of inspection, project review, financing service, project audit, etc.—such fees and charges to be available for operating expenses of the Department in providing similar services on a consolidated basis, (4) receive uncompensated services and bequests and gifts, and (5) establish advisory commissions.

Numbers 1 and 2 above (except for the deletion of provisions requiring a Government Corporation business-type budget) are similar to existing authorities in section 402 of the Housing Act of 1950 and are incorporated by reference in many of the Department's loan and grant statutes.

Section 603—Equity skimming

This section would make it a crime to engage in the practice of purchasing one- to four-family dwellings subject to FHA-insured or VA loans and applying the rent receipts to one's own use instead of making payments on such loans. For the protection of those purchasing in good faith, the criminal penalties provided by this section would only apply if the loan was in default at time of purchase or within one year subsequent to the purchase and would not apply to the purchaser of only one such dwelling. The section is intended to deter the so-called practice of "equity skimming," which has resulted in losses to the FHA and VA in the past.

Section 604—Additional authorization for college housing debt service grants

This section would amend section 401 (f)(2) of the Housing Act of 1950 to increase the aggregate amount of contracts which may be entered into after June 30, 1971 to make annual debt service grants to help finance college housing facilities by such sums as may be necessary.

Section 605—National Banking Act

This section would authorize National banks to underwrite and deal in obligations guaranteed under the New Communities Act of 1968.

Section 606—Increased fees for consultant services

This section would amend section 7(e) of the Department of Housing and Urban Development Act to increase the maximum amount payable to consultants from the present $100 per diem to the daily equivalent to the highest rate for grade GS–18.

Section 607—Effective date

This section would provide that titles I, II and III of this Act shall be effective not later than 180 days following the date of enactment except as the Secretary of Housing and Urban Development shall prescribe an earlier date with respect to all or any part of such titles.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KYROS (at the request of Mr. COHELAN), for today and the remainder of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PUCINSKI, for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. HASTINGS) ; to revise and extend their remarks and include extraneous matter:)

Mr. JONAS, for 10 minutes, on March 25.

(The following Members (at the request of Mr. BLACKBURN) and to revise and extend their remarks and include extraneous matter:)

Mr. BLACKBURN, for 1 hour, today.

Mr. PRICE of Texas, for 30 minutes, today.

Mr. QUIE, for 30 minutes, today.

Mr. FINDLEY, for 20 minutes, today.

Mr. BROWN of Michigan, for 10 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

(The following Members (at the request of Mr. HARRINGTON) and to revise and extend their remarks and include extraneous matter:)

Mr. DENT, for 30 minutes, today.

Mr. GAYDOS, for 30 minutes, today.

Mr. HAMILTON, for 10 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. RARICK, for 20 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MCCORMACK (at the request of Mr. ALBERT) and to include extraneous matter in the body of the RECORD.

Mr. PHILBIN to revise and extend his remarks made today on the various stockpile bills.

Mr. MONAGAN in the Committee of the Whole today on consideration of H.R. 15628.

Mr. ANDERSON of Illinois (at the request of Mr. COUGHLIN) to include extraneous matter with his remarks made in the Committee of the Whole today.

Mr. LEGGETT in two instances and to include extraneous matter.

Mr. BURTON of California to extend his remarks during the special order of Mr. CONYERS, today.

Mr. RYAN to extend his remarks and include extraneous matter following the remarks of Mr. YATES on H.R. 15628, today.

Mr. HALPERN to revise and extend his remarks during colloquy with Mr. YATES on H.R. 15628.

Mr. CONTE to extend his remarks that he made during Congressman CONYERS special order today and to include extraneous matter and that these remarks follow those of Mr. CONYERS.

Mrs. CHISHOLM immediately following Mr. CONYERS special order today.

(The following Members (at the request of Mr. BLACKBURN) and to include extraneous matter:)

Mr. BROWN of Ohio in two instances.

Mr. TALCOTT.

Mr. GUDE.

Mr. CONTE.

Mr. STEIGER of Wisconsin in two instances.

Mr. WYMAN in two instances.

Mr. FRELINGHUYSEN in two instances.

Mr. ASHBROOK in two instances.

Mr. ADAIR.

Mr. HARSHA.

Mr. BELL of California.

Mr. DERWINSKI.

Mr. COLLINS in three instances.

Mr. BUSH in two instances.

Mr. O'KONSKI.

Mr. SCHERLE.

Mr. MCCLURE.

Mr. DON H. CLAUSEN.

Mr. DICKINSON.

(The following Members (at the request of Mr. HASTINGS) and to include extraneous matter:)

Mr. FINDLEY.

(The following Members (at the request of Mr. HARRINGTON) and to include extraneous matter:)

Mrs. GRIFFITHS.

Mr. CHARLES H. WILSON in five instances.

Mr. EILBERG in two instances..

Mr. FRASER.

Mr. MINISH in two instances.

Mr. HAWKINS in two instances.

Mr. HUNGATE in two instances.

Mr. GARMATZ in two instances.

Mr. GONZALEZ in two instances.

Mr. RARICK in three instances.

Mr. KOCH.

Mrs. GREEN of Oregon in two instances.

(The following Members (at the request of Mr. PUCINSKI), and to include extraneous matter:)

Mr. OBEY in six instances.

Mr. FEIGHAN in five instances.

Mr. MOORHEAD.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 11959. An act to amend chapters 31, 34, and 35 of title 38, United States Code, in order to increase the rates of vocational rehabilitation, education assistance, and special training allowance paid to eligible veterans and persons under such chapters; to amend chapters 34, 35, and 36 of such title to make certain improvements in the educational programs for eligible veterans and dependents; and for other purposes.

ADJOURNMENT

Mr. PUCINSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 53 minutes p.m.), the House adjourned until tomorrow, Wednesday, March 25, 1970, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1824. A letter from the Assistant to the Commissioner, District of Columbia, transmitting a draft of proposed legislation relating to the rental of space for the accommodation of District of Columbia agencies and activities, and for other purposes; to the Committee on the District of Columbia.

1825. A letter from the Secretary of Health, Education, and Welfare, transmitting the 19th annual report of the Commissioner of Education relative to school assistance in federally affected areas, pursuant to the provisions of subsection 301(c), Public Law 874, and subsection 12(c), Public Law 815, 81st Congress; to the Committee on Education and Labor.

1826. A letter from the Secretary of State, transmitting a draft of proposed legislation to amend the Foreign Service Act of 1946, as amended, to lower the mandatory retirement age for Foreign Service officers who are career ministers; to the Committee on Foreign Affairs.

1827. A letter from the Comptroller General of the United States, transmitting a report on the need for the Department of Housing and Urban Development to strengthen concrete inspections and testing requirements in the construction of low-rent public housing projects; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause of 2 rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PERKINS: Committee of Conference. Conference report on H.R. 514 (Rept. No. 91-937). Ordered to be printed.

Mr. PRICE of Illinois: Committee on Standards of Official Conduct. House Resolution 796. Resolution amending the Rules of the House of Representatives relating to financial disclosure. (Rept. No. 91-938). Referred to the House Calendar.

Mr. FALLON: Committee of conference. Conference report on H.R. 4148 (Rept. No. 91-940). Ordered to be printed.

Mr. SISK: Committee on Rules. House Resolution 891. Resolution for consideration of H.R. 14385, a bill to provide authority for subsidized transportation for Public Health Service employees affected by the transfer to the Parklawn Building in Rockville, Md. (Rept. No. 91-941). Referred to the House Calendar.

Mr. ANDERSON of Tennessee: Committee on Rules: House Resolution 892. Resolution for consideration of H.R. 15733, a bill to amend the Railroad Retirement Act of 1937 to provide a 15-percent increase in annuities and to change the method of computing interest on investments of the railroad retirement accounts. (Rept. No. 91-942). Referred to the House Calendar.

Mr. PEPPER: Committee on Rules. House Resolution 893. Resolution for consideration of H.R. 16516, a bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes. (Rept. No. 91-943). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE 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. GARMATZ: Committee on Merchant Marine and Fisheries. S. 1177. An act to authorize the documentation of the vessel *West Wind* as a vessel of the United States with coastwise privileges. (Rept. No. 91-939). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BEVILL (for himself, Mr. ANDREWS of Alabama, Mr. BUCHANAN, Mr. EDWARDS of Alabama, Mr. NICHOLS, and Mr. FLOWERS):

H.R. 16620. A bill to amend section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended, to authorize the Secretary of Agriculture to furnish financial assistance in carrying out plans for works of improvement for land conservation and utilization, and for other purposes; to the Committee on Agriculture.

By Mr. QUIE (for himself, Mr. AYRES, Mr. GERALD R. FORD, Mr. ERLENBORN, Mr. ESHLEMAN, Mr. COLLINS, Mr. HANSEN of Idaho, and Mr. ESCH):

H.R. 16621. A bill to extend and amend the Higher Education Act of 1965, and for other purposes; to the Committee on Education and Labor.

By Mr. QUIE:

H.R. 16622. A bill to promote higher education throughout the Nation by providing general assistance to colleges and universities; to the Committee on Education and Labor.

By Mr. COWGER:

H.R. 16623. A bill to amend the Federal Water Pollution Control Act and the Clean Air Act in order to provide assistance in enforcing such acts through Federal procurement contract procedures; to the Committee on Public Works.

By Mr. FOREMAN:

H.R. 16624. A bill to convey certain land in Dona Ann County, N. Mex., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GILBERT:

H.R. 16625. A bill relating to the effective date for section 1902(a)(23) of the Social Security Act in the case of Puerto Rico, the Virgin Islands, and Guam; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 16626. A bill to amend the Railroad Unemployment Insurance Act to eliminate the prohibition against payment of unemployment or sickness benefits following receipt of severance pay; to the Committee on Interstate and Foreign Commerce.

By Mr. HUNGATE:

H.R. 16627. A bill to improve law enforcement in urban areas by making available funds to improve the effectiveness of police services; to the Committee on the Judiciary.

By Mr. JONES of Tennessee:

H.R. 16628. A bill to amend the Truth in Lending Act to eliminate the inclusion of agricultural credit; to the Committee on Banking and Currency.

By Mr. MURPHY of New York:

H.R. 16629. A bill to amend the Gun Control Act of 1968 to require certain records to be kept relating to the sale or delivery of explosives; to the Committee on the Judiciary.

H.R. 16630. A bill to amend title 18 of the United States Code to provide for increased penalties for certain illegal use or possession of explosives; to the Committee on the Judiciary.

H.R. 16631. A bill to amend the Internal Revenue Code of 1954 by imposing a tax on the transfer of explosives to persons who may lawfully possess them and to prohibit possession of explosives by certain persons; to the Committee on Ways and Means.

By Mr. RHODES (for himself, Mr. MCCULLOCH, Mr. GOODLING, Mr. LUKENS, Mr. MIZE, Mr. ROBISON, and Mr. STEIGER of Arizona):

H.R. 16632. A bill to provide for the establishment of a U.S. Court of Labor-Management Relations which shall have jurisdiction over certain labor disputes in industries substantially affecting commerce; to the Committee on the Judiciary.

By Mr. ROSENTHAL (for himself, Mr. KARTH, Mrs. CHISHOLM, Mr. ECKHARDT, Mr. FEIGHAN, Mr. HANLEY, Mr. HOWARD, Mr. MACDONALD of Massachusetts, Mr. MIKVA, Mr. MINISH, Mrs. MINK, Mr. OTTINGER, Mr. ST GERMAIN, Mr. SMITH of Iowa, Mr. TIERNAN, Mr. WOLFF, and Mr. GILBERT):

H.R. 16633. A bill to provide for the development of a uniform system of quality grades for consumer food products; to the Committee on Agriculture.

By Mr. ROSENTHAL (for himself, Mr. KARTH, Mrs. CHISHOLM, Mr. ECKHARDT, Mr. FEIGHAN, Mr. HANLEY, Mr. HOWARD, Mr. MACDONALD of Massachusetts, Mr. MIKVA, Mr. MINISH, Mrs. MINK, Mr. MOSS, Mr. OTTINGER, Mr. ST GERMAIN, Mr. SMITH of Iowa, Mr. TIERNAN, Mr. WOLFF, and Mr. GILBERT):

H.R. 16634. A bill to require that durable consumer products be labeled as to durability and performance-life; to the Committee on Interstate and Foreign Commerce.

H.R. 16635. A bill to require that certain short shelf-life durable products be prominently labeled as to the date beyond which performance life becomes diminished; to the Committee on Interstate and Foreign Commerce.

H.R. 16636. A bill to require that certain drugs and pharmaceuticals be prominently labeled as to the date beyond which potency or efficiency becomes diminished; to the Committee on Interstate and Foreign Commerce.

H.R. 16637. A bill to require that certain durable products be prominently labeled as to date of manufacture, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 16638. A bill to require that certain processed or packaged consumer products be labeled with certain information, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WATSON:

H.R. 16639. A bill to amend the Interstate Commerce Act, as amended, in order to make unlawful, as unreasonable and unjust discrimination against and an undue burden upon interstate commerce, certain property tax assessments of common and contract carrier property, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WHALLEY:

H.R. 16640. A bill to provide for the issuance of a special postage stamp in memory of Ernie Pyle; to the Committee on Post Office and Civil Service.

By Mr. WIDNALL:

H.R. 16641. A bill to provide for a U.S. contribution to the Special Funds of the Asian Development Bank, and for other purposes; to the Committee on Banking and Currency.

H.R. 16642. A bill to create a Federal Home Loan Mortgage Corporation, and for other purposes; to the Committee on Banking and Currency.

H.R. 16643. A bill to increase the supply of decent housing and to consolidate, extend and improve laws relating to housing and urban renewal and development; to the Committee on Banking and Currency.

By Mr. WIDNALL (for himself and Mr. CONTE):

H.R. 16644. A bill to clarify and extend the authority of the Small Business Administration, and for other purposes; to the Committee on Banking and Currency.

By Mr. GERALD R. FORD:

H.R. 16645. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on certain leather work gloves, and for other purposes; to the Committee on Ways and Means.

By Mr. BEVILL:

H.J. Res. 1145. 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. GALLAGHER:

H.J. Res. 1146. Joint resolution authorizing a grant to defray a portion of the cost of expanding the United Nations headquarters in the United States; to the Committee on Foreign Affairs.

By Mr. FULTON of Tennessee:

H. Con. Res. 557. Concurrent resolution expressing the sense of the Congress in opposition to the high interest rate policy; to the Committee on Banking and Currency.

By Mr. YATES (for himself, Mr. HECHLER of West Virginia, and ST GERMAIN):

H. Con. Res. 558. Concurrent resolution urging the President to determine and undertake appropriate actions with respect to stopping armed attacks on aircraft and passengers engaged in international travel; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

340. By the SPEAKER: A memorial of the General Court of the Commonwealth of Massachusetts, relative to providing for the mass transit costs by using the Federal highway fund; to the Committee on Ways and Means.

341. Also, a memorial of the Legislature of the State of Hawaii, relative to repealing title II of the Internal Security Act of 1950; to the Committee on Internal Security.

EXTENSIONS OF REMARKS

PROGRESS IN APPALACHIA: A MODEL FOR FEDERAL-STATE COOPERATION

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 23, 1970

Mr. EVINS of Tennessee. Mr. Speaker, a Democratic Congress enacted the Appalachian Regional Development Act upon the recommendation of President Johnson in 1965. The U.S. News & World Report in its current issue points out that this program may become a model for Federal-State cooperation and assistance for development of rural areas in Appalachia.

One of the major thrusts of this program is highway construction to provide access to areas in need of industry and employment. In this connection, a total of 267 miles of highway have now been completed in the 13-State area.

In addition, under this program 238 vocational and technical schools have been built or are under construction. Other public facilities under construction or completed under the Appalachian program include 193 health centers and hospitals, 43 airports, 72 libraries, and