As America nears its 200th birthday it stands alone in human history, with more freedom, food, clothes and shelter than the average family has ever known.

Somebody, somehow, must have done something rather right in this land.

I think it's time to tell that story.

WALT SEIFERT.

GUN CONTROL—ONE MAN'S STEP TOWARD SANITY

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1971

Mr. MIKVA. Mr. Speaker, the distinguished dean of the House and chairman of the Judiciary Committee, the gentleman from New York (Mr. CELLER), has recently introduced a comprehensive bill designed to cut the arms race which today rampages in the streets of America.

Opposition to such legislation is based primarily on emotional reluctance to yield up the romantic image of the American frontier. But rationality demands that we adjust to modern civilization and recognizing that the "Wild West" was not a model for law and order then or now. Guns represent a real threat to the security of us all.

A poignant letter appeared in the Christian Science Monitor of June 11, 1971. It was written by a former policeman who used to be adamantly opposed to gun control. His letter explaining why he has changed his mind demonstrates an openmindedness which many of us in the Congress would do well to emulate.

The letter follows:

HANDGUNS

Your recent editorial urging the outlawing of handguns and the registration of other types was of great interest and compelling impact.

I seriously doubt if anyone has ever been more adamantly opposed to the gun registration efforts than I. As an avid hunter and former police officer, to whom the handling of guns was a common everyday experience, the constitutional right of the citizenry to bear arms was one which I staunchly supported. But, there comes a time . . .

After serious thought, I have reached the cogent conclusion that it is high time the citizens of this country outgrow their adolescent penchant for playing "cops 'n robbers," or "cowboys 'n Indians," and their preoccupation with violence, and proclivity for taking the lives of helpless animals, and begin expressing the maturity and humanity which this period of history and development demands of intelligent, civilized peoples.

If the private, virtually unrestricted ownership of guns is allowed to continue, this Nation will face a threat from within, far more serious than any it has ever faced from without. It will become a "whited sepulcher, full of uncleanness," like the man who is so heavily armed he becomes a shell of armor containing nothing worthy of protection, but a mere container for combustibles ready to explode.

And, while the ownership of handguns should be restricted to the military and law enforcement agencies, and all others registered, this is not enough. Legislation must be enacted and *enforced*, which would greatly increase the penalty for a crime committed with any weapon. For this too is a necessary component in the fight to obliterate violence in our land.

There will be many who will hesitate, as did I, to take this step, but it must be taken. It has been said, "a journey of a thousand miles begins with but a single step." The time is here when we must fearlessly step forth and break trail in this direction. As we do so, we will see the path widen into a highway of progress toward the safety of all men. And, should we look back a short time hence, we'll find ourselves exclaiming incredulously, "What took us so long?"

WILLIAM W. BLANKS.

LOS ANGELES.

HOUSE OF REPRESENTATIVES—*Friday, June 18, 1971*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Depart from evil and do good: Seek peace and pursue it.—Psalm 34: 14.

Almighty God, unto whom all hearts are open, all desires known, and from whom no secrets are hid, we bow our heads and open our hearts as we stand in Thy presence.

"We need Thee every hour:
Stay Thou near by:
Temptations lose their power
When Thou are nigh."

As we pray, may Thy spirit take possession of our minds and hearts, leading us to genuine solutions for the problems that face us both as individuals and as a nation. May ill will, injustice, and hostility come to an end, and may good will, justice, and peace arise to new life in us and in our world.

In the manner and manners of the Master of Men we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

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 joint resolution of the House of the following title:

H.J. RES. 617. Joint resolution to authorize an ex gratia contribution to certain inhabitants of the Trust Territory of the Pacific Islands who suffered damages arising out of the hostilities of the Second World War, to provide for the payment of noncombat claims occurring prior to July 1, 1951, and to establish a Micronesian Claims Commission.

U.S. CONFERENCE OF MAYORS URGES THE PRESIDENT TO SIGN THE ACCELERATED PUBLIC WORKS LEGISLATION

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

Mr. McFALL. Mr. Speaker, during the debate last Tuesday on the accelerated public works legislation, S. 575, my floor statement was not complete and did not include a list of witnesses heard by the Public Works Committee when the legislation was identified as H.R. 5376. This list was inadvertently omitted but did appear in the June 16 issue of the CONGRESSIONAL RECORD in the Extensions of Remarks section.

Last Wednesday, the U.S. Conference of Mayors, assembled in Philadelphia, urged the President to sign the accelerated public works legislation now on his desk for signature. I am glad to include at this point of the RECORD a copy of the U.S. Conference of Mayors' resolution:

ACCELERATED PUBLIC WORKS LEGISLATION

Whereas, unemployment is at its highest levels in nearly a decade; and

Whereas, because of the local financial crisis many cities are unable to construct urgently needed public works facilities; and

Whereas, the Congress has passed the Accelerated Public Works Act to provide $2 billion to aid local localities in areas of high unemployment construct needed public works facilities; and

Whereas, the Accelerated Public Works Act in combination with the public service employment legislation will aid significantly in solving unemployment problems and upgrading the quality of municipal services. now, therefore, be it

Resolved, That the United States Conference of Mayors urges the President to sign the Accelerated Public Works Act; and be it further

Resolved, That the Conference urges the Administration and the Congress to appropriate and commit to local projects the full $2 billion in assistance authorized in the Accelerated Public Works Act.

FREEDOM OF THE PRESS

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

Mr. RONCALIO. Mr. Speaker, when I offered my cosponsorship to the newsmen's privilege bill of 1971, H.R. 9027, I noted that the better part of my adult life has been spent in the pursuit of law and journalism.

I am, therefore, especially sensitive to any encroachment on the freedom of the press, which I consider vital to a free society. The Government cannot tamper with the freedom of the press without tampering with the right of the public to information essential for the operation of a democratic society.

Without touching here on the complex historical and legal consideration in-

volved in the recent Justice Department action with regard to the New York Times, I would here affirm my conviction that encroachment on freedom of the press can only be viewed as a prelude to the denial of other basic constitutional freedoms.

This latest action by the Justice Department comes as its second serious error of this year. When the veterans of the Vietnam conflict came to this city, the Justice Department rushed to court to request an injunction against them, and 2 days later went back to court to withdraw that request. I believe this is alarming evidence of basic unsound policy, of jittery guardians of justice.

I, therefore, urge you, Mr. Speaker, to join with the majority leader of the other body in launching full-scale congressional hearings on the New York Times issue and the executive policy of classification of documents in general. Nothing less than the right of free expression in America is at stake here.

THE MERCHANT MARINE AND GRAIN PRODUCERS MUST REALIZE THEIR MAXIMUM VALUE TO SOCIETY

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

Mr. ANDERSON of California. Mr. Speaker, by eliminating the requirement that U.S.-flag vessels carry at least 50 percent of the grain to Communist China, another blow has been struck for the foreign and runaway shippers who would like to see the U.S. flag disappear from the high seas.

Mr. Speaker, we must not let this happen. We must build up our merchant marine, which presently carries less than 5 percent of our foreign commerce.

Besides being in the interest of our national defense, it is in our economic interest. A U.S.-flag vessel pays taxes to the U.S. Government—foreign vessels do not.

U.S. maritime workers—seamen, yard workers—pay taxes to the U.S. Government. Foreign seamen and workers do not.

Mr. Speaker, we must reach an agreement whereby two important segments of our economy—merchant marine and grain producers—both can realize their maximum value to our society.

THE REVERSION OF OKINAWA TO JAPAN

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

Mr. MONTGOMERY. Mr. Speaker, the reversion of Okinawa to Japan appears to be an accomplished fact without any type of congressional approval. I am deeply concerned over this action.

Okinawa is very valuable from a military standpoint since it is the only U.S. possession within a reasonable distance of Peking, Seoul, Saigon, Bangkok, and Hanoi. It is a very important site for nuclear and modern conventional weapons needed for the preventive defense of the Pacific, and more specifically the State of Hawaii and America's west coast.

Okinawa also holds a great deal of historical and sentimental value since 12,000 U.S. servicemen gave their lives to liberate Okinawa.

I hardly believe the payment to be made by Japan will be just compensation for the suffering caused during World War II and the vast defense installation our Nation has built out of necessity since the end of the war.

Japan has also approached Russia concerning the return of an island being occupied by the Soviets. Of course, you can imagine where the Russians told the Japanese Government to go.

TRUCK BUMPERS

(Mr. SCHWENGEL asked and was given permission to revise and extend his remarks.)

Mr. SCHWENGEL. Mr. Speaker, I was shocked this morning to learn that the Department of Transportation has abandoned its efforts for the present to establish requirements for rear bumpers or underride guards on trucks. The National Highway Traffic Safety Administration states:

> Based upon the information received in response to the notices and evaluations of cost and accident data, the administration has concluded that, at the present time, the safety benefits achievable in terms of lives and injuries saved would not be commensurate with the cost of implementing the proposed requirements.

Mr. Speaker, this is incredible and unbelievable. Testimony and the record show that collision between the truck and passenger cars is very frequent and when this happens, the truck and/or truckdriver has, by far, the best chance of coming out without injury or death. In fact, testimony before the Public Works Committee indicates in every 37 deaths where trucks and passenger cars are involved, there is only one truckdriver killed compared to 36 passenger car drivers. Testimony further shows that proper bumpers on both cars and trucks could have saved a large percentage of these plus millions of dollars in property value.

Mr. Speaker, I am contacting the Department of Transportation and all people in the Government who deal with safety to call attention to the volumes of testimony that shows that there is a need for study on the need for bumpers and that trucks can be made more safe, millions of dollars in property damage can be averted, and most importantly lives can be saved. Further, Mr. Speaker, if we are so lacking in technical expertise that we can minimize proper protection of the rear end of trucks, we clearly are not in any position to allow any increase in the size or weight of these vehicles. Someone must, and I will, pursue this problem until we bring some reasonable judgment to all in government who can be influential in making our vehicles safe and they certainly will be safer when all vehicles have the adequate and efficient bumpers that are available and can and should be put on all vehicles.

IOWA RURAL ELECTRIC YOUTH TOUR

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

Mr. MAYNE. Mr. Speaker, during this week it has been my great privilege to meet on several occasions with a truly outstanding group of young Americans. More than 90 of them of high school age have been here in Washington visiting their Nation's Capital on the 14th annual Iowa Rural Electric Youth Tour. They arrived Monday and will return to Iowa on Saturday. Most qualified to represent their own county rural electric coperatives on this trip by writing prize-winning essays on the subject of rural electrification. The contest and tour were organized by the Iowa Association of Electric Cooperatives represenitng 54 REC's and 132,000 rural families.

Twenty-four of these young citizens came from Iowa's Sixth Congressional District which I have the honor to represent. We have had some lively and stimulating discussions of today's issues together during their visit here and I have enjoyed showing them around the Capitol. I have been most impressed by their tremendous interest in and knowledge of our Federal Government. Obviously their parents and teachers have gotten these young people off to an excellent start toward useful and dedicated citizenship. Anyone concerned about continuing and strengthening our American way of life could not help being greatly encouraged and inspired when meeting our Iowa Rural Electric Youth this week. I am confident that our country's future will be in good hands with this new generation of such remarkable character and ability coming up.

I congratulate all of the young Iowans who were selected to make the tour this year and commend the sponsoring Rural Electric Cooperatives of Iowa for making it possible.

AUTHORIZING ADDITIONAL INVESTIGATIVE AUTHORITY TO THE COMMITTEE ON EDUCATION AND LABOR

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 434 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 434

Resolved, That, notwithstanding the provisions of H. Res. 213 of the Ninety-second Congress, the Committee on Education and Labor, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries within its jurisdiction regarding—

(1) the circumstances surrounding the production in foreign nations of goods which are subsequently sold in the United States in competition with domestically produced goods, welfare and pension plan programs in such countries, and the operation by the

Federal Government of elementary and secondary schools, both at home and abroad, with a view to determining means of assuring that the children of officers and employees, and members of the Armed Forces, of the United States will receive high-quality elementary and secondary education in the following countries: Italy, Germany, Austria, Yugoslavia, Greece, the Union of Soviet Socialist Republics, Kenya, and Ethiopia;

(2) postsecondary education, including vocational and technical education, in the following countries: Austria, Germany, the Union of Soviet Socialist Republics, and Israel;

(3) laws and practices relating to labor-management relations in the following countries: United Kingdom, France, Italy, and Germany;

(4) educational research, development and innovation and early childhood development and education in the following countries: Poland and the Union of Soviet Socialist Republics.

For the purpose of carrying out each of the investigations, studies, and inquiries enumerated above, the committee is authorized to send not more than eleven members (seven majority and four minority) and three staff assistants (two majority and one minority) to those countries within with such investigation, study, or inquiry is authorized to be conducted.

The Committee on Education and Labor is further authorized to send not more than ten members of the committee (five majority and five minority) to the International Labor Organization Conference to be conducted in Geneva, Switzerland, between June 2, 1971, and June 25, 1971.

Notwithstanding the provisions of H. Res. 213 of the Ninety-second Congress, first session, local currencies owned by the United States shall be made available to the members of the Committee on Education and Labor of the House of Representatives and employees engaged in carrying out their official duties for the purpose of carrying out the authority, as set forth in this resolution, to travel outside the United States. In addition to any other condition that may be applicable with respect to the use of local currencies owned by the United States by members and employees of the committee, the following conditions shall apply with respect to their use of such currencies:

(1) No member or employee of such committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754).

(2) No member or employee of such committee shall receive or expend an amount of local currencies for transportation in excess of actual transportation costs.

(3) No appropriated funds shall be expended for the purpose of defraying expenses of members of such committee or its employees in any country where local currencies are available for this purpose.

(4) Each member or employee of such committee shall make to the chairman of such committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or, if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

(5) Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of differences in time zones.

With the following committee amendments:

On page 2, line 9, strike out "Israel;" and insert in lieu thereof "Japan;".

On page 2, line 19, strike out "eleven members (seven" and insert in lieu thereof "nine members (five".

On page 2, line 25, strike out "ten" and insert in lieu thereof "four".

On page 3, line 1, strike out "(five majority and five minority)" and insert in lieu thereof "(two majority and two minority)".

The SPEAKER. Without objection, the committee amendments will be agreed to.

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to ask a question concerning one of these amendments. There are more than a few country miles difference in distance as between this country and Israel and Japan. Why is Israel now struck out and Japan substituted? This is basically the same resolution the House defeated not so long ago, is it not?

Mr. BOLLING. If the gentleman will yield, no, it is not. It is a substantially modified resolution, and the committee amendments are the modifications.

The question that the gentleman asked about the change from Israel to Japan was made at the request of the chairman of that particular subcommittee, Mrs. GREEN of Oregon. Frankly, I do not know the reason for the change, but it seemed reasonable to me, if the subcommittee did not want to go to Israel, to grant that request. There was no controversy in the committee over there.

Mr. GROSS. It would be interesting to know why the sudden switch. This resolution was before us only a couple of weeks ago.

Mr. BOLLING. I will attempt to find that out and ascertain it and explain it prior to the vote not on the amendment but on the resolution.

Mr. GROSS. I see the gentleman from Kentucky is here. I am sure he can explain why the switch from Israel to Japan.

Mr. PERKINS. If the gentleman will yield, this is authority for a study planned by Mrs. GREEN's subcommittee. There are persuasive reasons for the change. The subcommittee wishes to look at the educational system in Japan rather than in Israel. I am informed that recently new information was brought to Mrs. GREEN's attention about innovations in vocational and technical education in Japan. The subcommittee feels it would be more profitable to study these innovations during their study.

Mr. GROSS. And they do not have innovative ways of doing things in Israel, is that correct?

Mr. PERKINS. Yes; there is a difference. I will say to the gentleman from Iowa that I have worked with the distinguished gentlewoman from Oregon (Mrs. GREEN) for a long time and I respect her judgment in this matter. Mrs. GREEN felt that it would be more important to go to Japan than to Israel.

Mr. GROSS. Is this a better time of the year to go to Japan than it is to go to Israel?

Mr. PERKINS. They are contemplating going to Japan when we are in recess. They would stay on the job here when the Congress is in session.

Mr. GROSS. They are also going, or would be authorized to go, to Austria, Germany, the Soviet Union, and Japan.

Mr. PERKINS. They will not go before the August recess.

Mr. GROSS. Are they going to be able to do all that during the Fourth of July recess?

Mr. PERKINS. No, no, no. It will be during the August recess. That is the time when the subcommittees have made their plans to travel, not before.

Mr. GROSS. With respect to these tourists who are going over to the International Labor Organization conference—and I note the number has been reduced from 10 to four. According to this resolution, the ILO conference ends on June 25. Are they going to get there in time for the ending of it, or what is the story?

Mr. BOLLING. Mr. Speaker, if the gentleman will yield, the gentleman asks a good question and I asked the same question. They said that the ILO will be in session for the rest of this week and next week.

Mr. GROSS. The rest of this week is today, is it not, insofar as any business meeting? And I cannot conceive that they will meet on Saturday and Sunday in Geneva, Switzerland.

Mr. BOLLING. The gentleman handling this matter is not familiar with whether they do or do not.

Mr. GROSS. How are they going to sail up and down the blue Danube and do a few other things if not over the week end.

Mr. PERKINS. Mr. Speaker, if the gentleman will yield further, the last week is not most important week of the conference. The State Department has suggested if any of our representatives go, that we certainly attend during the last week.

Mr. GROSS. If the State Department wanted them over there so badly, it could send them, could it not?

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

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

Mr. HAYS. I will say to the gentleman from Iowa that unless they have moved the blue Danube, it is nowhere near Geneva.

Mr. GROSS. They can get to the blue Danube from Geneva for the weekend. I know where the blue Danube is, and there will be no trouble for them to go from Geneva to the blue Danube over the weekend.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I have not seen the blue Danube but Lake Le Mans is very attractive.

In response to the question about the State Department, unhappily, they have no funds, as they say, with which to send any warm bodies to Geneva. One of our closest friends from Missouri and distinguished colleagues is in the air now somewhere between Ohio and here.

Mr. GROSS. That is about the saddest situation I have heard of today, that the State Department does not have any money with which to send tourists

around the world, and especially Members of Congress. That is, indeed, sad. I would hope that the proper committee would do something about it.

Mr. THOMPSON of New Jersey. I would hope so, too. As the gentleman from Iowa knows, some of us—innumerable friends of the gentleman from Iowa, have been urging the gentleman for some time to tour some of the places of the world. I hope the gentleman will do so. Of course the gentleman will have to stay here until after June 30 which we will celebrate here appropriately.

Mr. GROSS. The gentleman should be aware of the fact that my personal physician, the gentleman from Missouri (Mr. HALL) has not yet given me clearance for such travel.

Mr. THOMPSON of New Jersey. If I can continue further, I have been assured that he has promised to do a complete rundown for us between now and the 30th of June—a matter which we will refer to on that auspicious day. And the gentleman knows the resolution that the gentleman from Ohio (Mr. ASHBROOK) has, it is a sense of the House resolution urging the gentleman from Iowa to travel, but including in that resolution, of course, a requirement that his personal physician, the gentleman from Missouri (Mr. HALL) accompany him.

Mr. GROSS. Does the gentleman from New Jersey (Mr. THOMPSON) or the gentleman from Missouri (Mr. BOLLING) really think there can be any accomplishment on the part of these four Members who are going over, together with staff, to Geneva, for the closing-out week of the International Labor Conference?

Surely there will be closing festivities for the next 2 or 3 days. Does the gentleman really think there will be anything accomplished?

Mr. BOLLING. The gentleman would have to reply to the gentleman from Iowa that he does not know, but he assumes there would be because of the presence of a very bipartisan and very competent group which includes the gentleman from Ohio (Mr. ASHBROOK). I have been assured by everybody involved—and I have never been to an ILO conference and, in fact, I have only been to Geneva to change planes—but I have been assured by everybody, including people in the executive branch, that this is an important conference, and that they do hope that these Members will be able to go.

I frankly do not know anything about the schedule or the festivities, or the business.

Mr. GROSS. Only last year we were denying the ILO any new money. We said then that we were through with contributing to the organization because a Communist supported candidate had been elected to one of the most important posts.

I wonder why we have so quickly reestablished such an affinity for the organization that we must rush this delegation over to Geneva.

But I would like to ask the gentleman, is this resolution 50 percent of the business that is going to be called up today? Is that what we are here for today, to take up this resolution as 50 percent of the business?

Mr. BOLLING. No, I understand there is another item on the schedule, a bill from the Committee on Interstate and Foreign Commerce. I frankly do not believe I am qualified to describe this as any particular percentage of the total business.

Mr. GROSS. So on this Friday at least 50 percent of the business is to get four people on their way to Geneva?

Mr. BOLLING. I would like to reply to that, if the gentleman from Iowa will permit me, by saying that this is the first time in years and years that I have been here that the Members of this House have had a schedule provided to them by the leadership on both sides, and that we have known for the first time in my experience here when there would be recesses, and when there would be days to work. It was announced some time ago—and I do not remember exactly when—that this would be a day on which the House would work. We have some work to do, and we are doing the work that we are able to do. I happen to think that it makes a great deal of difference to all the Members that we are now operating on a schedule, and I happen to have a sort of a simple-minded view that, while we know when we can be away, when we are supposed to be working we ought to be here.

Mr. GROSS. I appreciate the gentleman's explanation, but I am sure the gentleman is aware that two of the bills programed for this week will not be brought up this afternoon—I do not know why. I do not know why we cannot go along until 7 or 8 o'clock tonight, if necessary, to finish the bills that were programed for this week.

Mr. BOLLING. I am perfectly willing to comment on that, although I am not in the leadership and I am not in a position to talk about delays in schedules. But I have with me a copy of a card which notes what rules are outstanding and I am aware that we are going to have a good many appropriations bills next week. But what has happened today really has very little to do with the two bills. The fact is the House has caught up with its committees and what we really need today and other days in the future if we are going to succeed in moving relatively rapidly is to have more matters before the Committee on Rules to be cleared by the Committee on Rules. Since I am a member of the Committee on Rules, I feel justified in making that comment.

We have mostly bills on schedule on the card I have in my hand which have been deferred for various specific reasons and we have scheduled for the immediate future. There is no great backlog before the House and I think we are moving in an orderly fashion.

Mr. GROSS. The House may have caught up with the committees but it has not caught up with itself, otherwise we would dispose of this afternoon the two bills that apparently are being carried over. I do not want to be too critical, but I cannot understand why we were called into session today to pass this congressional junketing resolution which was defeated a couple of weeks ago and ought to be defeated today.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Without objection, the committee amendments are agreed to.

There was no objection.

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

Mr. Speaker, this resolution has been around before. It is a retread. Originally, when it was presented to the Committee on Rules, it called for 15 members on each of the four subcommittees to travel. It called for 10 members—five of the majority and five of the minority to go to the ILO conference.

It was reduced by the Rules Committee, but nevertheless when it came to the floor with 11 Members to travel on each of the subcommittees, and 10 for the ILO, it was defeated. It was defeated narrowly, but it was defeated.

It was reintroduced by the chairman of the Committee on Education and Labor—at 11 for each of the committees to travel with the staff authorization of three.

The Committee on Rules saw fit to reduce again the recommendation of the Committee on Education and Labor and we reduced the number of subcommittee members who may travel from 11 with a division of seven and four—to nine, with a division of five and four—in other words, five of the majority and four of the minority.

We reduced the number of Members to go to the ILO, the International Labor Organization, from 10—that is five and five to four—that is two and two.

There are no staff authorized to go to the ILO conference.

I think we responded to the action of the House when it defeated the resolution, and it seems to me this resolution should be passed and passed promptly and I hope unanimously.

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

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

Mr. Speaker, on May 6, only a couple of weeks ago, the House considered House Resolution 434, the travel resolution from the Committee on Education and Labor, as the gentleman from Missouri has explained.

Mr. Speaker, this resolution was defeated on a rollcall vote by a vote of 172 to 156.

Shortly thereafter, incredible as it may seem, the chairman of the Committee on Education and Labor again reintroduced exactly the same travel resolution as had been defeated a few days previously on the floor of the House.

Then on June 14, the chairman of the Committee on Education and Labor wrote a letter, I assume to all members of the Committee on Rules, suggesting that the number of observers, and I want to emphasize that they are observers and not delegates to the ILO conference in Geneva be reduced from 10 to four—that is two on both sides of the aisle.

His letter also requested 10 members from each of the four subcommittees to travel, six and four for each one of the four subcommittees.

The House Rules Committee considered this resolution earlier this week and reduced the number from 10 to nine,

and the observers to the ILO would number four. The chairman of the Education and Labor Committee had requested that.

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

Mr. MARTIN. I yield to the gentleman from Florida.

Mr. HALEY. May I suggest to the chairman of the House Committee on Education and Labor that he study the school systems of this Nation, because certainly in the last few years his committee has so disrupted the school systems of our Nation that they now need a lot of study. Some things need to be done in order to help the schoolchildren of America, rather than running off all over the world. I just do not think it is fair that we go abroad and try to get the people of other countries to adopt any school system that we have here.

Mr. MARTIN. I thank the gentleman for his remarks.

I would like also to call attention, Mr. Speaker, to the fact that the ILO sessions began on June 2. They conclude next Thursday. Normally no business is conducted at the ILO on weekends, Saturdays and Sundays. In other words, the four-member delegation who would be allowed to go by this resolution would only be there during the sessions of the 4 days of next week, because the convention concludes on Thursday.

As was brought out in the previous debate on this resolution on May 4, Mr. ROONEY, the distinguished chairman of the Subcommittee on Appropriations for the Department of Justice and State, and Mr. Bow, of Ohio, the ranking member of that subcommittee, saw that funds for paying the assessment of the United States to the ILO were eliminated from the appropriation bill last year. It was also stated by those two gentleman on the floor during the course of that debate that, as far as they were concerned, they did not want to include, and did not plan to include any funds for the U.S. assessment of the ILO in the coming fiscal year.

It was further stated that there would be embarrassment in the position of the Congress in cutting out these funds from the appropriation bill and then to go ahead and send 10 Members as observers to the ILO Convention.

Mr. Speaker, I think that same argument still holds, even though the number has been reduced to four.

There is very little that can be accomplished. The Members from the House would not be delegates; they would merely be observers. Only four voting delegates are allowed to each nation. In the case of our country, one would be from the State Department, one from the Department of Labor, one from industry, who is appointed by the U.S. Chamber of Commerce, and one from labor, who would be appointed by the AFL–CIO. Those are the only four members who have any say in any vote in the activities of the ILO Convention. Members of Congress are simply observers.

I was informed this morning that one Member from the other body, on a trip to Europe for another purpose, Senator JAVITS, of New York, spent 2 days at Geneva. He is the only Member from the other body who had been there, and, as I said, he was in Europe on other business and stopped by in Geneva to attend the sessions for 2 days. It does not appear of great importance that Members of the Congress be in attendance at that ILO meeting.

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

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

Mr. HALL. I appreciate the distinguished gentleman from Nebraska, of the Committee on Rules, yielding to me.

I rise simply to ask a question and in the search of information. I have more than a personal and vested interest as a member of the Committee on Armed Services, in what we call our defense schools abroad.

Item 1 of the first "Resolved" in the resolution under consideration, refers to those circumstances; and a study of the operation by the Federal Government of elementary and second schools abroad, in determining that the children of officers and employees and dependent members of the Armed Forces of the United States will receive high-quality elementary and secondary education in the following countries listed, et cetera.

That certainly is noteworthy. I have done a lot of pondering and mulling over this resolution since it was defeated on May 6 of this year in this body. I am certainly for proper training of our students who are dependents of defense members stationed overseas.

However, does the gentleman know if we have any defense schools in Kenya and Ethiopia? If not, why would we want to study the Federal school system abroad in those two nations?

Mr. MARTIN. I might also add that Yugoslavia and the Union of Soviet Socialist Republics are included. To my knowledge there are no overseas schools there, because there are no American troops stationed in those countries.

I should like to point out, in fairness, in the first sentence of this resolution it is stated:

> The circumstances surrounding the production in foreign nations of goods which are subsequently sold in the United States in competition with domestically produced goods.

That is one item which the subcommittee will check into, which is in addition to checking into overseas schools.

Mr. HALL. I thank the gentleman. I presume, then, Kenya and Ethiopia do export a lot of goods in competition with our products, and this is partly responsible for the imbalance of trade?

Mr. MARTIN. I could not answer the gentleman's question with regard to that, but I understand they are checking both these matters.

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

Mr. MARTIN. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. Did I correctly understand the gentleman to say the final week of the International Labor Organization conference is dedicated to salubrious festivities rather than to business?

Mr. MARTIN. I cannot answer the gentleman's question. I was there once, but I believe it was the first week of the session, which goes on for 3 weeks. That is the only time I have been there. I was not there the last week of the session. Perhaps the gentleman from New Jersey (Mr. THOMPSON) has been there.

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

Mr. MARTIN. I yield to the gentleman from Ohio.

Mr. HAYS. I would say to the gentleman from Iowa that the conference is like most international conferences and like the Congress of the United States: it does most of its work the last week.

Mr. GROSS. Well, if the gentleman will yield further, of course, there are various forms of work. Some involves the use of arms and elbows. The question is what constitutes "work" on an occasion of that kind.

Mr. MARTIN. I would be happy to yield to the gentleman from New Jersey for an answer.

Mr. THOMPSON of New Jersey. Mr. Speaker, in response to the gentleman from Iowa, I would say I do not know about any other international bodies, but the procedure at the International Labor Organization is first the reconstituting of the annual offices. The first half, at least, of the conference is absorbed by a discussion of and debate on the Director General's report, during which time many, many committees are considering the annual conventions. It might be a reverse of other international bodies, but the fact is that during the last week the most intensive work is done, because the conventions, if there are to be any, which have been debated during the first 10 days or so, are there enacted. The body is in actual voting session.

So the fact is that the description, humorous though it is by the gentleman from Ohio, is accurate. It is a fact that the intensive work and the most constructive work of all is done in the last several days.

Mr. MARTIN. Mr. Speaker, I would like to draw attention again to the fact that Members of Congress are observers and not delegates. In view of the fact that they have not been there, it is hard for me to understand and realize how they would have any first-hand information as to what has gone on before with only 4 days of this conference left.

I hope this resolution is once again defeated.

Mr. BOLLING. Mr. Speaker, I want to say briefly that in a letter dated June 14, received from the Deputy Under Secretary of Labor for International Affairs, there is enclosed and made a part of it a background paper from the administration which makes clear that the President of the United States is anxious that the United States continue to participate in the ILO. I am informed that the State Department does in fact desire that Members of the Congress participate in the available time in the proceedings of the ILO. Therefore, I urge that this resolution be approved. It was overwhelmingly adopted and sent to the floor of the House by the Committee on Rules, and I believe it deserves the support of every Member.

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

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the resolution.

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

Mr. KYL. 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 Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 183, nays 119, not voting 131, as follows:

[Roll No. 147]

YEAS—183

Abbitt	Hamilton	Peyser
Abourezk	Hansen, Idaho	Pickle
Alexander	Hansen, Wash.	Pirnie
Anderson, Calif.	Harvey	Poage
	Hathaway	Preyer, N.C.
Anderson, Tenn.	Hawkins	Price, Ill.
	Hays	Pryor, Ark.
Annunzio	Hechler, W. Va.	Pucinski
Aspin	Henderson	Purcell
Aspinall	Hicks, Mass.	Quie
Begich	Hicks, Wash.	Rees
Bergland	Hogan	Roberts
Bingham	Hosmer	Rodino
Blanton	Howard	Roe
Boggs	Jacobs	Roncalio
Boland	Johnson, Calif.	Rooney, N.Y.
Bolling	Jonas	Rooney, Pa.
Brademas	Jones, Ala.	Rostenkowski
Brooks	Kastenmeier	Roybal
Brown, Mich.	Kazen	St Germain
Burke, Mass.	Keith	Sandman
Burlison, Mo.	Kemp	Sarbanes
Burton	Klucyznski	Satterfield
Byrne, Pa.	Kyros	Scheuer
Byron	Landrum	Shipley
Cabell	Link	Sikes
Caffery	Long, Md.	Sisk
Casey, Tex.	McClory	Skubitz
Chisholm	McCloskey	Slack
Clay	McCormack	Smith, Iowa
Collins, Ill.	McFall	Smith, N.Y.
Colmer	McKay	Stafford
Cotter	Macdonald, Mass.	Staggers
Culver		Stanton, J. William
Daniel, Va.	Madden	
Daniels, N.J.	Mailliard	Stanton, James V.
Danielson	Matsunaga	
Davis, Ga.	Mayne	Steed
de la Garza	Mazzoli	Steiger, Wis.
Dellenback	Melcher	Stephens
Dellums	Metcalfe	Stokes
Derwinski	Mikva	Stratton
Downing	Miller, Calif.	Stubblefield
Edwards, Calif.	Minish	Sullivan
Eilberg	Mink	Symington
Esch	Mitchell	Teague, Tex.
Evans, Colo.	Monagan	Thompson, N.J.
Evins, Tenn.	Moorhead	Udall
Fascell	Morse	Ullman
Foley	Mosher	Van Deerlin
Ford, Gerald R.	Murphy, Ill.	Vigorito
Ford, William D.	Murphy, N.Y.	Waggonner
	Natcher	Waldie
Forsythe	Nedzi	Ware
Frelinghuysen	Nix	Watts
Fulton, Pa.	Obey	Whalen
Galifianakis	O'Hara	White
Garmatz	O'Konski	Widnall
Gaydos	Passman	Williams
Giaimo	Patman	Wolff
Gonzalez	Patten	Yates
Green, Pa.	Pepper	Young, Tex.
Gude	Perkins	Zablocki

NAYS—119

Andrews, Ala.	Burke, Fla.	du Pont
Andrews, N. Dak.	Burleson, Tex.	Dwyer
	Carter	Flowers
Archer	Chappell	Goodling
Baker	Clausen, Don H.	Griffin
Belcher		Gross
Bennett	Clawson, Del	Grover
Bevill	Collins, Tex.	Hagan
Biester	Conte	Haley
Blackburn	Coughlin	Hall
Bow	Davis, S.C.	Hammer-schmidt
Bray	Denholm	
Brinkley	Dickinson	Harsha
Brotzman	Dow	Hastings
Broyhill, Va.	Dowdy	Hébert
Buchanan	Duncan	Hillis
Hull	Mahon	Schneebeli
Hungate	Mann	Schwengel
Hunt	Martin	Scott
Hutchinson	Mathis, Ga.	Sebelius
Ichord	Michel	Shriver
Jarman	Miller, Ohio	Smith, Calif.
Johnson, Pa.	Mills, Md.	Snyder
Jones, N.C.	Minshall	Spence
Jones, Tenn.	Mizell	Springer
King	Montgomery	Steiger, Ariz.
Kuykendall	Myers	Talcott
Kyl	Pettis	Taylor
Landgrebe	Pike	Teague, Calif.
Latta	Poff	Thomson, Wis.
Lennon	Powell	Thone
Lent	Quillen	Vander Jagt
Lloyd	Randall	Wampler
Lujan	Rarick	Whitehurst
McClure	Reid, Ill.	Wiggins
McDade	Rhodes	Wilson, Bob
McDonald, Mich.	Robinson, Va.	Winn
	Robison, N.Y.	Wylie
McKevitt	Rousselot	Wyman
McKinney	Scherle	Young, Fla.
McMillan	Schmitz	Zion

NOT VOTING—131

Abernethy	Dulski	Mathias, Calif.
Abzug	Eckhardt	Meeds
Adams	Edmondson	Mills, Ark.
Addabbo	Edwards, Ala.	Mollohan
Anderson, Ill.	Edwards, La.	Morgan
Arends	Erlenborn	Moss
Ashbrook	Eshleman	Nelsen
Ashley	Findley	Nichols
Badillo	Fish	O'Neill
Baring	Fisher	Pelly
Barrett	Flood	Podell
Bell	Flynt	Price, Tex.
Betts	Fountain	Railsback
Biaggi	Fraser	Rangel
Blatnik	Frenzel	Reid, N.Y.
Brasco	Frey	Reuss
Broomfield	Fulton, Tenn.	Riegle
Brown, Ohio	Fuqua	Rogers
Broyhill, N.C.	Gallagher	Rosenthal
Byrnes, Wis.	Gettys	Roush
Camp	Gibbons	Roy
Carey, N.Y.	Goldwater	Runnels
Carney	Grasso	Ruppe
Cederberg	Gray	Ruth
Celler	Green, Oreg.	Ryan
Chamberlain	Griffiths	Saylor
Clancy	Gubser	Seiberling
Clark	Halpern	Shoup
Cleveland	Hanley	Steele
Collier	Hanna	Stuckey
Conable	Harrington	Terry
Conyers	Heckler, Mass.	Thompson, Ga.
Corman	Helstoski	Tiernan
Crane	Holifield	Vanik
Davis, Wis.	Horton	Veysey
Delaney	Karth	Whalley
Dennis	Keating	Whitten
Dent	Kee	Wilson, Charles H.
Devine	Koch	
Diggs	Leggett	Wright
Dingell	Long, La.	Wyatt
Donohue	McCollister	Wydler
Dorn	McCulloch	Yatron
Drinan	McEwen	Zwach

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Dent for, with Mr. Broyhill of North Carolina against.

Mr. Dulski for, with Mr. Frenzel against.

Mr. Grasso for, with Mr. Frey against.

Mrs. Green of Oregon for, with Mr. Keating against.

Mrs. Griffiths for, with Mr. McCollister against.

Mr. Holifield for, with Mr. Price of Texas against.

Mr. Riegle for, with Mr. Abernethy against.

Mr. Moss for, with Mr. Shoup against.

Mr. Ashbrook for, with Mr. Fisher against.

Mr. Horton for, with Mr. Fountain against.

Mr. Reid of New York for, with Mr. Fuqua against.

Mr. Hanley for, with Mr. Gettys against.

Mr. Hanna for, with Mr. Nichols against.

Mr. Charles H. Wilson for, with Mr. Stuckey against.

Until further notice:

Mrs. Abzug with Mr. Conyers.

Mr. Tiernan with Mrs. Heckler of Massachusetts.

Mr. Ashley with Mr. Bell.

Mr. Addabbo with Mr. Pelly.

Mr. Brasco with Mr. Halpern.

Mr. Carey of New York with Mr. Mathias of California.

Mr. Delaney with Mr. Devine.

Mr. Celler with Mr. Arends.

Mr. Rosenthal with Mr. Diggs.

Mr. Donohue with Mr. Betts.

Mr. O'Neill with Mr. Anderson of Illinois.

Mr. Ryan with Mr. Railsback.

Mr. Vanik with Mr. Thompson of Georgia.

Mr. Wright with Mr. Zwach.

Mr. Yatron with Mr. Broomfield.

Mr. Karth with Mr. Nelsen.

Mr. Biaggi with Mr. Cederberg.

Mr. Barrett with Mr. Crane.

Mr. Adams with Mr. Erlenborn.

Mr. Harrington with Mr. Badillo.

Mr. Baring with Mr. Camp.

Mr. Blatnik with Mr. Whalley.

Mr. Carney with Mr. Fish.

Mr. Morgan with Mr. McEwen.

Mr. Podell with Mr. Brown of Ohio.

Mr. Reuss with Mr. Byrnes of Wisconsin.

Mr. Flynt with Mr. Clancy.

Mr. Flood with Mr. Gubser.

Mr. Fraser with Mr. Rangel.

Mr. Fulton of Tennessee with Mr. Wydler.

Mr. Gallagher with Mr. Conable.

Mr. Meeds with Mr. Edwards of Alabama.

Mr. Leggett with Mr. Findley.

Mr. Koch with Mr. Roy.

Mr. Dingell with Mr. Dennis.

Mr. Edmondson with Mr. Saylor.

Mr. Helstoski with Mr. Chamberlain.

Mr. Mollohan with Mr. Cleveland.

Mr. Corman with Mr. Steele.

Mr. Clark with Mr. Eshleman.

Mr. Dorn with Mr. Davis of Wisconsin.

Mr. Eckhardt with Mr. Ruppe.

Mr. Gibbons with Mr. Collier.

Mr. Rogers with Mr. Ruth.

Mr. Runnels with Mr. Terry.

Mr. Roush with Mr. Wyatt.

Mr. Mills of Arkansas with Mr. Veysey.

Mr. Whitten with Mr. Goldwater.

Mr. Drinan with Mr. Kee.

Mr. Gray with Mr. Long of Louisiana.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. SYMINGTON. Mr. Speaker, I wish to state for the RECORD that on recorded teller vote 143 yesterday I voted "aye" but had intended to vote "no."

PERMISSION FOR COMMITTEE ON RULES TO FILE A REPORT

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

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

There was no objection.

HEALTH PROFESSIONS STUDENT LOAN AND SCHOLARSHIP EXTENSION

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 480 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 480

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. 7736) to attend the Public Health Service Act to extend for one year the student loan and scholarship provisions of titles VII and VIII of such 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 Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

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

First, Mr. Speaker, there is a printing error on page 1, line 4, where the word "attend" appears in the resolution. That should be "amend."

Mr. Speaker, I ask unanimous consent that that error be corrected.

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

There was no objection.

Mr. BOLLING. Mr. Speaker, I know of no opposition to this resolution and I know of no opposition, in fact, to the bill which it makes in order. The rule makes clear that the purpose of this bill is to extend for 1 year the existing authorization for student loan and scholarship provisions of titles VII and VIII of the Public Health Service Act. Knowing of no controversy in the matter, Mr. Speaker, I urge the adoption of the resolution and reserve the balance of my time.

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

Mr. MARTIN. Mr. Speaker, as the gentleman from Missouri has explained, House Resolution 480 provides for an open rule with 1 hour of general debate on H.R. 7736, the Public Health Service Act.

The purpose of the bill is to extend for 1 year—fiscal 1972—present programs of student loans and scholarships under the Health Professions Educational Assistance Act and the Nurse Training Act.

The President's program, embodied in H.R. 5614, calls for terminating these programs and replacing them with a program of federally guaranteed loans. The committee determined to continue and expand the existing system of medical training assistance, and has reported two comprehensive bills—H.R. 8629 and H.R. 8630. The bill was reported to insure continuation of existing programs for the next fiscal year in case the other bills do not become law.

For fiscal 1971 approximately $40,500,000 has been appropriated for health professions student assistance, $25 million in direct loans and some $15,500,000 in scholarships. Federal assistance is about 52 percent of the total aid available to students.

The administration supports H.R. 5614, rather than the committee's reported bill. It wants to replace the direct loan and scholarship program with a federally guaranteed loan program which is geared to needy students.

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

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7736) to amend the Public Health Service Act to extend for 1 year the student loan and scholarship provisions of titles VII and VIII of such act.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 7736, with Mr. WALDIE in the chair.

The Clerk read the title of the bill.

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

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

The Chair recognizes the gentleman from West Virginia.

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

Mr. Chairman, the reason this bill is being brought up today is because it is important that we do not stop aid to those students who are contemplating entering our medical schools, nursing schools, and other health professions schools this fall.

Mr. Chairman, this bill should be passed in order to deal with a possible serious problem facing our schools of medicine, dentistry, and other health professions, and schools of nursing.

The existing authorization for student loans and scholarships expires June 30 of this year, and the administration has recommended legislation which would substantially revise the existing scholarship program, and which would eliminate the student loan program for new students in health professions schools. The budget as submitted in January is based on the assumption that these changes will be put into effect.

The Interstate and Foreign Commerce Committee has reported legislation to the House which would continue the existing student loan programs, and also continue the scholarship program for fiscal year 1972 on the same basis as presently exists. In order to enable schools of the health professions to plan for their class entering this fall, it is necessary that the schools know how much will be available to them for loan and scholarship assistance from Federal funds, but there is presently no appropriation authorization for these programs.

Passage of this legislation would permit appropriations for these programs at an early date, so that in the event there is any delay in passage of overall health manpower legislation, the schools will not be in the position of not knowing what assistance can be offered to students this fall. As I mentioned, it may be that this legislation will prove unnecessary and we certainly hope so because we want to get comprehensive legislation to the President for his signature before June 30 if possible. This bill is designed to deal with an emergency situation that would be created by any possible delay in the enactment of the comprehensive bills.

I think it is extremely important that we pass this bill before us today.

This bill carries $111 million for the year 1972.

I might explain this to the House; if we get H.R. 8629 and H.R. 8630 comprehensive health manpower bills, though, they will supersede this bill.

As I mentioned before, it is entirely within the realm of possibility that this bill will never go into effect, but that is very remote in view of the situation over in the other body relating to their versions of the overall health manpower bills, including the larger amounts of money contained in their version, and the major differences in the two bills.

Mr. Chairman, the question was asked earlier today about why the other two bills are not being called up. I will say this: that I asked the Speaker of the House to take those two bills off the schedule for today. I did this because many Members of this House were to be absent, because they had other obligations to fulfill. I have been contacted by many Members who said they were intensely interested in the nursing program and the doctors' program, and wanted the bills put off so they could be here when the bills are considered.

Therefore I asked the Speaker of the House not to bring up the other two bills today. I take responsibility for that.

I would like to say further, in mentioning our Speaker, that I saw what in my opinion was a very outrageous article in the Evening Star yesterday. It was the opinion of one man, I suppose, about the leadership of this House. I concede the reporter his right to his opinion, but I have my own opinions about the Speaker and the majority leader of the House, and my opinions differ strongly from those expressed in the article. And on that I want to say that, after 23 years' experience here, in my opinion the leadership of this House today is as well equipped, if not better equipped, than any leadership I have ever served under. The Speaker today has served as whip and majority leader under two great men—Sam Rayburn and John McCormack—and he knows, from experience, how to get the best out of the House. The gentleman from Louisiana has earned this position through long service and ability.

Nobody appointed these men—we, here in the House, elected them because we thought they were the best qualified men for the jobs, and they are.

If given a chance by this House and by the press, they will serve, I am sure, as well as any leadership has ever served in the Congress of the United States. I am confident of this fact because of having worked with these gentlemen for the 23 years that I have been here. I certainly am going to try to help in every way. I think they deserve every bit of help they can get from every Member of the House.

I think we are doing a good job so far in the House and I believe that by the end of this session we will have done as well as any other session that we have ever had and perhaps better.

Mr. Chairman, to return to the bill before us it simply is an extension of existing law. We started a program in 1963 for loans for health professions students and in 1964 provided loans for nursing students and in 1965 included scholarship assistance. This bill continues the program for 1 year.

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

The CHAIRMAN. The gentleman from West Virginia has consumed 6 minutes.

The Chair recognizes the gentleman from Illinois (Mr. SPRINGER).

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

Mr. Chairman, I might say that the bill, H.R. 7736, is really only a stopgap measure. The bill is supplemental to the health manpower bills, which will probably be on the floor next week. They were scheduled for today, but have been put over until next week, and will supersede H.R. 7736.

Now why, therefore, should we pass H.R. 7736 today? Simply, for this reason. Present law which makes these scholarships and loans available to students will expire on June 30. We will probably pass our manpower bills next week, but the other body, however, will probably have several weeks yet on their bill. We probably will not get to conference before the latter part of July or the first part of August with the result that unless H.R. 7736 is passed, the student loan program would entirely lapse.

So we are passing this bill in order that the affected scholars may make plans for the fall semester between now and when the President signs the manpower bill.

The manpower bill will improve present law and makes more money available, and I think rightfully so, because we are trying to enlist students from the lower income brackets in the country who we think ought to be in medical schools but who are unable to get into those schools because of the lack of money.

So this bill will only extend the time until the manpower bill is finally put into law and the President signs it.

That is the purpose today of passing this bill, H.R. 7736. We could not afford to allow this loan program to lapse even for only a few weeks.

The recommendation of the committee as to this bill was unanimous, Mr. Chairman, and I urge its passage.

The CHAIRMAN. The gentleman from Illinois has consumed 2 minutes.

Mr. SHOUP. Mr. Chairman, I constantly receive mail from physicians and laymen alike regarding the crisis in health manpower training. I am aware of the fact that the shortage of physicians, nurses, and health technologists is a national problem, but it is particularly acute in America's rural areas. In Montana the shortage of health personnel, particularly in the more rural areas, is reaching crisis proportions. I am aware of several areas in rural western Montana where a single physician is so overworked that his health is in danger. In a country that enjoys unprecedented affluence and technological expertise, such a situation is deplorable, to say the least. Many physicians are forced to leave these already hard-pressed rural areas and reestablish their practices in more populated areas where they can have more time for themselves and their families.

Mr. Chairman, I am convinced that more must be done in reordering our national priorities to provide for the facilities and personnel to reverse this unfortunate situation. I am especially pleased to support legislation that will realistically help to relieve the country of this serious problem. It is my sincere hope that the House will favorably consider and pass H.R. 7736.

Mr. FRENZEL. Mr. Chairman, because of the shortage of health service personnel, the extensive training required to qualify for service, and the necessary high cost for such training, the Federal Government should continue to make loan and scholarship funds available to students in the health care fields.

I therefore am in full support of H.R. 7736, the Health Profession Student Loan and Scholarship Extension.

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in support of H.R. 7736, to extend for 1 year existing authorization for student loans and scholarships under the Health Professions Educational Assistance Act.

It is regrettable that the very heavy schedule we have experienced since the Committee on Interstate and Foreign Commerce reported comprehensive legislation in this field has made it necessary for us to legislate on an emergency basis today a simple 1-year extension of this authority. However, with the assurance of our committee colleagues that there will be no conflict between enactment of this legislation and the more comprehensive legislation we will be acting upon in the near future, I support this interim action today.

We are advised that approximately 4,130 first-year medical students will need loan or scholarship aid this fall, and that aid will be needed by some 5,000 students enrolled in other health professions. Since Federal funds constitute more than half of the loan assistance to such students, any significant delay in extending the authority would force sharp curtailment of the loan programs and jeopardize plans of many students and schools depending on the funds. With less than 3 months remaining before the beginning of the fall semester, we have no choice but to act quickly so schools can make commitments to students with assurance that scholarship and loan funds will be available for them.

While I am pleased to support today's action, this does not lessen my enthusiastic support for the Comprehensive Health Manpower Training Act of 1971 and the Nurse Training Act of 1971 I had hoped we would be considering this week. I hope I speak for the majority of my colleagues in urging the leadership to reschedule these urgently needed measures as soon as possible so we can get on with the business of remedying the desperate shortage of persons trained to meet the growing health needs of our Nation.

Mr. Chairman, I urge enactment of H.R. 7736.

Mr. ROY. Mr. Chairman, due to the exigencies of time available, the House will not be able to consider the comprehensive Health Manpower Act and the Nurses Training Act of 1971 for some time. The other House may be even more dilatory in this regard. In such a situation, the Health Manpower Act of 1968 will lapse on June 30 without replacement or extension.

In most programmatic areas, this lapse will not seriously affect the health manpower situation in this Nation. Construction may be delayed; programs may not be initiated until a later date; but no permanent harm will be done.

But in one area serious difficulty may arise due to this programmatic lapse. This is the area of student loans and scholarships. The difficulty in this area stems from the unique temporal deadline involved with student loans and scholarships. That is, loans and scholarships in precise amounts for hundreds and thousands of individual students must be distributed early in the school year. For without these funds from virtually the first day of school, many students, especially those from disadvantaged backgrounds, will not be able to pay tuition, to pay rent, or perhaps even to pay for food.

With a series of time-consuming steps necessary before these funds actually become available to the individual students, it is important that we act favorably now in the Health Professions Student Loan and Scholarship Expansion. For even after we act, there must be agreement between the two Houses; there must be appropriations; there must be handling of the funds by the Bureau of Health Manpower Education; and, finally, each individual school must determine how and to whom to allocate its share of the funds.

This bill is an extension of current programs which provide vital funds. In order not to unduly hamper the distribution of these funds to students, in order not to create unnecessary hardship to students throughout the Nation, I therefore urge that this bill be accepted by this House today, and that the appropriation mechanism move rapidly to provide these funds in the very near future.

Thank you, Mr. Chairman.

Mr. ROGERS. Mr. Chairman, I rise in support of H.R. 7736, a bill to extend for 1 year the student loan and scholarship authorizations of title VII and VIII of the Public Health Service Act. Because the authorizations for this assistance expires on June 30, Federal support of financial assistance for some 9,100 first-year medical, dental, and other health professions students this fall is in jeop-

ardy. This represents more than one-third of the entering class of 26,000 students.

Mr. Chairman, as you know, the Committee on Interstate and Foreign Commerce has ordered reported H.R. 8629, the Comprehensive Health Manpower Training Act of 1971 and H.R. 8630, the Nurse Training Act of 1971. These bills propose 3-year extensions of the loan and scholarship provisions. It is our intention that these bills will be brought to the floor of the House prior to the June 30, 1971, expiration date of the programs authorized under this legislation until the middle of July. For this reason, this interim measure is necessary. Of course, enactment of the entire health package would supersede the provisions of this bill.

Medical schools and other health professions schools have already issued acceptances for the September term, and must now make commitments of financial aid. Without a clear assurance of aid, many students cannot commit themselves to the financial burden required to attend school. This situation is particularly serious in light of recent efforts which have been made to substantially increase the number of minority and disadvantaged students in the health professions. These efforts are almost entirely dependent on the availability of scholarship and loan assistance.

Passage of a continuing resolution would not alleviate the problem. The appropriation authorization for the health professions student loan program of the Public Health Service Act continues authority to make such loans only to those students to whom loans had been made prior to June 30, 1971. After that date, there is no authority to appropriate funds for loans to new students or to those not previously assisted under the loan program. Similarly, the statutory language for the health professions scholarship program restricts scholarship assistance after June 30, 1971, to students who previously had received such scholarships.

Mr. Chairman, unless we pass this bill, medical school admissions decisions will be disrupted and an even higher barrier would be raised for those applicants who are academically qualified but economically disadvantaged. I urge that the Congress adopt this legislation so that this potential crisis may be averted.

Mr. BOLAND. Mr. Chairman, I want to express my support for this legislation—a stopgap measure calling for a 1-year extension of the student loan and scholarship programs now administered under the Public Health Service Act and the 1964 Nurse Training Act.

The bill would keep these vital programs from lapsing even if the Congress should fail to enact the 1971 Nurse Training Act and the Comprehensive Manpower Training Act.

In essence, Mr. Chairman, it would assure the survival of student aid in the health professions no matter what the fate of the two acts just cited.

The need for such aid is all too obvious. Health professions schools—the schools that turn out doctors, nurses, technicians, and other health personnel—are beset with financial difficulties. Tuition rates are moving upward year by year at a dizzying pace. Without Federal loans and scholarships most students simply cannot afford the burdensome costs.

What is at stake here, Mr. Chairman, is the health of our country's people.

Health professions personnel are already in short supply, lagging far behind the numbers needed to maintain our hospitals and clinics.

The Congress must recognize its responsibility to make adequate medical care available to the people it represents.

I urge passage of this bill.

Mr. ANNUNZIO. Mr. Chairman, I rise today to support H.R. 8629, the Comprehensive Health Manpower Training Act of 1971; H.R. 8630, the Nurse Training Act of 1971; and H.R. 7736, a bill to extend the Health Professions Student Loan and Scholarship programs contained in titles VII and VIII of the Public Health Service Act. Each bill, as reported by the Committee on Interstate and Foreign Commerce, represents a particularly effective and innovative approach toward alleviating the serious shortages of health manpower in this country.

I would like to commend the distinguished chairman of the subcommittee on Public Health and Environment of the Committee on Interstate and Foreign Commerce, the subcommittee members, and the members and chairman of the full committee, Hon. HARLEY O. STAGGERS, for their diligence and forthright understanding of the critical problems that confront the delivery of health care in the United States. The comprehensive provisions contained in the three legislative proposals demonstrate the dynamic leadership of the new chairman of the Subcommittee on Public Health and Environment, Mr. ROGERS of Florida.. I congratulate Mr. ROGERS and his colleagues for developing and recommending a series of proposals that I believe will provide forceful solutions to ease health manpower shortages that currently exist in the United States.

Each of us recognizes that serious health personnel shortages exist and continue to grow. Without adequate supplies of qualified health manpower, the ability of the health care system to meet increasing demands for health services is constantly impaired. These chronic shortages of doctors, nurses, and auxiliary personnel are especially aggravated by a severe maldistribution of existing health manpower. By now, we can cite the figures by rote. According to expert opinion, we lack 50,000 doctors, 150,000 nurses, and thousands upon thousands of allied health personnel. According to current statistics, 134 counties across the United States are without an actively practicing private physician. We read daily of many doctorless communities throughout the Nation that embark on intense efforts to recruit physicians—a search that generally ends in vain. We learn of hospitals that are forced to curtail patient-care activities because they do not have sufficient numbers of nurses. The examples are endless. In my own city of Chicago, health officials have labeled the situation in the inner city area "desperate." Last year, Chicago's outstanding Health Commissioner, Dr. Murray C. Brown, publicly stated the results of a survey taken in Chicago's inner city which indicated that only 85 doctors maintained private offices in the portion of the city south of Eisenhower Expressway. The commissioner termed this a "desperate situation."

Mr. Chairman, for such reasons, I strongly favor the provisions of the three health manpower bills recently reported out of the Committee on Interstate and Foreign Commerce. Briefly, the legislation would extend and significantly modify the provisions of title VII and title VIII of the Public Health Service Act. H.R. 8629, as reported, would provide increased Federal support to construct teaching facilities for the health professions and would authorize a new program to guarantee and pay interest subsidies on loans to construct such facilities. The bill would substantially increase the amount of institutional support for the various health professions schools through a new program of capitation grants. H.R. 8629 would also strengthen provisions for special project grants. In addition, several new programs are authorized including startup grants to new schools; grants to train teachers of the health professions; and grants to hospitals for training in family medicine. One newly authorized program known as Health Manpower Initiative Awards is particularly innovative and thought provoking.

The bill would continue and strengthen the health professions student loan and scholarship programs. Maximum loan and scholarship amounts for health professions students would be increased. I am especially pleased to note that the loan forgiveness provision contained in the student loan program reflects many of the proposals recommended in H.R. 2294, the Community Health Act—a bill that my distinguished colleague from North Carolina, Hon. NICK GALIFIANAKIS, originally sponsored, and that I and many others cosponsored. This new provision, if enacted, will provide a strong impetus to ease the desperate situation in many of our doctor shortage areas. Under the new provision, a doctor who practices in a shortage area for at least 3 years may cancel up to 75 percent of his outstanding educational debt—or up to $15,000. I am positive that many young men and women will take advantage of this program.

The Nurse Training Act of 1971, H.R. 8630, as reported, would continue the various authorities contained in title VIII of the Public Health Service Act. In addition, the legislation would initiate a variety of new programs such as loan guarantees and interest subsidies to assist in financing the construction of nurse training facilities; capitation grants to provide institutional support to schools of nursing; and start-up grants for new nurse training programs. Nursing student loan and scholarship programs would also be strengthened. Like H.R. 8629, H.R. 8630, as reported, would increase the maximum amounts of loans and scholarships for nursing students. The loan forgiveness program would be changed to reflect the intense efforts to recruit in-

dividuals to serve in nursing shortage areas. Under a provision similar to one contained in H.R. 8629, a nurse who practices in a shortage area for at least 3 years may be allowed to cancel up to 75 percent of her outstanding educational debt—or up to $10,000.

H.R. 7736, as reported, would extend for 1 year the existing student loan and scholarship programs as contained in the Public Health Service Act. Realizing that any significant change in the current loan and scholarship programs could jeopardize the plans of many of the students who benefit from these programs, the committee recommended the extension of the current programs for 1 year. I believe the committee to have shown unusual insight when making this recommendation.

It is estimated, for example, that 35 percent of the first year medical students in the 1971–72 academic year will need some form of Federal assistance. If H.R. 7736 is enacted, funds to continue the existing programs for loans and scholarships can be promptly appropriated.

Mr. Chairman, the legislative proposals contained in each health manpower bill as reported by the Committee on Interstate and Foreign Commerce, merit the favorable consideration of the Members of this body. Each provision represents a vital solution to the critical health manpower shortage in this Nation. I strongly support these provisions, for if this legislation is enacted the health needs of this Nation will be better met and its citizens better served.

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

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

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

The Clerk read as follows:

H.R. 7736

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

STUDENT LOAN PROGRAM UNDER TITLE VII OF THE PUBLIC HEALTH SERVICE ACT

SECTION 1. (a) (1) The first sentence of section 742(a) of the Public Health Service Act (42 U.S.C. 294b) is amended by striking out "the next fiscal year" and inserting in lieu thereof "the next two fiscal years".

(2) The third sentence of such section is amended by (A) striking out "1972" and inserting in lieu thereof "1973", and (B) by striking out "1971" and inserting in lieu thereof "1972".

(b) Section 743 of such Act (42 U.S.C. 294c) is amended by striking out "1974" each place it occurs and inserting in lieu thereof "1975".

(c) The first sentence of section 744(a) (1) of such Act (42 U.S.C. 294d) is amended by striking out "next three fiscal years" and inserting in lieu thereof "next four fiscal years".

SCHOLARSHIP PROGRAM UNDER TITLE VII OF THE PUBLIC HEALTH SERVICE ACT

SEC. 2. (a) Section 780(b) of the Public Health Service Act is amended (1) by striking out "the next two fiscal years" in the first sentence and inserting in lieu thereof "the next three fiscal years", (2) by striking out "1972" in the last sentence and inserting in lieu thereof "1973", and (3) by striking out "1971" in such sentence and inserting in lieu thereof "1972".

(b) (1) Section 780(c) (1) (D) of such Act is amended by striking out "the next two fiscal years" and inserting in lieu thereof "the next three fiscal years".

(2) Section 780(c) (1) (E) of such Act is amended (A) by striking out "1971" and inserting in lieu thereof "1972", and (B) by striking out "1972" and inserting in lieu thereof "1973".

STUDENT LOAN PROGRAM UNDER TITLE VIII OF THE PUBLIC HEALTH SERVICE ACT

SEC. 3. (a) Section 824 of the Public Health Service Act (42 U.S.C. 297c) is amended (1) by striking out "for the fiscal year ending June 30, 1971" and inserting in lieu thereof "each for the fiscal year ending June 30, 1971, and the next fiscal year", (2) by striking out "1972" and inserting in lieu thereof "1973", and (3) by striking out "July 1, 1971" and inserting in lieu thereof "July 1, 1972".

(b) Section 826 of such Act (42 U.S.C. 297e) is amended by striking out "1974" each place it occurs and inserting in lieu thereof "1975".

(c) The first sentence of section 827(a) (1) of such Act (42 U.S.C. 297f) is amended by striking out "next three fiscal years" and inserting in lieu thereof "next four fiscal years".

SCHOLARSHIP PROGRAM UNDER TITLE VIII OF THE PUBLIC HEALTH SERVICE ACT

SEC. 4. (a) Section 860(b) of the Public Health Service Act is amended (1) by striking out "the next fiscal year" and inserting in lieu thereof "the next two fiscal years", (2) by striking out "1972" in the last sentence and inserting in lieu thereof "1973", and (3) by striking out "1971" in such sentence and inserting in lieu thereof "1972".

(b) (1) Section 860(c) (1) (A) of such Act is amended by striking out "the next fiscal year" and inserting in lieu thereof "the next two fiscal years".

(2) Section 860(c) (1) (B) of such Act is amended (A) by striking out "1971" and inserting in lieu thereof "1972", and (B) by striking out "1972" and inserting in lieu thereof "1973".

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

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

There was no objection.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair Mr. WALDIE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 7736) to amend the Public Health Service Act to extend for 1 year the student loan and scholarship provisions of titles VII and VIII of such act, pursuant to House Resolution 480, he reported the bill back to the House.

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

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

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

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

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

Mr. HARVEY. 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 Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 299, nays 0, not voting 134, as follows:

[Roll No. 148]

YEAS—299

Abbitt	Eilberg	McFall
Abourezk	Esch	McKay
Adams	Evans, Colo.	McKevitt
Alexander	Evins, Tenn.	McKinney
Anderson, Calif.	Fascell	Macdonald, Mass.
Anderson, Tenn.	Flowers	Mahon
Andrews, Ala.	Foley	Mailliard
Andrews, N. Dak.	Ford, Gerald R.	Mann
Annunzio	Ford, William D.	Martin
Archer	Forsythe	Mathis, Ga.
Aspinall	Frelinghuysen	Matsunaga
Baker	Fulton, Pa.	Mayne
Baring	Galifianakis	Mazzoli
Begich	Garmatz	Meeds
Belcher	Gaydos	Melcher
Bennett	Giaimo	Metcalfe
Bergland	Gonzalez	Michel
Bevill	Goodling	Mikva
Biester	Gray	Miller, Calif.
Bingham	Green, Pa.	Miller, Ohio
Blackburn	Griffin	Mills, Md.
Blanton	Gross	Minish
Blatnik	Grover	Mink
Boggs	Gude	Minshall
Boland	Hagan	Mitchell
Bolling	Haley	Mizell
Bow	Hall	Monagan
Brademas	Halpern	Montgomery
Bray	Hamilton	Moorhead
Brinkley	Hammer-schmidt	Mosher
Brooks	Hansen, Wash.	Murphy, Ill.
Brotzman	Harsha	Murphy, N.Y.
Brown, Mich.	Harvey	Myers
Brown, Ohio	Hathaway	Natcher
Broyhill, Va.	Hawkins	Nedzi
Buchanan	Hays	Nix
Burke, Fla.	Hébert	Obey
Burke, Mass.	Hechler, W. Va.	O'Hara
Burleson, Tex.	Henderson	O'Konski
Burlison, Mo.	Hicks, Mass.	Passman
Burton	Hicks, Wash.	Patman
Byrne, Pa.	Hillis	Patten
Byron	Hogan	Pepper
Cabell	Hosmer	Perkins
Caffery	Howard	Pettis
Carter	Hull	Peyser
Casey, Tex.	Hungate	Pickle
Chappell	Hunt	Pike
Chisholm	Hutchinson	Pirnie
Clausen, Don H.	Ichord	Poage
Clawson, Del	Jacobs	Poff
Clay	Jarman	Powell
Collins, Tex.	Johnson, Calif.	Preyer, N.C.
Colmer	Johnson, Pa.	Pryor, Ark.
Conte	Jonas	Pucinski
Cotter	Jones, Ala.	Purcell
Coughlin	Jones, N.C.	Quie
Culver	Jones, Tenn.	Quillen
Daniel, Va.	Kastenmeier	Randall
Daniels, N.J.	Kazen	Rarick
Danielson	Keith	Reid, Ill.
Davis, Ga.	Kemp	Rhodes
Davis, S.C.	King	Roberts
Davis, Wis.	Kluczynski	Robinson, Va.
de la Garza	Kuykendall	Robison, N.Y.
Dellenback	Kyl	Rodino
Dellums	Kyros	Roe
Denholm	Landgrebe	Roncalio
Derwinski	Latta	Rooney, N.Y.
Dickinson	Lennon	Rooney, Pa.
Dingell	Lent	Rostenkowski
Dow	Link	Rousselot
Dowdy	Lloyd	Roybal
Downing	Long, Md.	St Germain
Duncan	Lujan	Sandman
du Pont	McCloskey	Sarbanes
Dwyer	McClure	Satterfield
Edwards, Ala.	McCormack	Scherle
Edwards, Calif.	McDade	Scheuer
	McDonald, Mich.	Schneebeli
		Schwengel
		Scott

Sebelius	Stephens	Wampler
Shriver	Stokes	Ware
Sikes	Stratton	Watts
Sisk	Stubblefield	Whalen
Skubitz	Sullivan	White
Slack	Symington	Whitehurst
Smith, Iowa	Talcott	Whitten
Smith, N.Y.	Taylor	Widnall
Snyder	Teague, Calif.	Wiggins
Spence	Teague, Tex.	Williams
Springer	Thompson, N.J.	Wilson, Bob
Stafford	Thomson, Wis.	Winn
Staggers	Thone	Wolff
Stanton, J. William	Udall	Wylie
	Ullman	Wyman
Stanton, James V.	Van Deerlin	Yates
	Vander Jagt	Young, Fla.
Steed	Vigorito	Young, Tex.
Steiger, Ariz.	Waggonner	Zablocki
Steiger, Wis.	Waldie	Zion

NAYS—0

NOT VOTING—134

Abernethy	Eshleman	Morgan
Abzug	Findley	Morse
Addabbo	Fish	Moss
Anderson, Ill.	Fisher	Nelsen
Arends	Flood	Nichols
Ashbrook	Flynt	O'Neill
Ashley	Fountain	Pelly
Aspin	Fraser	Podell
Badillo	Frenzel	Price, Ill.
Barrett	Frey	Price, Tex.
Bell	Fulton, Tenn.	Railsback
Betts	Fuqua	Rangel
Biaggi	Gallagher	Rees
Brasco	Gettys	Reid, N.Y.
Broomfield	Gibbons	Reuss
Broyhill, N.C.	Goldwater	Riegle
Byrnes, Wis.	Grasso	Rogers
Camp	Green, Oreg.	Rosenthal
Carey, N.Y.	Griffiths	Roush
Carney	Gubser	Roy
Cederberg	Hanley	Runnels
Celler	Hanna	Ruppe
Chamberlain	Hansen, Idaho	Ruth
Clancy	Harrington	Ryan
Clark	Hastings	Saylor
Cleveland	Heckler, Mass.	Schmitz
Collier	Helstoski	Seiberling
Collins, Ill.	Holifield	Shipley
Conable	Horton	Shoup
Conyers	Karth	Smith, Calif.
Corman	Keating	Steele
Crane	Kee	Stuckey
Delaney	Koch	Terry
Dennis	Landrum	Thompson, Ga.
Dent	Leggett	Tiernan
Devine	Long, La.	Vanik
Diggs	McClory	Veysey
Donohue	McCollister	Whalley
Dorn	McCulloch	Wilson, Charles H.
Drinan	McEwen	
Dulski	McMillan	Wright
Eckhardt	Madden	Wyatt
Edmondson	Mathias, Calif.	Wydler
Edwards, La.	Mills, Ark.	Yatron
Erlenborn	Mollohan	Zwach

So the bill was passed.

The Clerk announced the following pairs:

Mr. Dent with Mr. Arends.
Mr. Celler with Mr. Anderson of Illinois.
Mr. O'Neill with Mr. Saylor.
Mr. Addabbo with Mr. Dennis.
Mr. Shipley with Mr. Findley.
Mr. Brasco with Mr. Conable.
Mr. Mills with Mr. Wydler.
Mr. Carey of New York with Mr. Gubser.
Mr. Donohue with Mr. Clancy.
Mr. Flood with Mr. Byrnes of Wisconsin.
Mr. Fulton of Tennessee with Mr. Fish.
Mr. Fuqua with Mr. Camp.
Mr. Rogers with Mr. Erlenborn.
Mr. Price of Illinois with Mr. Crane.
Mr. Holifield with Mr. Cederberg.
Mr. Rosenthal with Mr. Nelsen.
Mr. Charles H. Wilson with Mr. Broomfield.
Mr. Hanley with Mr. Zwach.
Mr. Hannan with Mr. Thompson of Georgia.
Mr. Tiernan with Mr. Railsback.
Mr. Barrett with Mr. Betts.
Mr. Ashley with Mr. Devine.
Mr. Stuckey with Mr. Mathias.
Mr. Karth with Mr. Price of Texas.
Mr. Carney with Mr. Pelly.
Mr. Dulski with Mr. Bell.
Mr. Fisher with Mrs. Heckler of Masachusetts.
Mr. Flynt with Mr. Chamberlain.
Mr. Fountain with Mr. Cleveland.
Mr. Gettys with Mr. Steele.
Mrs. Grasso with Mr. Eshleman.
Mr. Delaney with Mr. Morse.
Mrs. Greene of Oregon with Mr. Ruppe.
Mrs. Griffiths with Mr. Collier.
Mr. Biaggi with Mr. Whalley.
Mr. Abernethy with Mr. McClory.
Mr. Clark with Mr. Ruth.
Mr. Corman with Mr. Terry.
Mr. Helstoski with Mr. Wyatt.
Mr. Dorn with Mr. Veysey.
Mr. Leggett with Mr. Goldwater.
Mr. Edmondson with Mr. Broyhill of North Carolina.
Mr. Edwards of Louisiana with Mr. Frenzel.
Mr. Nichols with Mr. Frey.
Mr. Morgan with Mr. Keating.
Mr. Moss with Mr. McCollister.
Mr. McMillan with Mr. Eckhardt.
Mr. Runnels with Mr. Shoup.
Mr. Vanik with Mr. Riegle.
Mr. Aspin with Mr. Horton.
Mr. Landrum with Mr. Reid of New York.
Mr. Wright with Mr. Ashbrook.
Mrs. Abzug with Mr. Collins of Illinois.
Mr. Yatron with Mr. Hansen of Idaho.
Mr. Long of Louisiana with Mr. Schmitz.
Mr. Mollohan with Mr. McEwen.
Mr. Gibbons with Mr. Hastings.
Mr. Gallagher with Mr. Rangel.
Mr. Rees with Mr. Diggs.
Mr. Badillo with Mr. Reuss.
Mr. Drinan with Mr. Ryan.
Mr. Podell with Mr. Kee.
Mr. Koch with Mr. Harrington.
Mr. Conyers with Mr. Fraser.
Mr. Roush with Mr. Roy.
Mr. Smith of California with Mr. Seiberling.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

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

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time for the purpose of asking the distinguished majority leader about the program for the rest of the week, if any, and the schedule for next week.

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

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. BOGGS. Mr. Speaker, in response to the inquiry by the gentleman from Michigan, we have now completed the program for this week.

For next week we have five suspensions on Monday. That is after the Consent Calendar.

The suspensions are as follows:

S. 1538, American Revolution Bicentennial Commission amendment;

H.R. 3146, State and local law enforcement in national forests;

H.R. 7586, extending the Cabinet Committee on Opportunities for Spanish-Speaking People;

H.R. 5065, Natural Gas Pipeline Safety Act amendments; and

H.R. 9098. Child Nutrition Act amendments.

Those are to be followed by consideration of H.R. 1, the Social Security Amendments of 1971. That bill has 8 hours of general debate with a modified closed rule. We plan to conclude H.R. 1 on Tuesday.

On Wednesday we have scheduled the Agriculture—EPA—appropriations bill.

On Thursday we have scheduled the Treasury, Postal Service appropriation bill for fiscal year 1972.

Conference reports may be brought up at any time and, any further program will be announced later.

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

Mr. GERALD R. FORD. I yield to the chairman of the Committee on Rules.

Mr. COLMER. I thank the gentleman for yielding. My purpose in obtaining this permission is to ask the distinguished majority leader if I correctly understood that the bill H.R. 1 would be completed on Tuesday.

Mr. BOGGS. That is correct.

Mr. COLMER. The vote will occur on that day?

Mr. BOGGS. That is correct.

Mr. COLMER. Thank you, sir.

Mr. BOGGS. The rule on H.R. 1 will be taken up on Monday, of course.

Mr. Speaker, I take this time to make a further announcement about the program for next week and I ask this announcement appear along with the remarks I made earlier announcing the program for next week.

Mr. Speaker, we have cleared with the minority leadership the addition of one bill on the Suspension Calendar on Monday, H.R. 6247, a bill to extend the provisions of the Juvenile Delinquency Prevention and Control Act of 1968.

We have done this, Mr. Speaker, because it was inadvertently left off the program, plus the fact that this authority expires at the end of June and it is important that we take it up as quickly as possible.

ADJOURNMENT OVER TO MONDAY, JUNE 21, 1971

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today that it adjourn to meet on Monday next.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

HARASSMENT OF THE GEORGIA-PACIFIC CORP.

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

Mr. ABBITT. Mr. Speaker, the Federal Trade Commission has embarked upon a vindictive and capricious campaign of harassment against the Georgia-Pacific Corp. which, I believe, should be of concern to every Member of Congress. The Commission is attempting to require the corporation to divest itself of eight of its plywood plants in the South, under terms which are as dictatorial and arbitrary as any action which I have ever known a governmental agency to assert.

Under the complaint, which has now been served on the company, Georgia-Pacific would be required to divest itself of "acquired timberlands and timber-cutting rights, along with eight softwood plywood plants in the South" and would be forbidden "to make any acquisitions in the forest products industry for 10 years after all required divestitures are completed, without the Commission's prior approval." In addition, if the timberlands have been disposed of or the timber on them used, such divestiture must be made from G–P's own holdings. In effect, should the FTC prevail, Georgia-Pacific would be operating under the heel of the Federal Trade Commission with its destinies being directly dictated from Washington.

The complaint alleges that the company, by its acquisitions of pinelands, "may substantially lessen competition or tend to create a monopoly in this concentrated industry. The fact is that that 673,000 acres of southern pine trees, to which the Commission refers, amounts to about four-tenths of 1 percent of the total commercial acreage available in the South. In addition, all of the eight plants to which the Commission refers, were built by Georgia-Pacific and do not represent acquisitions.

I feel that the basis for this proposal is totally without legal foundation and, if carried out, would set a tremendously dangerous precedent for other FTC actions far beyond the intent of Congress. Certainly Congress, in establishing the Commission, gave no license to capricious actions of this type nor was it intended that the powers of the FTC be used to disciminate against a great industry just because it has successfully expanded its operations. Georgia-Pacific was the pioneer in operations of this type in the South and has achieved a large measure of success, not only in its own operations, but in providing a boost to the economy of the southern part ot the country.

Among the eight plants which Georgia-Pacific would be required to relinquish is one at Emporia, Va., which burned on April 12 of this year. Immediately following this unfortunate fire, officials of Georgia-Pacific announced plans to rebuild this plant and began placing orders for the materials and machinery needed for reopening. Within a few days, April 14, to be exact, the Federal Trade Commission issued a news release, announcing its intention of issuing a formal complaint against the corporation.

Since that time, the company has been under continuous pressure—not knowing exactly where it stands with reference to the impending action but nevertheless recognizing the status of prior restraint on any actions within the area covered by the complaint.

Needless to say, the company's well-intentioned plans to rebuild the Emporia plant have gone by the wayside in the wake of the FTC actions. Meanwhile, most of the 400 or more employees have landed on the unemployment rolls. A blight has settled over what once was a thriving area—and the fault lies with the Federal Trade Commission. Had the April 14 release not been issued by the Commission, work on the new plant would have been well underway by this time, with the employees being actively involved in the construction.

I have been in contact with the Commission several times since learning of this action and I have been amazed by the ineptness, confusion and ridiculousness with which this whole matter has been handled. On May 4, I wrote Chairman Miles W. Kirkpatrick that I was shocked beyond description to be told that the Commission contemplates preventing Georgia-Pacific from rebuilding the Emporia plant. I was just as amazed when I received a letter from Mr. Alan S. Ward, Director of the FTC Bureau of Competition, dated May 17, in which he said:

> Georgia-Pacific's decision whether to rebuild the plant or not is solely within its own discretion and nothing in the Commission's actions, either by design or implication, is intended to prevent the company from rebuilding.

This, to me, is the height of folly. Ridiculous though the FTC order may be, the fact is that Georgia-Pacific is forced to consider the possibility that such a requirement might be upheld and this would obviously be a great factor in the company's decision as to whether or not to rebuild the Emporia plant, or make alteration of its operations at the other seven locations. To say that the decision is solely up to the company is obviously fallacious.

The unemployment in the Emporia, Va., area, as a result of the Georgia-Pacific fire, is now the fault of the Federal Trade Commission; it cannot be blamed on the company. I have received numerous inquiries about this and am aware that many other members have also. There have been many reactions to the Commission's actions—not only from the affected areas but from all over the country and not only from the pulpwood industry but from other industries as well. It is obvious that other segments of the business community are concerned about this, because if the Commission can do to Georgia Pacific what it seeks to do, then where does such usurpation of power end?

The General Assembly of Virginia has adopted a resolution, calling upon the Commission not to press its case against Georgia-Pacific and I am pleased to include the text of this resolution with my remarks:

HOUSE JOINT RESOLUTION NO. 101

Requesting that the Federal Trade Commission not instigate antitrust charges against certain enterprises of the Georgia-Pacific Company

Whereas, the Federal Trade Commission is in the process of bringing anti-trust charges against the Georgia-Pacific Corporation, to require it to divest itself of export plywood plants, including one at Emporia, Virginia, and six hundred seventy-three thousand acres of timberland, including forty thousand acres in Virginia; and

Whereas, Georgia-Pacific is an important factor in the economy of the Commonwealth, with a capital investment in the Commonwealth of thirty-two million dollars and annual expenditures of approximately fourteen million dollars; and

Whereas, Georgia-Pacific's presence in the Commonwealth and its industrial expansion have been sought and encouraged by local and State officials, who, with the citizens of the Commonwealth, are deeply disturbed by the threat of anti-trust charges against such an excellent industrial citizen of the Commonwealth; and

Whereas, the citizens of the Commonwealth and particularly those of Greensville County and the city of Emporia fear the results of such charges against a company which supplies eight hundred five jobs and over five million dollars in annual payroll in the Commonwealth; and

Whereas, the company owns a very small percentage of commercial forest lands in the southern states, and takes care of the bulk of its timber needs by buying on the open market; and

Whereas, Georgia-Pacific has been a pioneer in southern pine plywood, and has built its own plants at its own expense and risk; and

Whereas, the development by Georgia-Pacific of southern pine plywood, and related facilities has greatly increased ultilization of southern pine timber, and brought thousands of jobs, better markets for timber, and community stability to the south, as well as high quality building materials to the nation; and

Whereas, an order from the Federal Trade Commission to Georgia-Pacific required divestment of these operations would stifle a dynamic innovative firm, establish a crippling precedent and penalize genuine progress at a time when the nation can ill afford set-backs to the creator of jobs, generation of tax revenues, and construction of building materials; now, therefore, be it

Resolved by the House of Delegates, the Senate concurring, That the Federal Trade Commission is hereby requested not to instigate or prosecute anti-trust charges against the Georgia-Pacific Corporation concerning its eight plywood plants in the south; and

Be it further resolved, That the Clerk of the House of Delegates is hereby directed to forward a copy of this resolution to each member of Congress from Virginia.

Many of us have from time to time expressed concern over the growing power of the regulatory agencies of the Federal Government, where regulations and arbitrary orders far transcend any legislative guidelines. This is a dangerous area, because no one knows from day to day what the law is. Regulations and even press releases tend to become "law" and a minor concession to commission fiat in one instance may lead to broad usurpation of power in another. Far too much of this type regulation exists in America today and this is just another sad example of unchecked bureaucracy at work.

I call upon the proper committees of

Congress to make a thorough study of this action by the FTC, to see what is behind this capricious attempt to shackle a great industry, whose only guilt is the success it has achieved in opening up new development and more employment in areas where it has been badly needed. I know what Georgia-Pacific has meant to Emporia. It has provided employment from areas all over Greensville County and across the North Carolina line to some people who have been on the marginal roster for years. Many of these people have found new hope in gainful employment which they had every reason to expect would continue. The fire could not have been avoided, but the heavy hand of the Federal Trade Commission is today keeping these people from work to which they would otherwise be entitled.

Congress has the obligation to police the activities of the regulatory commissions which it established by law. This is a function which should be exercised in cases such as this, where there is an obvious attempt to grab more power than Congress intended for the agency to have. Georgia-Pacific has violated no law; it has not acted against the public interest. In this instance, the company recognizes full well that to close its operations in these eight areas would adversely affect the economy. I hope that the Commission and Congress will seriously consider the implications in this action. In the present state of our economy, I do not believe it is wise or prudent for the Government to be taking exploratory actions of this type which obviously will be leading toward unemployment and providing further economic difficulties.

MOBILE DENTAL CLINIC PROGRAM IN VENTURA COUNTY, CALIF.

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

Mr. TEAGUE of California. Mr. Speaker, I am from the small California community of Santa Paula in Ventura County. I was born, raised, and have subsequently spent much of my life in this area. As a child, growing up, I was a member of a fortunate minority of children who were able to afford to have proper dental care. Unfortunately, for too long a time, the children of low-income families in the Ventura area have been denied proper dental attention because of their inability to pay for costly dental services.

I am happy to announce today that because of a joint effort by the dental schools of the University of Southern California and the University of California at Los Angeles, a mobile dental clinic program has been initiated to work to alleviate this problem which confronts too many children in Ventura County.

The dental services provided for these children will be staffed by dental students, dental hygiene students, and faculty—all donating their time.

At this point, Mr. Speaker, I would like to insert into the RECORD an article about this program written by Miss Jackie Reinhardt, California regional medical programs communications coordinator.

A JOINT UCLA–USC EFFORT—MOBILE DENTAL CLINIC PROGRAM STARTS UP IN VENTURA COUNTY THIS MONTH

A little over a year ago school nurses in Ventura County were asked by the RMP District Committee what they saw as the most pressing health need among children. Their response came back loud and clear: bad teeth!

Beginning this month, a mobile dental clinic program will get underway in Santa Paula, the first of four sites to be visited over a year-long period by students from USC and UCLA Dental Schools.

An estimated 700 to 1,000 low-income elementary school age children eventually will be brought into the program as it extends to communities in Oxnard, Simi Valley and Ventura.

Initiation of this service climaxes many months of searching by an RMP–CHP Dental Task Force which investigated other community-based alternatives before tapping outside resources. This 34-member group—chaired by Norman H. Portier, retired dentist—includes representation from the County Health Department, Ventura County Community Council, Ventura Dental Society and local civic organizations.

The USC Dental School, contacted in February through Dr. Charles Goldstein, faculty advisor, will bring two mobile units which, along with locally-provided rooms, will be staffed by about 40 dental students, dental hygiene students and faculty. Beginning in September, this equipment also will be used once a month by a 30-member UCLA Dental School team under the direction of Assistant Dean James Freed, D.D.S., and Calman Kurtzman, D.D.S., field coordinator.

Among the services to be provided are dental examination, x-rays, cleaning, fluoride applications, fillings and education about dental hygiene and nutrition. All personnel services are donated. The only costs are for supplies, transportation, housing and meals.

In Santa Paula where children from Fillmore, Piru, Ojai and Saticoy communities will come for clinic sessions June 19, July 10 and July 24, expenses are being met through local contributions and volunteer services. Joe Bravo, Barbara Webster School superintendent who heads community planning committees in charge of arrangements cited:

Lodging for the dental team at a Fillmore nursery school and St. Sebastian Church in Santa Paula.

Preparation of meals for children and workers by the Mexican-American Civic organization and several other groups.

A program of supervised play set up by the Santa Paula Recreation Department.

Transportation for parents and children by policemen who have volunteered to man school buses during off-duty hours.

Follow-up services offered without charge by several local private dentists.

"You might say the community reception has beep spontaneous," Mr. Bravo noted, "and it's been ballooning ever since."

He said 16 letters were sent out to community people. "We thought we would be fortunate if we got eight back; instead 14 responded with offers to help."

An estimated 150 children will be seen initially in the Santa Paula clinic, a meaningful start in meeting the dental needs of 475 youngsters already identified as eligible for the program and requiring care.

PROBLEMS KNOWN TO DR. FORTIER BEFORE TAKING ON CHAIRMANSHIP OF RMP–CHP DENTAL TASK FORCE

Last August when Norman H. Fortier, D.M.D., took on the job or organizing and chairing an RMP–CHP Dental Task Force in Ventura County, there was no question in his mind as to what the priorities were.

Until retiring 1968, he spent more than four decades practicing dentistry. Thirty-five of those years were in private practice in Rhode Island where he was president of the state dental society and 10 years in a two-chair clinic at Ventura County General Hospital.

It was during his latter service that Dr. Fortier became aware of the unmet dental needs in Ventura, particularly among adolescents who did not get remedial or preventive dental care early.

"There was a steady stream of dental patients into the hospital clinic," he noted. "It wasn't very hard to find a need especially after the Health Department discontinued its children's program."

In the Ventura dentist's view, it is too soon to judge the acceptance of the County-wide mobile dental clinic program which will begin this month, although the signs point toward its success.

Dr. Fortier does acknowledge, however, "a community consciousness—a kind of awakening" which the dental program has stimulated.

"If people are not aware of situations, naturally, they aren't going to do anything," he said. "This program is involving an awful lot of people who have been able to effect health care directly through comprehensive planning."

NEW YORK TIMES DOES MORE THAN REPORT THE NEWS

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

Mr. BLACKBURN. Mr. Speaker, one of the most incredible episodes involving national policy, national security, and journalistic freedom is currently unfolding.

Now and for some time, the editors of some of the Nation's news publications have disagreed with the actions of this country in Indochina. No responsible public official would deny any individual, whether he be a publisher or otherwise, the right to disagree with national policy.

The revelation of recent actions by the New York Times, however, should leave all responsible Americans profoundly shocked and dismayed.

It appears that the New York Times received documents clearly classified as "secret" under the Sabotage and Espionage Act of 1954. The June 17 edition of the Washington Post reports that a reporter for the New York Times obtained access 3 months ago to a 7,000-page secret Pentagon study of our entry into Indochina. If publication of news were the principal purpose of existence of the New York Times, it follows that publication of their discovery of the workings of the American Executive Department would have required publication almost concurrently with the date when the documents were received.

But the purpose of the New York Times publishers was not to publish news upon its discovery. The delay in publication was obviously well orchestrated to coincide this week with the debates in both the House and the Senate concerning our Vietnam involvement. The results of these debates was to be reflected in votes upon matters which would, or could, have immediate, profound, and irreversible effect on our Vietnam policy.

It should be clear to everyone that the purpose of the publication of the articles

was to influence the vote in both the House and the Senate so as to bring American foreign policy in line with the thinking of the editorial staff of the New York Times.

Let me put aside the question of violations of law which the courts will act upon, hopefully giving some of these gentlemen the opportunity to meditate, under austere circumstances, upon their actions.

Let me put aside the impact that the revelations of the thoughts and utterances of those involved in setting national policy will have upon diplomatic relations with some of our most trusted allies.

Let me put aside the possibility, if not the probability, of compromising secret codes used by the United States which could have permanent damaging effects on national security.

What we should concern ourselves with is the fact that the editors of the New York Times have not been selected by the American people to exercise a veto power over matters of national policy set by elected officials. If the publishers and the editors of the New York Times wish to set national policy, under our system of government, the method is clear, although difficult. The method is to offer themselves for the office of the Presidency of the United States or other national positions. But it is obvious that they prefer the shields of the walls of their own offices from which to attempt to influence national policy.

We should not forget that the series of articles which were being published, during this week of critical debate, contain the impressions and conclusions of writers who themselves are sympathetic with the views of their employers.

It is impossible for any of us not having access to the documents themselves to determine if the impressions and conclusions reached by the New York Times writers are accurate, or the conclusions that a reasonable man, free from preconceived notions might reach. Inasmuch as the documents are not available to the public, we must withhold judgment.

I am suggesting that the plan of the New York Times editors was to present a damaging series of articles at a critical time and thus influence votes by Members of both the House and Senate. If, in fact, it should later develop that the conclusions put forth in the series of articles were erroneous, but the outcome of the facts had unalterably changed national policy, the cynical scheme would have achieved its purpose. Later revelations of truth would be moot in their impact.

Let me suggest that if the editors of the New York Times were sincere in revealing the truth they would have published their series early in point of time so that any erroneous conclusions of their writers could have been corrected in the public forum, assuming that national security would not be further compromised.

The implication is clear. The editors of the New York Times set themselves upon a deliberate course to sabotage American policy in Indochina. Reporting the news and giving the public the facts were secondary.

Time and more full disclosures of truth provide the final answer for us all.

CALLS FOR VOLUNTARY PRAYER IN PUBLIC SCHOOLS

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

Mr. MIZELL. Mr. Speaker, I am today reintroducing my joint resolution calling for a constitutional amendment to restore the right of voluntary prayer in public schools and other public places.

I am personally convinced, Mr. Speaker, that the authors of the Constitution had no intention of forbidding public prayer, or of abridging any religious freedom, as set forth explicitly in the first amendment.

The courts have disagreed with this opinion in a series of decisions beginning 9 years ago. They say the authors of the Constitution did not approve of public prayer, despite the fact that at the Constitutional Convention of 1787, every session was begun with a public prayer, as suggested by Benjamin Franklin.

The courts have said that the invocation of God's blessing through public prayer is not consistent with our heritage of religious freedom, despite the fact that not one of the 37 Presidents of the United States has assumed the "splendid misery" of that office without first calling on the Almighty—in the presence of their countrymen—to guide and sustain them.

From antiquity to our modern age, the hand of God has been the most significant influence on the works of man.

The Bible, in the 33d Psalm, reminds us that "Blessed is the nation where God is the Lord."

As a nation whose motto is "In God We Trust," we have, in less than two centuries, grown to be the mightiest and freest and greatest Nation in the history of the world. These two facts cannot, in my estimation, be reconciled as merely coincidental.

Gen. George Washington, in his darkest days at Valley Forge, is known to have gone to a private place for prayer.

Abraham Lincoln, in the critical years of his Presidency, said he was often "driven to his knees" in prayer as the last refuge against the "stormy present" of his day.

President Kennedy, in his inaugural address 10 years ago, issued this challenge: "Let us go forth to lead the land we love, asking His blessing and His help, but knowing that here on earth, God's work must truly be our own."

And if we are to do His work—and ours—we must preserve the right to call upon God publicly and seek His guidance, not covertly, not in fear of legal reprisal, but openly, in a spirit of hope.

For this reason, I am reintroducing the same amendment I proposed in the 91st Congress, an amendment reasserting a freedom that is central to our past, and essential for our future.

As I said during the last Congress, I want to make it clear that I am against compulsory prayer in our schools, and I am completely against the promotion of a state religion.

But I have supported, and will continue to support, every measure that will insure the right of every American to pray voluntarily in public as well as in the confines of his home or church.

The amendment I offer today is in that spirit, and I offer it at this time for the consideration and approval of my colleagues.

WELFARE REFORM

The SPEAKER. Under previous order of the House, the gentleman from Maryland (Mr. MITCHELL) is recognized for 1 hour.

Mr. MITCHELL. Mr. Speaker, in dealing with the pressing domestic problems that confront our Nation, we have come to refer all too frequently to the consequences of rising expectations that are not only unmet but in many cases ignored. We promised our citizenry the Great Society, but wound up with a society in serious trouble, gravely divided over the war and destruction—abroad and at home. The answer to this situation surely does not lie in continuing to ignore the problem nor in implementing halfhearted measures that will only perpetuate the trend of unkept promises.

Where we have failed most miserably in our efforts to solve our Nation's problems has been in the realm of improving the plight of the poor. We initiated a war on poverty at home, but our war abroad cut the heart out of this domestic campaign. Yet our military folly continues to consume our national resources, and the plight of the poor worsens.

Our present welfare system marks a prime example of our failure to fulfill this obligation to our impoverished citizenry. We are agreed that the present system is a nightmare and that we can no longer continue with it. It is costly, inefficient, unjust, discriminatory, inadequate, and administratively unworkable. Unfortunately, the same must be said for H.R. 1 as it is now before us.

President Nixon has termed his family assistance plan the "most important piece of social legislation in the history of the Nation." As presently constituted, however, it would be the most reprehensible piece of social legislation in the history of the Nation. The President stated in August 1969, when he introduced his family assistance plan to the Nation that no one should be worse off financially under the provisions of his new program than they are under the current welfare system. Such is glaringly not the case under the provisions of H.R. 1.

It is most important that we reject this measure. It is not a first step forward in the reform of our welfare system. Instead it is a giant step backward.

The Ways and Means Committee has been most generous in its decisions regarding an increase in benefit levels in certain categories of assistance. First, there is a 5-percent hike in social security benefits, which are to be adjusted annually in accord with the rise in the cost of living. The fully federalized program of welfare payments to the needy aged, blind, and disabled, established under a new title XX, also entails higher benefits to recipients.

However, there is no comparable increase in the benefit level under the aid to families with dependent children program, which will include 19.4 million of the estimated 25.6 million welfare recipients in 1973. This is not an unexpected turn of events. At present there exists a discrepancy between the assistance levels for adults as compared to those for the children in the AFDC program. H.R. 1 only serves to sharpen the inconsistency among these categories of assistance.

I firmly support the augmentation of benefits for those on social security as well as for the needy aged, blind, and disabled. Yet I cannot favor an overall system that would provide an aged couple with twice the benefits that it does for a poor family of four. H.R. 1 would establish distinctions in categories of payment based on status rather than on need.

It is shocking to learn that the percentage of nonwhite recipients in the AFDC category is 43. In the three other categories of assistance it ranges from 22 to 36 percent. Such actions are not only contrary to the best interests of the non white recipients involved. They are contrary to the well-being of us all, and such discriminatory distinctions must be considered unacceptable by all Members of this Congress.

Under H.R. 1 an estimated 90 percent of the welfare families in 45 States and the District of Columbia would be receiving Federal benefits that are lower than their present combined level of AFDC payments and food stamps. The $2,400 payment level for a family of four established under the bill is far short of the Federal Government's official determination of the poverty level. Representative WILBUR MILLS, in an appearance on Meet the Press on June 6, and Health, Education, and Welfare Deputy Undersecretary Robert Patricelli, as reported in the Washington Post of June 16, have acknowledged that $2,400 is not sufficient to provide a minimally adequate income. The States would have to supplement the Federal payment if these families are to live a decent existence.

We are faced today with a crisis resulting from our failure in the past to deal adequately with the plight of those who are in need of assistance. It is a problem that is of the greatest consequence to our Nation's future. Yet the primary concern of the Ways and Means Committee with regard to FAP–OFF appears to have been the fiscal woes of the States and localities. Granted, this is a problem that we cannot overlook.

Yet the effect of the enactment of H.R. 1, with its failure to deal adequately with the problems of the poor, would, over the long run, be far more detrimental to the monetary health of the States and the Nation. There can be only short-term savings if we fail to act vigorously on the problems presented by the existence of poverty in our Nation's cities and rural areas. If we do not deal with the crisis today, the cost to our society tomorrow will be prohibitive.

H.R. 1 encourages the erosion of State responsibilities in the field of welfare at a time when State legislatures are scrambling over each other in an attempt to determine which can enact the most regressive reforms. States are not required to maintain their present level of benefits. If the Federal payments were at an adequate level, it would not be necessary for the States to augment these benefits with their own funds. Yet under the provisions of H.R. 1, the poor are far from likely to receive adequate assistance from either the Federal Government or the States.

Requirements regarding State actions that are stipulated in the current welfare law and Federal support of some aspects of the assistance program are done away with in the present bill. For example, the requirement that States adjust their standard of need to the rise in the cost of living has been eliminated. A similar provision regarding automatic cost-of-living boosts in social security benefits has on the contrary been retained by the Ways and Means Committee.

Currently, reductions in the percentage of the State-determined need paid to recipients must be approved by the Department of Health, Education, and Welfare. That would no longer be the case under the modifications found in H.R. 1. Further disincentives for State supplementation of the benefit level paid by the Federal Government include a provision that if a State increases its payments to individuals above the amount they received in money and food stamps as of January 1, 1971, the State foots the entire cost. In effect, this would mean that States have little incentive to increase their present level of benefits. In fact, they may lower their benefit levels by failing to supplement the Federal payments.

The bill is also a nightmare of questionable provisions that either have already been declared unconstitutional by the Supreme Court or do away with safeguards that are presently part of the welfare law. First, despite the holding of the Court in Smith against Thompson, States are authorized to impose a 1-year residency requirement for eligibility for supplemental benefits. Hearing procedures need no longer conform with many current regulations regarding due process. To cite an example, a recipient who refuses a job offered to him would be denied the right to a hearing before the Government took away his benefits and instituted the payment of the child's benefits to a third party. The bill also lacks any clear definition as to what constitutes good cause to refuse a job. There is no provision in H.R. 1 guaranteeing a recipient's right to receive benefits pending a hearing—in violation of the Supreme Court's decision in Goldberg against Kelly.

Second, a mother presently has the right to be consulted concerning the adequacy of child care for her dependents. H.R. 1 contains no child care standards, nor does it adequately fund such programs. Recipients may even have to pay part of the cost of such services. Third, in clear violation of the sixth amendment, broad authority is granted to the Secretary of Health, Education, and Welfare to ban certain people from accompanying welfare recipients to family assistance offices to assist them in securing their legal rights.

We must also recognize that we can no longer deceive ourselves concerning wherein lies the solution to the complex problem of welfare and workfare. If work were available, only 5 percent of those individuals currently receiving welfare benefits would be considered employable, according to HEW figures. Certainly we must provide job training and public service jobs for those who can work, but we must not delude ourselves into thinking that we can cope with the welfare crisis by putting all people on the work rolls instead of the welfare rolls. Providing jobs at $1.20 an hour for those 5 percent who can work would give the wage earner a mere $2,400 annual income. Such underemployment is yet another example of our failure to fulfill rising expectations and our delusion that if people work, they are thereby automatically self-supporting; $2,400 is simply not an adequate income.

There are those who say that vast numbers of welfare recipients are not eligible for the payments they are getting. I agree that we should insure that those truly in need are not injured by people receiving benefits illegally. Yet when only four out of every thousand recipients cheat on their welfare eligibility conditions, again we need to look elsewhere for a real remedy to this problem. Fewer people cheat on welfare than do on their income tax returns. H.R. 1, however, treats welfare recipients as potential cheaters and requires extensive documentation and verification of eligibility. Recipients are also forced to reapply for their benefits de novo every 2 years. This is both demeaning to the recipient and costly to the taxpayer.

One out of every 10 of our children is presently on welfare. It is their future—and the future well-being of our Nation with which we must be concerned. If we fail to provide them with the means necessary to free themselves from the cycles of poverty and welfare, we will be condemned to live in those cycles as well. We must provide for these needs now. We cannot reassure ourselves by saying that future Congresses will improve upon the harmful provisions in the bill now before us. We cannot delude ourselves into thinking that benefit levels will automatically be increased to adequate standards at some point in the future.

What we must do in this session of the Congress is to enact legislation that will guarantee to every American the means to maintain himself and his family at a decent standard of living in this country of abundance for the many. H.R. 1 does not meet that obligation. Therefore, we must vote our consciences and defeat the bill.

I would like to submit for the consideration of my distinguished colleagues an excellent analysis of H.R. 1, title IV, which was prepared by the center on social welfare policy and law of Columbia University.

H.R. 1: THE OPPORTUNITIES FOR FAMILIES PROGRAM AND FAMILY ASSISTANCE PLAN

(A Comment on Amendments to the Aid to Families with Dependent Children Program Approved by the Committee on Ways and Means, House of Representatives, May, 1971)

INTRODUCTION

The Columbia Center on Social Welfare Policy and Law is a national center for law

reform in welfare and other government benefit programs. Since its inception, the Center has become familiar with all aspects of the Social Security Act, particularly the so-called categorical assistance programs which are amended by the Family Assistance and Opportunities for Families Programs, and the ways in which these programs are administered by the states. The Center has conducted welfare litigation under the Act and has worked closely with welfare recipients, recipient organizations and public welfare administrators on the local, state, and federal levels.

Since the President first announced a specific welfare reform program in August of 1969, we have attempted to define the impact of this and other proposals upon recipients and the general public, both in terms of actual benefits received and of the rights and liabilities of those dependent upon some sort of public assistance. In October of 1970 we prepared a detailed analysis of the Family Assistance Plan then being considered by the Senate Finance Committee.[1] The following comments are directed towards the latest version of the Family Assistance Plan to come before the Congress, H.R. 1, as reported by the Committee on Ways and Means of the House of Representatives. The bill creates two programs for low income families with children: Opportunities for Families (OFF) and the Family Assistance Plan (FAP). In the first would be placed all families in which there is at least one person judged employable and therefore required to register with the Secretary of Labor for manpower services. This includes those already working, with incomes low enough to qualify them for supplemental assistance. The latter will include all other needy families. A separate part of the bill, not dealt with herein, provides aid to persons who are aged (over 65), blind or disabled, the "adult" assistance categories.

Although it extends benefits for the first time to the "working poor," and promotes uniformity through increased federal administration, H.R. 1 contains little else in the way of "welfare reform." If enacted it can result in a loss of benefits to 90% of current welfare recipients and it will create an administrative process antagonistic towards concepts of individual rights and entitlements and unresponsive to severe human needs.

A BRIEF HISTORY OF FAMILY ASSISTANCE LEGISLATION

In August, 1969, the President submitted a welfare reform program to the Congress.[2] The President intended to ameliorate the unequal distribution of benefits under the current system by requiring a minimum income level ($1600 for a family of four), aiding all families with children, including those with both parents present and the father employed (the working poor), and requiring those able to do so to accept jobs, job training or other services designed to increase their employability and decrease dependence. Only eight states then paid less than $1600 to a family of 4 receiving Aid to Families with Dependent Children (AFDC). The other states would have had to continue payments sufficient to maintain current benefit levels. In no case were benefits to be lowered because of FAP. There was to be a uniform set of rules and regulations under federal administration for determining eligibility and grant levels. For recipients of Aid to the Aged, Blind and Disabled, the "adult" assistance categories, the President proposed a minimum grant level of $90 per month per person. The federal government was to assume a major share of the cost of both programs, and the states would be held harmless against the expenditure of more than 90% of their 1970 welfare costs.

The House of Representatives, in the Spring of 1970, voted to enact H.R. 16311, essentially the President's proposal, with some stricter provisions relating to the work requirement and the support of dependents by deserting parents, and a slightly higher benefit level in the adult categories.

The Senate Finance Committee, with jurisdiction over H.R. 16311, disapproved of several features of the legislation. The House-passed bill, according to a committee staff analysis,[3] allowed too many areas of administrative discretion and could lead to an actual loss of benefits for some recipients (those with earned income) in at least 22 states. Under pressure from the committee, the Administration submitted new drafts of FAP legislation in June and October of 1970.[4] and finally agreed to a third draft completed in November and introduced by Senators Ribicoff and Bennett,[5] The final bill (hereinafter the November revision) contained guarantees against arbitrary administrative action and adequate assurances that no state would provide less in the way of actual cash benefits after FAP. This bill was never voted upon by the Senate because of the legislative log-jam which developed at the end of 1970.

SECTION-BY-SECTION ANALYSIS OF H.R. 1

§ 2101. Purposes.

H.R. 1 creates an income supplement and employment program to replace the cash benefits of Aid to Families with Dependent Children (AFDC). It is set up:

"For the purpose of—(1) providing for members of needy families with children the manpower services, training, employment, child care, family planning, and related services which are necessary to train them, prepare them for employment, and otherwise assist them in securing and retaining regular employment and having the opportunity for advancement in employment, to the end that such families will be restored to self-supporting independent, and useful roles in their communities, and

(2) providing a basic level of financial assistance throughout the Nation to needy families with children in a manner which will encourage work, training, and self-support, improve family life, and enhance personal dignity. . . ."

This is in marked contrast to the purposes of AFDC, of "encouraging the care of dependent children in their own homes or in homes of relatives . . . to maintain and strengthen family life and to help . . . parents or relatives to attain or retain capability for the maximum self-support and personal independence consistent with the maintenance of continuing parental care and protection.[6] The primary purpose of the Act was to permit parents to raise their children at home by eliminating economic hardships which might force them to seek alternatives. There was, then, a societal determination to maintain as much as possible a stable family life for American children left without full parental care.[7] The theory that no child should suffer when circumstances leave him with no means of subsistence is undercut when making people work becomes the major aim of an aid program. As many of the following comments will show, real human needs are often ignored in such a context.

§ 2102. Basic Eligibility for Benefits.

Families in which a member is judged employable and registers for manpower services, training or employment are to be paid benefits by the Secretary of Labor under OFF. Benefits begin only after registration. Other eligible families will receive benefits from the Secretary of Health, Education and Welfare in the FAP program. This distinction, however, is likely to be blurred, at best, for many recipients. Employability factors will tend to fluctuate, for example, because of temporary disability, family break-up or childbirth. Each such occurrence will require a shift from one program to another. For many recipients, therefore, the structure of H.R. 1 will result in repeated moves between the jurisdictions of OFF and FAP, entailing frequent redeterminations of benefit levels and eligibility. Although regulations under the two programs are to be as nearly alike as possible, § 2151, the procedure can easily result in delayed or missed payments. Coupled with the other extensive and stringent requirements for applications and the reporting of information set out below, this twofold payment structure would appear to present extensive administrative burdens to recipients and the government.

PART A: OPPORTUNITIES FOR FAMILIES PROGRAM, REGISTRATION OF FAMILY MEMBERS FOR MANPOWER SERVICES, TRAINING AND EMPLOYMENT

§ 2111. All persons judged employable by the Secretary of Health, Education and Welfare must register for manpower services. The penalty for failure to register has been raised to $800 per year for each of the first two refusing members. § 2152(c).[8] (FAP began with a $300 penalty, which was raised to $500 in the house.)[9]

All persons are to be considered employable except the following:

(1) persons unable to work because of illness, incapacity or advanced age;

(2) mothers or other caretaker relatives of children under 3 years of age (under 6 until July 1, 1974);

(3) mothers or other female caretakers of children if an adult male relative is in the home and has registered for employment services;

(4) children under 16 or under 22 and in school; and

(5) persons required at home to care for an ill or incapacitated member of the household.

All other persons must accept any employment, job training, or rehabilitation service to which they are referred by the Secretary of Labor.

While few would quarrel with the merits of providing training and services to improve the employability of those with no income, it is doubtful that the OFF program is realistically structured with that goal in mind. Priority in providing manpower services is to be given to "mothers and pregnant women . . . who are under nineteen years of age." [10] The labor market is notoriously restricted for this group, and it would appear that self-sufficiency through employment would be extremely remote for them. This requirement is particularly puzzling in that a pregnant woman becomes immediately unavailable for employment under § 2111(b) once she gives birth. The section does, however, create the opportunity for harassment of women applicants by local employment personnel and at best for severe disruption in the pattern of family life for young children.[11] All further priorities are left to the discretion of the Secretary of Labor.

By contrast, the priorities under the AFDC Work Incentive Program (WIN), the precursor of OFF, are more clearly designed to promote the employment of those most likely to benefit from the program:

i. (a) Unemployed fathers currently participating in a Work Experience and Training Program under Title V of the Economic Opportunity Act or who have participated in a Community Work and Training Program under section 409 of the Social Security Act;

(b) Other unemployed fathers.

ii. Mothers and other caretaker relatives and essential persons who volunteer and are currently participating in a Title V Work Experience and Training Program.

iii. Dependent children and essential persons age 16 or over who are not in school, at work, or in training, and for whom there are no educational plans under consideration for implementation within the next 30 months.

iv. Mothers and others who volunteer but

Footnotes at end of article.

are not currently involved in a Work Experience and Training Program and who have no preschool children.

v. Mothers and others who volunteer and have preschool children.

vi. Any others determined by the State to be appropriate for referral. [45 C.F.R. §220.35(a)(3)]

These priorities are by no means completely equitable (they discriminate against mothers, for example, even though the responsibilities of a single woman are commensurate with a father's) but they seem more designed to increase employability.

Priorities, and the work requirement itself, become irrelevant when one considers the labor market today. Unemployment is now 6.1 percent (5,085,000 people). The rate for blacks is 10 percent.[12] The number of officially poor persons rose in 1970 for the first time in a decade, by 5 percent, to 25.5 million.[13] Welfare rolls have risen concurrently.[14]

OFF will not provide jobs to meet this kind of demand. The Administration estimates that there will be 2.6 million families with persons registering for employment services. The bill provides for 412,000 training and job placement slots, 200,000 public service employment slots, and 187,000 slots now in the Work Incentive Program under AFDC. This is a total of 799,000 placements, leaving 1.8 million either employed, placed in vocational rehabilitation or drug treatment, or unplaceable. Only 75,000 slots are budgeted for upgrading the employability of those in low paying jobs.[15] The Committee on Ways and Means offers no estimate of how many unemployed registrants will be available for the 799,000 placement slots.

Public service employment jobs are to be used to place those without jobs or training programs, for a limited time only. Funding is available for such placements for up to 3 years, after which the recipient must be hired as a regular employee of the agency where he is placed, or dropped from the program. § 2114(c).

The assumption on the part of many persons in and out of government is that the upsurge in welfare costs is due not to an officially-induced recession but to the laziness of the poor and their unwillingness to wash bed pans, for example.[16] Yet reliable studies indicate that poor people want to work and will voluntarily take advantage of help in getting jobs or training. As of 1969, HEW reported 20.1 percent of welfare mothers in the labor market. Of these, 66.5 percent were working; 33.5 percent were unemployed, unable to find jobs.[17] A 1967 Wisconsin study revealed that 53.7 percent of AFDC mothers interviewed wanted to go to work if adequate child care were available. Twenty-two percent of those interviewed were already working; 25 percent had worked at some time while receiving AFDC; over 8 percent had never worked but had tried to find jobs since coming onto the program.[18]

The Ways and Means Committee itself cites substantial data on the trend toward mothers voluntarily assuming support of their children.[19] This data would appear to militate against the need for the application of a coercive work requirement, particularly to mothers of pre-school children. Under the WIN program, volunteers were plentiful.[20] Sanctions for refusal to work had been applied in only 200 cases as of October, 1969.[21] In fact, a joint Labor-HEW task force on WIN discovered that under-utilization of the program has been due to the ignorance of caseworkers and lack of outreach plus insufficient child care and medical facilities, rather than to the intransigence of recipients.[22] Results of the OEO experiment in income maintenance without a work requirement indicate that work effort will increase among persons receiving supplementary payments:

"The data suggest that: i. There is no evidence that work effort declined among those receiving income support payments. On the contrary, there is an indication that the work effort of participants receiving payments increased relative to the work effort of those not receiving payments." [23]

No work requirement can erase the lack of effective training programs and worthwhile jobs available to the poor.

"Persons are disadvantaged in the labor market because employers and potential fellow employees discriminate against them on racial and ethnic grounds, because social forces have established school systems which make them into unemployables and which are prevented from responding to their needs, because they are still residentially confined to areas where it is often uneconomical for plants to locate; because the relative cost of hiring them and raising their productivity are often excessive, in view of the multitude of ways in which they are disadvantaged; because mitigating their disadvantage seems to run counter to the short-term interests of those trade union members who are but two steps ahead of them in the labor market queue; and because certain government agencies, presumably charged with the responsibility of supplying services on an equitable basis to all, remain at best indifferent to efforts to equalize labor market opportunities." [25]

Successful manpower programs, in terms of numbers of participants placed in jobs, in a recession may simply mean that an equal number of non-participants did not receive jobs. Work requirements, like the AFDC Work Incentive Program (WIN), which made sense in an era of full-employment, become oppressive in the context of a government-induced recession. It may be valid public policy to combat inflation with high unemployment; but we should not then punish the victims of this policy by denying relief to those who do not work.

§ 2111(c) Standards for jobs and training programs.

A registrant cannot challenge offered employment as unsuitable to his particular needs or ability. By contrast, under the original bill proposed by the President, and the November revision, registrants could be compelled to participate only in "suitable" employment and manpower services.[26] Suitable was defined with reference to the degree of risk to such individual's health and safety, his physical fitness for the work, his prior training and experience, his prior earnings, the length of his unemployment, his realistic prospects for obtaining work based on his potential and the availability of training opportunities, and the distance of the available work from his residence.[27]

The new work provision is an advancement over most previous proposals in one respect: it permits referral only to jobs which pay at least a minimum of 75 percent of the federal minimum wage (now $1.60 per hour) or applicable federal, state or local minimum or prevailing rates, if higher. This prevents referral to those extremely low-paying positions which are often found suitable for assistance recipients by state employment services.[28] The bill should, however, set a minimum acceptable wage at the full federal minimum. This is the rule adopted in the case of public service employment programs. (See § 2114(c)(4)). There is no basis for this discriminatory treatment of those in private employment. If persons cannot be forced to work for public employers for less, they should not be forced to do so in private job placements.

§ 2112. Child Care and Supportive Services.

Lack of adequate child care facilities should be specified as a basis for refusal to participate in the manpower program. The Ways and Means Committee indicates that no mother would be forced to undertake work or training without adequate child care,[29] but this idea is not stated in the bill. The Secretary of Labor is authorized to provide child care for registrants, but there is no explicit remedy for the lack of such care. Under AFDC states are prohibited from referring any person to WIN if there are no adequate child care services available.[30] The November FAP revision provided that—

No family shall be denied benefits . . . or have its benefits reduced, because an individual who is a member of such family refuses work, if such individual is the mother, or other relative of a child . . . who is caring for such child, unless child care is provided pursuant to section 436 or child care of the same type and reasonable equivalent cost . . . is available for such child. § 448(c).

It should also be made explicit that a family may choose for itself the best child care arrangements, and that such choice need not be based only upon consideration of cost.

The WIN program, for example, requires that care be suitable for the individual child and that caretaker relatives be involved in the selection of the child care to be used if there is more than one source available. When there is only one source available caretaker relatives need not accept it if they "can show that it is unsuitable for their child." [31]

Standards for child care facilities are left completely to the discretion of the Secretary of Health, Education and Welfare. Adequate day care should be defined in the act as including maximum health and safety standards, an educational enrichment program, and a location convenient to the home and the parents' place of work.[32] Such quality standards are apparently not to be applied in judging whether care is adequate enough to require the mother to accept manpower services.[33]

PART B: FAMILY ASSISTANCE PLAN

§ 2133. Child Care Services.

Child care services are to be supplied to those FAP recipients required to participate in Vocational Rehabilitation. The Secretary of Health, Education and Welfare is to develop child care facilities for FAP and OFF families and to establish standards for such programs. Comments on § 2112, *supra*, p. 11, apply equally to this section.

PART C: DETERMINATION OF BENEFITS

§ 2151. See comments under § 2102, *supra*, p. 4, on separation of payments under Family Assistance and Opportunities for Families.

§ 2152. Eligibility for and Amount of Benefits.

H.R. 1 ostensibly raises the minmum federally guaranteed income floor from $1600 (in H.R. 16311 and Senate revisions) to $2400 for a family of four. The grant formula is $800 for each of the first two family members, $400 for each of the next three, $300 for each of the next two, and $200 for the next member. No family may receive more than $3600.[34] A family unit, regardless of size, may retain resources of up to $1500. However, under the $1600 floor, families were also to be eligible for food stamps, which would provide an income supplement of up to $74 per month or $918 per year.[35] Recipients of FAP will not be eligible for stamps § 502. In only five states[36] and Puerto Rico are recipients entitled to less than $2400 in combined public assistance and food stamps. Only the 872,500 recipients in these jurisdictions will gain income under H.R. 1. In all other jurisdictions, serving 7,836,700 recipients, benefits are reduced. (See section on state supplementation, p. 23, infra, for further comments on reductions in benefits.) According to official estimates, payments per recipient in 1973 will be $827 if AFDC is retained and only $494 under FAP and OFF.[37] Families will still be

Footnotes at end of article.

entitled to receive surplus commodities, worth up to $432 per year, per family of four, the alternative to food stamps under the Agricultural Act.[38] This discrimination means that in some communities families will receive an income supplement in food benefits, while their neighbors in the next county will not.

Of course, families not now eligible for benefits (the "working poor") will gain up to the federal floor. This group in addition is expected to gain the most out of the income disregard provisions. However, it must not be forgotten that the Administration expects only 7 million out of a 20.3 million caseload to be members of the working poor category.[39] The remainder will be without any other source of income. (One-half of the increase in poor persons in 1970 consisted of families headed by women.)[40]

The United States Brueau of Labor Statistics estimates that as of January, 1970, an average family of four required $6,960 to meet minimum needs at a low living standard.[41] The Consumer Price Index has risen 5.9% during the past year, making the comparable current low income budget $7,370.64.[42]

A FAP grant of $2,400 provides ⅓ less than the national "poverty level" of $3,960. This figure is set annually by the Social Security Administration as a minimal subsistence allowance, but it is widely regarded as inadequate in terms of actual need:

"Technically, an income at the poverty level should enable families to purchase the bare necessities of life. Yet an itemized budget drawn at that level clearly falls short of adequacy. There are many items for which no money is budgeted, although these items may be needed. Funds for them can only come out of sums already allotted to the basic necessities of life." [43]

AFDC now authorizes the states to provide for "special needs' 'in addition to the basic need grant.[44] This refers to extra cash payments for unusual or non-recurring expenses, such as replacement of a worn-out refrigerator or stove, or a special diet for an ill person or pregnant woman. Special needs can include aid to replace items lost in a disaster such as a fire or theft. Most states make some allowance for special needs. New Hampshire, for example, allows additional grants for replacement of furniture, laundromat fees, moving of household goods when there is a valid reason for the move, property repairs, a telephone or housekeeper for persons who are ill, and special transportation costs.[45] FAP and OFF make no provision for meeting special needs; those faced with an unusual need must do without or deduct from an already minimal food and shelter allowance. The Ways and Means Committee indicates that the states are to continue special needs grants, in a program totally separate from any supplementation of FAP or OFF.[46] These grants are, of course, not mandatory, and there is no federal contribution toward their cost.

FAP and OFF grants are much lower than grants under Aid to the Aged, Blind, and Disabled, the so-called "adult" aid categories. These programs will provide $130 per person in 1973, $140 in 1974 and $150 in 1975; couples will receive $200 by 1974.[47] Funding is wholly federal, with an optional state supplementation provision. This feature of H.R. 1 perpetuates invidious distinctions which have come about partly because the adult categories can be set up by the states as separate and distinct programs, and partly because of local prejudices in favor of needy adults and against AFDC recipients.

The Administration has given no rational basis for this extreme differentiation in grant levels. The budget for adult recipients includes the same components as that for families—food, shelter, clothing, and certain personal expenses. Medical needs are not met through basic grants. There is a work incentive-income disregard in each program, although in the adult categories it is a patchwork, varying according to whether one is aged, blind or disabled, which should be standardized in any federal plan.

The Bureau of Labor Statistics has calculated living costs for retired couples at low, moderate and high living standards, and compared them with its similiar budgets for younger families.[48] For items of basic need such as food and clothing, the younger family of four had to spend more of its consumption dollar than the retired couple. The BLS retired couple's lower budget in 1969 was $2,902, and is now $3,209 [49] over 80% of which is met by H.R. 16311. By comparison, only 61% of a family of four's budget is met under Family Assistance.

§ 2152(d). Determination of Benefits.

Under the current Social Security Act payments are based upon current needs. "Aid shall be furnished with reasonable promptness to all eligible individuals.[50] This has been interpreted to mean that: "only such net income as is actually available for current use on a regular basis will be considered and only currently available resources will be considered." [51]

Under H.R. 1 budgets are not computed according to current need. Budgets are computed quarterly, and any income, in excess of exempt income defined by § 2153, received during the previous three quarters, is to be deducted from benefits due for the current quarter. This is true even though at the time it received income a family was not in receipt of any assistance benefits and had to spend all its income to meet its needs.

Upon becoming eligible for FAP or OFF, a family will be presumed to have saved all income for the past 9 months in excess of payment levels, in anticipation of its entitlement for benefits. A family suddenly thrown out of work will thus have to wait up to 9 months before it is eligible for any payment, regardless of its ability to meet current needs.[52]

In other versions of FAP it was intended that income be based on current quarterly needs. Annual accounting was reserved for families in unusual situations, such as farming, in which the bulk of their income is received during a single quarter.[53]

§2152(e) Biennial Reapplication.

All payments cease automatically after two years, despite continued need, unless a family files a new application, to be treated "as though it were such family's initial application for benefits under this title." There is no deadline by which payment must be made after application, so benents can be withheld indefinitely pending reprocessing. A $100 emergency grant is the only interim relief available. (See p. 26. infra.) This provision can result in thousands of families' missing benefits, simply because of ignorance of their deadline. It would seem to entail considerable administrative expense and it is moreover, superfluous as a check on eligibility given the strict rules on furnishing information. See p. 36 infra. The committee justifies the requirement as a review of eligibility and the reasons for dependence of each family, in order to combat long-term reliance on public assistance. However, administrative officials can be required to review each family's status periodically, as a check on eligibility and other factors. The danger in the reapplication requirement is that the burden of compliance is shifted instead to the recipient family, and away from the agency employee. In many cases a recipient family is far less capable of compliance with bureaucratic procedures.

§ 2152(f). Special Limits on Gross Income.

The Secretary may limit the amount of income which a family may realize from a trade or business (including farming) and remain eligible. Thus a family with a viable occupation with high overhead is ineligible despite its low actual income. Such a family must go without assistance or join those who are unemployed and must be serviced under the work program.

There is no similar provision allowing such a limit in state AFDC programs.[54]

§ 2152(g)(1) Ineligible Individuals.

(1) The entire family is ineligible for benefits if any of its members fails to take all steps necessary to qualify for any "annuity, pension, retirement, or disability benefit . . ." This is the only place in the bill where an entire family is completely disqualified from all benefits solely because one member fails to comply with a program regulation. Even the penalty for refusal to work is less: the reduction of the family's grant in an amount attributable to the refusing person's needs.

If any benefit carries with it a work requirement, the eligible family member must accept any required work, unless it fails to meet OFF job-standards. The section therefore, in some cases, will create an additional, more severe, penalty for failure to work. The section should be altered so as not to result in total family ineligibility.

(2) Individuals are ineligible if they are unable to work due to a disability caused, in whole or in part, by drug or alcohol abuse, unless they are undergoing approved, available treatment. The Secretary is to provide for "monitoring and testing" of such persons, "to determine the extent to which the imposition of such requirement is contributing to the achievement of the purposes of this title." § 2152(g)(2)(B).

It is this very tentative and experimental nature of the section which gives cause for concern. In effect those administering family assistance are being asked to play a major role in correcting drug and alcohol addiction, a goal which appears to have eluded success by numerous other agencies specializing in and expertly equipped to deal with these problems.

Decisions as to the extent of addiction and alcoholism are to be made by welfare administrators who presumably should be best trained in other areas of social service. At the same time it is questionable whether treatment induced by threat of withholding welfare can result in success. At least one New York addiction treatment center reports that it has never been able to treat effectively any person referred by the welfare department.[55]

It is clear that the onus of this requirement will in most cases fall on the family of the alleged addict or alcoholic. We question the attempt to insert a major drug prevention effort into a program designed to maintain family income and employability.

§ 2153. Meaning of Income.

§ 2153(b) Exclusions from Income.

A work incentive, designed to insure recipients who work a higher income than those who do not, has been part of the Social Security Act since 1967. The incentive is accomplished by setting aside a given amount of income which is to be retained by the recipient and not deducted from his assistance grant. In addition a family need not count as income money earned by a student, inconsequential or infrequently received income up to set limits [56] and the cost of child care. However, these latter exemptions cannot exceed the lesser of $2,000 plus $200 for each family member over four, or $3,000. Finally, not subject to any limit, the family may exclude any assistance based on need undergoing job training or vocational rehabilitation; any part of a grant, scholarship or fellowship used for payment of tuition and fees; home produce consumed by the family; one-third of support or alimony paid to

See footnotes at end of table.

family members; and any amounts received for care of a foster child.

Out of the work incentive of $720 plus one-third must be paid all expenses of going to work, including all federal, state and local taxes, union dues and other mandatory payroll deductions, and transportation costs. When these costs are high, expenses can easily go beyond the exemption, leaving a working family less actual income than one where no member is employed.

Under current law, the work incentive itself is calculated on the basis of gross, not net income:

The applicable amounts of earned income to be disregarded [$30 per month plus ⅓ of the remainder under AFDC] will be deducted from the gross amount of "earned income," and all work expenses, personal and non-personal, will then be deducted. Only the net amount remaining will be applied in determining need and the amount of the assistance payment.[57]

Under FAP and OFF, from gross income one must deduct earnings of students, child care costs and inconsequential income. The incentive is applied to whatever remains. Work expenses must be met out of the incentive. The amount of extra cash a recipient realizes from every dollar earned will therefore be lower in many states under FAP than under current programs.

To maximize the work incentive in terms of money for recipients the method currently followed by HEW should be maintained under FAP and state supplementation: from gross income, deduct the incentive of $720 plus ⅓ of the remainder; then deduct all taxes and other payroll deductions; then deduct personal work expenses such as transportation, etc. and other work or training expenses, child care costs, income of students and inconsequential income.

The ceiling on additional exemptions is unrealistically low. In a family of four which must pay $30 per week for child care, a low estimate for a single parent working full time, any older child cannot retain over $500 a year, even if he requires more to meet educational costs. This is the first time such a limit has been proposed.

§ 2155. Definition of Family and Child.

A family is defined as two or more related persons living together in a place maintained by one as his or her home, who are residents of the United States and one of whom is a citizen or an alien admitted for permanent residence. The definition of "maintained as a home" is unclear and unless loosely interpreted may be used in an attempt to deny federal benefits to migrants or other persons of unfixed domicile.

College Students. There is an absolute exclusion of any family whose head is an undergraduate or graduate student "regularly attending a college or university." This arbitrarily forecloses any recipient from pursuing a higher education, even though within a brief period his or her earnings potential would rise far beyond dependency levels. The overly broad exclusion makes ineligible a family head who might be working or willing to work full time, and study part time, at his own expense, on a scholarship, or even at a free public institution. In current aid programs, college attendance clearly cannot be a factor in eligibility.[58] Under the WIN program, recipients regularly attend college, under administrative determination that this is the best "employability" plan for them. Such determination by OFF should not be arbitrarily precluded.

Residency. Individuals are not eligible for FAP or OFF who remain outside the United States for thirty days until they have resided again in the U.S. for thirty consecutive days. This section does not apply to persons whose absence is due to employment or military service. The Supreme Court has twice prohibited the states from imposing any residence requirement on ARDC recipients.[59] The right to travel extends to travel abroad, and its restriction is violative of the fifth amendment when imposed by the federal government.

"In terms of federal power, the discrimination created by the one-year requirement violates the Due Process Clause of the Fifth Amendment." [60]

The bill would aid only families with children, excluding single adults or married couples without children living at home.

Two executive commissions within the past five years have recommended across-the-board aid to needy individuals,[61] as do several alternative welfare reform bills before the House. Although H.R. 1 does go beyond present programs in providing for federal aid to intact families with an employed parent, it nevertheless perpetuates the normative categorizing of the poor which is characteristic of current aid programs.[62] There is no equitable basis for extending help to persons with children and denying it to those without, when needs are identical.

§ 2155(d) Income and Resources of Non-Contributing Individuals.

This section requires that Family Assistance benefits be reduced by the income of adult members of the family unit, whether or not they are legally obligated to support all of the members of a recipient family. The income of a parent or spouse of a parent is presumed to be income to the entire family whether or not it is available to them. A male may have numerous obligations to support persons with whom he is not presently living, yet his entire income is budgeted for his spouse's household.

Requiring income of the parent's spouse to be budgeted for the needs of the entire family, even if he is not legally liable for their support, creates the danger that needy children will go without aid because of their mother's marriage, a practice which the Supreme Court has invalidated under the Social Security Act. In *King v. Smith*,[63] the Court ruled that an AFDC family's grant could be not terminated because of the suspected presence of an adult male in the household. HEW has implemented this decision by requiring that income of a household member not be attributed to a family (unless actually available) unless that person is liable, under a state law of general applicability, for the support of someone in the family who is receiving assistance.[64]

The Supreme Court recently upheld this regulation under the Social Security Act:

"Any lesser duty of support might merely be a device for lowering welfare benefits without guaranteeing that the child would regularly receive the income on which the reduction is based, that is to say, not approximate the obligation to support placed on and normally assumed by natural or adoptive parents." [65]

Section 2155(d) as now written penalizes children whose mothers choose to remarry. In all but one state a step-parent need not support his wife's children unless he chooses to adopt them. Attributing his income to the entire family (not just to his wife, whom he is liable to support) creates a strong disincentive to marriage and family stability.[66]

For these reasons the phrase "or spouse of a parent" in § 2155(d) should be deleted.[67]

§ 2156. Optional State Supplementation.

No state will be required to pay any additional assistance to any recipient under the FAP or Opportunities for Families programs. For 5,787,500 current recipients in 29 states plus the District of Columbia,[68] (66.8% of the total caseload) current AFDC payments are above FAP–OFF levels. In 45 states, 7,827,500 are entitled to higher benefits counting the food stamp bonus. Again calculating on the basis of AFDC benefits alone, a family of four in nine states will lose $100 or more per month.[69] For all of these persons, benefits can be lowered to FAP levels.

If states do choose to comply, eligibility must be determined according to FAP rules. Otherwise, any state payments will be deducted from FAP or OFF grants, and thus negated.

The federal government will guarantee that no state which voluntarily chooses to supplement federal benefits will have to spend more than it did on categorical aid in calendar 1971.[70] However, the hold harmless provision will not apply if a state raises benefits above 1971 AFDC levels plus the food stamp bonus. These levels are defined restrictively. The state may not include payments to any persons ineligible under its 1971 AFDC program, but at its own expense it may supplement intact families. This is a strong disincentive towards benefit increases, despite sharply rising living costs. It is a direct repudiation of current Congressional policy requiring that states adjust needs levels and maximum payments to reflect changes in living costs as of 1969,[71] under which twenty-five states have made recent upward adjustments in grants. There is no provision for cost-of-living increases in FAP or OFF (although another part of H.R. 1 requires such increases in Social Security benefits) and this section precludes such increases by the states.

In his first formal statement on welfare reform, the President pledged that benefit levels would not be reduced for families aided under existing AFDC programs.[72] Previous bills supported by the Administration required states to pay the difference between current benefit levels and the federal floor to all families currently eligible for AFDC (i.e., excluding the working poor).[73]

Although under H.R. 1 not all states are expected to cut out all payments immediately, the current rash of grant reduction announcements[74] indicates that this will be the inevitable result.

Residency. The states may impose residency requirements of unlimited duration on eligibility for supplementation. As noted above, the Supreme Court has twice made it clear that no such requirement can constitutionally be imposed.[75] In *Shapiro v. Thompson*, it is specifically stated that Congressional authorization will not save a residency requirement:

"Finally, even if it could be argued that the Constitutionality of § 402(b) [permitting a one-year residence requirement in AFDC] is somehow at issue here, it follows from what we have said that the provision, insofar as it permits the one-year waiting period requirement, would be unconstitutional. Congress may not authorize the states to violate the Equal Protection Clause. . . . Congress is without power to enlist state cooperation in a joint federal-state program by legislation which authorizes the state to violate the Equal Protection Clause.[76]

PART D—PROCEDURAL AND GENERAL PROVISIONS

§ 2171(a) Third Party Payments

Under two circumstances benefits are to be paid to someone other than the family head. The first is when there is shown incompetency to manage funds on the part of the family head; the second, when the family head has refused to register for manpower services or accept training, employment or rehabilitation services. Payments in such cases may be made to "any person other than a member of such family . . . who is interested in or concerned with the welfare of the family." [77] This language creates the possibility that payments may be made to a caseworker or other public official, who may have made the original decision to begin third party payments, and is then in a position to dictate the ways in which the grant may be spent. Assuming the validity of third party payments under these circumstances, preference should be given to other family members or resident non-family members.[78]

Third party payments may be made in cases of mismanagement only after a hearing. A

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similar right should apply in the case of refusal to enter the manpower program.

§ 2171(a)(4) Emergency Assistance.

A family who applies for benefits, is faced with a "financial emergency," and can establish presumptive eligibility, may receive an emergency grant of up to $100 pending processing of his application. This grant is then deducted from its first assistance payment.

Emergency assistance, or a cash grant over and above basic benefit levels, is now permitted by statute at any time, for a period of up to 30 days each year, to recipients without resources to "avoid destitution . . . or to provide living arrangements."[79] Examples of situations in which assistance is available are a home destroyed by fire, flood or other disaster, extensive theft, or a lost or stolen assistance payment.[80] In addition, grants should not be recovered from regular payments. An emergency encompasses costs over and above recurring family needs, and an emergency grant should be recognized as such. While some means is necessary to meet immediate needs during application procedures, such emergencies do not arise only at the time of initial application. Some provision should be made by FAP for special grants any time a family is destitute.

Moreover, a $100 ceiling is not adequate. There is no time limit on the processing of applications and beginning of payment. One hundred dollars is scarcely adequate to provide a family with food and shelter for an indefinite period, particularly when emergency needs caused it to apply in the first place. In those states now providing for emergency needs, payments per family averaged $151.35 for a single month, December of 1970.[81]

§ 2171(c) Hearings and Review.

Hearings

§ 2171(c), the provision for hearings to challenge administrative decisions ignores *Goldberg v. Kelly*, the March 1970 Supreme Court decision holding that prior hearings are constitutionally compelled,[82] as well as numerous later decisions applying *Goldberg* to other situations besides total termination.[83]

The Court in *Goldberg* noted that a prior hearing is necessary because:

Termination of aid pending resolution of a controversy over eligibility may deprive an *eligible* recipient of the very means by which to live while he waits. Since he lacks independent resources, his situation becomes immediately desperate.[84]

Forty-six percent of all AFDC determinations are reversed after hearing.[85] The onus of administrative lawlessness, when it manifests itself as a wrongful eligibility determination should not fall on eligible but wrongful rejected applicants who may literally starve waiting for a fair hearing.

Now that the Court has spoken, exact standards as to the content of the hearing process should be legislated. Not every prior hearing satisfies the due process clause. The Supreme Court required:

"That a recipient have timely and adequate notice detailing the reasons for a proposed termination, and an effective opportunity to defend by confronting any adverse witnesses."

An effective opportunity to be heard must include the right to retain an attorney should the recipient desire it.[86]

"Finally, the decision maker's conclusion as to a recipient's eligibility must rest solely on the legal rules and evidence adduced at the hearing . . . To demonstrate compliance with this elementary requirement, the decision maker should state the reasons for his determination and indicate the evidence he relied on . . . though his statement need not amount to a full opinion or even formal findings of fact and conclusions of law. And, of course, an impartial decision maker is essential.[87]

The Ways and Means Committee assumes that procedural requirements of the Administrative Procedure Act, embodying most of these requirements, will apply.[88] However, this is certainly not made clear in the legislation itself.

Judicial review

Section 2171(c)(3) provides that "the determination of the Secretary after . . . hearing as to any fact shall be final and conclusive and not subject to review by any court." The reasons why this clause should be excised are fundamental. The issue rises to Constitutional dimensions:

Among the attributes of law upon which "freedom is dependent . . ." are the "restrictions it places on the discretion of authority. From Caesar to Napoleon to Hitler, disaster followed when that lesson was ignored. Vague as the contours of the broadest delegation may be, the delegation cannot be boundless. To foreclose review is to make possible the exercise of boundless power . . . an attempt to limit such review would be unconstitutional.[89]

As long ago as 1886, the Supreme Court in *Yick Wo* v. *Hopkins*[90] asserted the necessity of judicial review of the factual basis for administrative action. The Court condemned as unconstitutional the arbitrary manner in which officials applied an otherwise valid licensing ordinance so as to discriminate against Chinese laundries:

For the very idea that one man may be compelled to hold his life, or the means of living, or any material right essential to the employment of life, at the mere will of another, seems to be intolerable in any country where freedom prevails, as being the essence of slavery itself.[91]

In *American School of Magnetic Healing* v. *McAnnulty*,[92] the Court upheld the right of review as regards the "legal right [of plaintiffs] under the general acts of Congress to have their letters delivered . . ." in the face of the statutorily unauthorized refusal of the Postmaster. The Court said:

Otherwise [if there is no review], the individual is left to the absolutely uncontrolled and arbitrary action of a public and administrative officer, whose action is unauthorized by any law and is in violation of the rights of the individual . . ."[93]

And in *Schware* v. *Board of Bar Examiners*,[94] *and Konigsberg* v. *State Bar*,[95] the Court overturned the refusal of state officials to admit plaintiff lawyers to the bar where substantial evidence did not support the officials' determination as to "good moral character."

Even in applying permissible standards, officers cannot [consistently with due process of law] exclude an applicant where there is no [evidentiary] basis for their finding that he fails to meet these standards [citing *Yick Wo* v. *Hopkins*].[96]

In these cases, the Court required officials to observe due process and equal protection requirements, even though only so-called "privileges were involved (e.g., a laundry license, use of the mails, and practice of law). Professor Jaffe has written that such a "notion of privilege is . . . a perversion of thought and of language" because "vast numbers of the citizenry are deeply affected [by privileges] in their daily life." It is precisely in such field "that the rule of law is most important."[97] The Court has indicated its complete agreement,[98] most recently in *Goldberg* v. *Kelly*.

Welfare benefits are of vital importance to those receiving them, as *Goldberg* underscores. If these benefits are cut off and substantial evidence—". . . such relevant evidence as a reasonable mind might accept as adequate to support a conclusion"[99]—does not support the determination, the cut-off will be arbitrary. To deny judicial review would arguably deny due process of law because of arbitrariness and the important interests at stake (the Court would weigh the personal as against the institutional interests, as it did in *Goldberg*). The issue has never been specifically decided because review has rarely been denied. The review provisions of the Administrative Procedure Act exemplify the view that review should not be cut off. The Court has referred to APA's generous review provisions and "construed that Act not grudgingly but as serving a broadly remedial purpose."[100] 5 U.S.C. 706(2)(E) [the APA] specifically authorizes courts to review for substantial evidence. So does 42 U.S.C. 405(g), which authorizes review of social security determinations.

Congress proposes to backtrack by denying factual review to recipients of Family Assistance. This is inconsistent with its usual action and probably inconsistent with due process. The motivation is probably the feeling that welfare administrators[101] act always with good intentions and in the interests of poor people. Veterans, whose claim to their benefits is more deserving in the eyes of most people than are the claims of merely poor people, have suffered sever arbitrary action at the hands of administrators.[102] Poor people will inevitably be treated less well. In these days of growing disrespect for authority, especially among the poor, Congress should not deny the judiciary the power to right administrative arbitrariness. This is hardly a time for the legislative Branch to remove a basic safeguard against unreasonable or unfair administrative action.

In addition to expanding the scope of judicial review, Congress should provide that welfare benefits will not be cut off until the applicant is accorded judicial review if he desires such review. The procedural protections of *Goldberg* should be extended to all stages of the welfare process, which includes judicial review of agency action, as *Barnett* v. *Lindsay* held.[103]

The cost to the government will be small, since only a small percentage of hearing decisions are appealed. Benefits to individuals will include the avoidance of starvation (the result of benefit termination to *eligible* recipients) and the dangerous disaffection arbitrary administrative action induces in the poor.

§ 2171(b). Overpayments and Underpayments.

Recovery of overpayments is permitted except when it would penalize family members who were without fault in causing the overpayment, when it would "defeat the purposes of [the Act] or be against equity or good conscience," phrases which are explicitly undefined by the Administration.[104] FAP payments are by definition designed to meet only subsistence needs, so that this entire provision would appear to be meaningless since recovery will always defeat the purposes of the Act.

There should be no recovery of any overpayment so long as a family is deemed in need and entitled to FAP benefits. This principle is recognized in current policy. Recovery is permitted only when a family possesses sufficient income or resources above what is necessary for its basic needs.[105]

This is a straightforward formula which can easily replace the overly vague and normative language of H.R. 1. Reliance on the criminal fraud sanctions in § 2172 can remedy intentional wrongdoing without penalizing faultless error.

§ 2171(d)(3). Representation of Claimants.

This section permits the Secretary of Health, Education, and Welfare to place restrictions on persons, other than attorneys, who may represent recipients in any dealings with FAP or OFF officials. Representatives may be required to show that they are of "good character," that they are "in good repute, possessed of the necessary qualifications to enable them to render such claimants valuable service, and otherwise competent to advise and assist such claimnants."

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The Secretary may prohibit the appearance before him of any person refusing "to comply with the Secretary's rules and regulations" (the content of which is unspecified).

Regulations under the Social Security Act have traditionally enforced the right of recipients to a completely free choice of representative. A fair hearing claimant or applicant;

". . . may be represented by legal counsel, or by a relative, friend or other spokesman, or he may represent himself." [107]

In addition, he

"May be assisted, if he so desires, by an individual(s) of his choice (who need not be a lawyer) in the various aspects of the application process and the redetermination of eligibility, and may be accompanied by such individual(s) in contacts with the agency and when so accompanied may also be represented by them . . ." [108]

For several years, hundreds of recipients and other non-lawyers, known as lay advocates, have learned the intricacies of state and federal welfare laws and have effectively represented their peers at fair hearings and before state administrative personnel. The results have been an impressive increase in the ability of recipients to assert their rights before the state agencies. A neighborhood center on New York's Lower East Side was an early example of successful lay advocacy:

"It was staffed by MFY (Mobilization for Youth) paid professional social workers and local citizens. The MFY lawyers instructed the staff on rights and remedies that neither the staff nor the other local citizens knew existed. It accepted clients, determined their needs, advocated causes, and often won cases. The lay advocates' successes included revision of inadequately computed budgets, acquisition of extra light allowances, allowances for special diets, grants for welfare arbitrarily denied, enforcement of codes by housing inspectors of dilapidated buildings, and many other benefits and rights too numerous to be detailed here. . . . In time, they helped develop an organization of welfare clients themselves, able to fight and win their own victories." [109]

It is feared that regulation by HEW will adversely affect the lay advocate movement. All such representatives serve without charge, so that the statute is not necessary to protect recipients against excessive fees. The subsequent parts of this section, providing for a maximum fee schedule and making it a misdemeanor to "deceive, mislead or threaten any claimant or beneficiary" or to charge excessive fees, are adequate to discipline those taking undue advantage of recipients. Administrative sanctions can be imposed for misconduct as well. Procedural regulations can be written to sanction conduct which destroys the hearing porcedure in individual cases. On the Constitutional level, the issue strikes at the heart of the prior hearing requirement:

Historically and in practice, in our own country at least, it [a hearing] has always included the right to the aid of counsel when desired and provided by the party asserting the right. The right to be heard would be, in many cases, of little avail if it did not comprehend the right to be heard by counsel . . . If in any case, civil or criminal, a state or federal court were arbitrarily to refuse to hear a party by counsel, employed by and appearing for him, it reasonably may not be doubted that such a refusal would be a denial of a hearing, and therefore, of due process in the Constitutional sense.[110]

Clearly the free choice policy of current programs should be continued.

§ 2171(e) (1) Application Procedures.

For several years many states have experimented with application by so-called "simplified statement." [111] This means that a statement by the applicant of the relevant facts as to his eligibility is to be accepted in granting or denying assistance, without extensive investigation and verification of the information therein. Random spot checks are relied upon for verification purposes. The system is designed to prevent prying into the personal affairs of applicants, including, for example, the unconsented to questioning of neighbors, landlords and creditors, and to conserve the administrative costs that these investigations entail.[112]

Under H.R. 1 application procedures are left to Secretarial discretion, but the Ways and Means Committee has stated that, "there will be no simple declaration process." [113] The Committee instead wishes to institute extensive documentation and verification of eligibility.

The Administration at one time claimed that the simplified method would be used in FAP,[114] but later indicated that "we would expect to utilize some form of a 'declarative' or 'simplified' system of claims, but with considerable extra documentation." [115] It is disappointing that a system which has proven so feasible, from an administrative and recipient point of view, is now to be eliminated.

HEW has required all states to begin instituting the simplified payment system on an experimental basis in the adult categorical assistance programs.[116] Preliminary results of experiments in the use of simplified statements indicate no increase in inaccurate grant payments or in fraud.[117] In New York, for example, spot checks indicate erroneous rejections of applicants or case closings were more numerous than incorrect acceptances.[118]

Cases of actual fraud can be dealt with through the criminal sanctions imposed by § 2172.

§ 2171(e) (2), (3) Quarterly Reports and Furnishing Information.

Benefits are terminated automatically unless a family submits a report within thirty days after the close of any quarter during which it received benefits, containing any information on income and expenses necessary for determining what the correct amount of benefits for that quarter should have been. The hearing requirements of *Goldberg* v. *Kelly* invalidate arbitrary terminations based on the essential nature of public assistance to the life and health of those dependent upon it:

"To cut off a welfare recipient in the face of . . . 'brutal need' without a prior hearing of some sort is unconscionable, unless overwhelming considerations justify it . . .

"Against the unjustified desire to protect public funds must be weighed the individual's overpowering need in this unique situation not to be wrongfully deprived of assistance . . ." [119]

That is why the Court required that due process be observed to guard against incorrect or arbitrary cut-offs. Yet the Ways and Means Committee now proposes a completely arbitrary termination, with no basis in the needs of recipients, for failure to file an earnings report. The report is due, four times a year, though in most cases the data therein is unlikely to change so often.

There is a clear obligation to report changes in circumstances affecting need and eligibility throughout the quarter, which should make quarterly reports superfluous. The obligation of additional quarterly reports can only serve to cause unwarranted loss or delay in benefits.

Similar objections apply to the penalty imposed by § 2171(e)(3) on failure or delay in submitting "any other data, material or report" throughout the quarter, required by the Secretary for benefit determination. The The penalty equals $25 for the first such incident, $50 for the next, and $100 thereafter, except where the family is without fault or there is good cause for such failure or delay. Provision borders on the absurd since it applies even when a failure to furnish information results in receipt of lower benefits than a family is entitled to. Again, the bill disregards the principle that payments must be based on need.

There is no similar provision under AFDC either for the filing of periodic reports or for a monetary penalty on failure to report changes in circumstances. State AFDC programs instead rely on recovery provisions in cases of misinformation. These are, as noted above, p. 33, surrounded by safeguards designed to assure that actual current needs are met. This section embodies an overly broad attempt to penalize the giving of incorrect information which is certain to result in loss of benefits to thousands whose only crime is ignorance of bureaucratic procedures.

§ § 2175 and 2176. Obligation of Deserting Parents.

Under this section any individual who deserts or abandons his spouse or child is made liable to the United States for all FAP or OFF benefits paid to such sponse or child, less any amounts he has actually paid for their support which were taken into account in determining their benefits. This debt is to be collected by the United States or under any Federal program."

This means that once a FAP or OFF recipient alleges desertion, the putative father or spouse can be deprived, by administrative fiat, of amounts otherwise due him under the law. No court need determine that a debt exists; the debtor has no statutorily prescribed recourse once the Secretary's decision has been made; and he hasn't even the right to advance notice that funds are being kept from him. In other words, he is being deprived of property without even a semblance of due process of law [120]

Moreover, the liability will in nearly all cases be satisfied out of payments which, by existing statutes, are exempt from any form of attachment by creditors. This is true, for example, as to Old Age, Survivors, and Disability Insurance, against which the majority of claims will no doubt be brought (42 U.S.C. § 207); and as to agricultural subsidies and diversion payments, [5 U.S.C. § 590(h)].[121] When these laws were passed, Congress determined that protection of payments thereunder was important in terms of overall statutory purpose. It is submitted that the Family Assistance Act should not defeat the intent of Congress without very careful consideration of the impact upon the legislation which is being altered.

In addition, H.R. 1 makes it a misdemeanor to travel interstate for the purpose of avoiding support of a spouse or child. Offenders are to be sentenced to a fine of up to $1000, a year in prison, or both.

The Social Security Act already requires the states to secure support from deserting parents, and the requirement is extended to spouses by H.R. 1.[122] The problem of securing support from deserters seems to be one of enforcement and not lack of power. The state mandates can easily be applied to federal officials administering FAP. Once the United States is given a right to reimbursement it has ample opportunity in the federal courts to enforce that right. This route should not be by-passed at the expense of putative fathers.

§ 2778(a). Establishment of Local Advisory Committees.

This section establishes local committees composed of representatives of labor, business and the general public to evaluate the OFF and FAP programs. This provision does not allow for sufficient input by recipients—those most affected by the programs and their administration. Rather, it assumes that groups at best tangentially concerned with public assistance have the greatest right to influence the way in which it is administered.

HEW now requires the states to set up advisory committees on AFDC, composed in

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part of recipients.[123] The spirit of this regulation is not maintained in H.R. 1. HEW now meets regularly with representatives of welfare recipients and organizations composed of recipients. Congress should provide that such relationships be maintained, and extended to other representative groups. Because recipients' very existence is so closely governed by the welfare administration, their relationship should be governed by the same principles employed in the case of business and professional organizations and the regulatory agencies.[124]

In addition to requiring a role for recipients in an advisory capacity, recipients should be guaranteed a voice in agency rulemaking. At present, welfare regulations are exempt from the rule-making requirements of the Administrative Procedure Act[125] because they relate to "public property, loans, grants, benefits or contracts."[126] A number of legislative amendments have been proposed in recent years to remove these exemptions.[127] While the welfare reform bill perhaps should not be the place to amend the Administrative Procedure Act, the procedural provisions of the APA should be incorporated into rulemaking under the bill. The requirement of APA procedures was originally enacted because of a belief in the value of public participation. Surely encouraging such participation, which has been a fundamental goal of government activity in the War on Poverty since the Economic Opportunity Act of 1964, is even more important in 1971 than it was in 1946, when APA was enacted.[128]

§ 504 Puerto Rico, the Virgin Islands, and Guam.

Grants to FAP or OFF recipients in Puerto Rico, the Virgin Islands, and Guam are substantially lower than in the rest of the United States. Payments are to bear the same ratio to FAP as the ratio of per capital income of Puerto Rico, the Virgin Islands, or Guam to the lowest state per capital income. For example, if per capita income in Puerto Rico is three-fifths that of Mississippi (50th in per capita income in 1968)[129] FAP or OFF in Puerto Rico would be 3/5 of $2400 for a four-person family, or $1440. The same rule governs payments to adults under Aid to the Aged, Blind and Disabled.

Needs in these territories are greater than in any part of the U.S. In the Virgin Islands living costs are 20% to 25% higher than in Washington, D.C. and in Guam they are 18% higher.[130] Virtually all consumer items are imported, and many are subject to high tariffs. A lower per capita income means that many more persons are doing without basic needs. The FAP and OFF formula in effect means that the greater the poverty in a territory, the less we will do to alleviate that poverty. It is as though because per capita income in Mississippi is half that of New York, FAP will provide only $1200 per four-person family in Mississippi. The Administration sought in FAP to equalize somewhat assistance payments between the states. There is a close relationship between citizens of the territories, and of Puerto Rico in particular, and those of the states, and poverty is a problem which is shared by American citizens no matter where they happen to reside. Where extreme need is established, rates should not be arbitrarily lowered.

§ 523. Optional Modification in Disregarding of Income Under State Plans for Aid to Families with Dependent Children.

As noted on p. 19, *supra*, the states must now disregard earned income equal to $30 per month plus ⅓ of the remainder, plus all work connected expenses. This section would allow the states, effective immediately, to limit their income disregard work incentive to an extra $30 per month, with no work expense other than child care costs, and to limit the total disregard to $2000 plus $200 per person over four, or $3000, whichever is lower. Under FAP and OFF this ceiling does not apply to the incentive of $60 plus ⅓ of the remainder of earned income. This rule will wipe out all work incentive for many recipients. All social security and income taxes, all mandatory payroll deductions and all incidental work costs, plus child care, must be paid with $60 plus ⅓ of remaining earned income.

The effect of this amendment would be to create, for many families, a work disincentive, in direct opposition to the purpose of the 1967 Social Security Amendments, to provide "incentives, opportunities, and necessary services" for employment and training.[131]

FOOTNOTES

[1] Published in "Family Assistance Act of 1970", Hearings before the Committee on Finance, on H.R. 16311, United States Senate, 91st Cong. 2nd Sess. (1970) p. 2185.

[2] "The President's Message on Welfare Reform," August 11, 1969, reprinted in "Social Security and Welfare Proposals," Hearings before the Committee on Ways and Means, House of Representatives, 91st Cong., 1st Sess. 1969 (hereinafter House Hearings) p. 5.

[3] "Material Related to Administration Revision of H.R. 16311," Committee on Finance, United States Senate, 91st Cong. 2d sess. July, 1970 (hereinafter July Senate Committee Material).

[4] A line by line comparison of H.R. 16311 and the June and October revisions can be found in "H.R. 16311, the Family Assistance Act of 1970, June Revision, with Analysis by the Staff of the Community on Finance," Committee on Finance, United States Senate, 91st Cong. 2nd Sess. October, 1970.

[5] Amendments to S. 17550 introduced by Mr. Ribicoff for himself and Mr. Bennett.

[6] Soc. Sec. Act § 401.

[7] See, "Social Security in America: The Factual Background of the Social Security Act," as summarized from Staff Reports to the Committee on Economic Security, p. 23 (1937).

[8] Grants are computed according to the following formula: $800 for each of the first two family members; $400 for each of the next three members; $300 for each of the next two members; plus $200 for the next member, for a family maximum of $3600. The penalty for failure to register follows an identical formula. § 2152(b) and (c).

[9] At present the penalty varies from state to state, equalling that portion of the family's grant budgeted for the needs of the person refusing employment.

[10] § 2114(a).

[11] At least two commentators feel that this is true of any FAP work requirement: "The sad part . . . is that additional weapons have been created for those agencies wanting to harass and punish the poor." Handler and Hollingsworth, "Work, Welfare and the Nixon Reform Proposals," 22 Stanford L. Rev. 907, 942 (May, 1970).

[12] *New York Times*, May 8, 1971, p. 1.

[13] *Ibid.* The poverty level was set at $3,968 for a family of four.

[14] See Public Assistance Statistics, December 1970, U.S. Dept. of Health, Education and Welfare, National Center for Social Statistics, NCSS Report A-2 (12/70) p. 9.

[15] "H.R. 1, The Social Security Amendments of 1971," Report of the Committee on Ways and Means, United States Congress, House of Representatives, 92d Congress, 1st Session, 1971, (hereinafter Committee Report), pp. 160–161, 172.

[16] *New York Times*, April 20, 1970, p. 30.

[17] 1969 AFDC Study-Report of Preliminary Findings, Department of Health, Education and Welfare, National Center for Social Statistics, NCSS Report AFDC-1 (69) March, 1970, Table 38.

[18] Handler and Hollingsworth, "Work, Welfare, and the Nixon Report Proposals," 22 Stanford L. Rev. 907, 915–918. There was no earned income incentive at the time of the study; earnings were taxed 100 percent.

[19] *Committee Report*, p. 163.

[20] *House Hearings*, p. 263.

[21] *House Hearings*, p. 262.

[22] *Administration Revisions*, p. 81.

[23] Preliminary results of the New Jersey Graduated Work Incentive Experiment, Office of Economic Opportunity, February, 1970, p. 3.

[25] Leonard J. Hausman, "Approaches to Equal Employment," *Monthly Labor Rview*, July, 1970, p. 88.

[26] § 448(a), H.R. 16311 as reported by the Committee on Ways and Means, and S. 17550.

[27] Id. § 448(b).

[28] See, for example, the recent case of *Woolfolk* v. *Brown*, Civ. No. 225–70–R, (E.D. Va., April 22, 1971), in which the plaintiffs were denied AFDC payments for refusal to accept a job as baby-sitters and housekeepers, ten to twelve hours a day, five days a week, for $20 per week. The court held that Virginia could not impose its own work requirement separate from and in violation of regulations under the WIN program.

[29] *Committee Report*, p. 164.

[30] 45 C.F.R. § 220.35(a)(2)(v).

[31] 45 C.F.R. § 220.18(a), 36 Fed. Reg. No. 58, p. 5605, March 25, 1971.

[32] See, for example, "Federal Interagency Day Care Requirements," U.S. Government Printing Office, 1969. 395–669(4). No reference is made to maintaining these standards, which were promulgated under Section 522 (d) of the Economic Opportunity Act. The standards must be met by child care services furnished in state AFDC programs. (45 C.F.R. § 220.18(c)(2).

[33] *Committee Report*, p. 193.

[34] Only six states (Alabama, Delaware, Kentucky, West Virginia, Virginia, and New Mexico) currently impose such overall family maximums. The formula seriously penalizes persons who are members of large families (more than eight).

[35] The food stamp bonus, the amount by which the value of the stamps exceeds their cost, varies with family income, including welfare, so that in states paying high benefits the bonus is lower. A family of four with an income of $1600 is eligible for $108 worth of stamps each month, at a cost of $34. A family in a state now paying $2400 per year is entitled to $108 of stamps per month at a cost of $53. 36 Fed. Reg. 74, p. 7273, April 16, 1970.

[36] Mississippi, Alabama, Arkansas, South Carolina and Louisiana. "HEW Cost Standards." NCSS Report D-2 (7/70) Table 4, "OAA and AFDC Standards for Basic Needs for Specific Types of Assistance Groups."

[37] *Committee Report*, Table 1, p. 209, and Table 11, p. 227. Total cost estimates are $9.6 billion under current law and H.R. 1. Numbers of recipients will go from 11.6 million under AFDC to 19.4 million.

[38] U.S. Dept. of Agriculture, Commodity Distribution Division, Food and Nutrition Service, May, 1971.

[39] Statement of John F. Venemen, Under Secretary of Health, Education and Welfare, New York Times, May 14, 1970, p. 8.

[40] New York Times, May 8, 1971, p. 1: "This number accounts for virtually all the increase in poverty among Negroes."

[41] "Three Standards of Living for an Urban Family of Four Persons," U.S. Department of Labor, Bureau of Labor Statistics, Information Department, March, 1970.

[42] Information Department, Bureau of Labor Statistics, U.S. Dept. of Labor, May 1971.

[43] *Poverty Amid Plenty: The American Paradox*, Report of the President's Commission on Income Maintenance Programs, 1969, pp. 32–33.

[44] 45 C.F.R. 233.20(a)(2)(v).

[45] Manual of Public Policy—Department of Health and Welfare of New Hampshire, § 2635.15.

[46] *Committee Report*, p. 200.

[47] In addition, adult recipients may maintain $1,500 in resources per person and still be eligible for aid, whereas Family Assistance recipients are allowed an exemption of $1,500 per family.

[48] *Monthly Labor Review*, November, 1969, pp. 3–16.

[49] The Consumer Price Index has risen 10.6% since April, 1969. Information Department, Bureau of Labor Statistics, May, 1971.

[50] Social Security Act § 402(a)(10).

[51] 45 C.F.R. § 233.20(3)(ii)(c).

[52] If a family of four receives $1,800 in countable income in one quarter, no income in previous quarters, and then loses its source of income, it will have to wait 9 months to be eligible for benefits. A family of four with gross earnings of $6,000 must wait three months after losing all income to become eligible for benefits. (Countable income of $280 per quarter for three preceding quarters is applied to reduce the grant for the quarter of application, which is $600.) A family which had $8,000 gross income would have to wait 6 months.

[53] Report of the Committee on Ways and Means on H.R. 16311, the Family Assistance Act of 1970, 91st Cong., 2d Sess. p. 13:

"Your Committee has concluded that, in some cases, in order to prevent inequity it would not be appropriate to count as income for a quarter all income received in that quarter, a part of which should properly be distributed to prior or subsequent quarters. For example a self-employed farmer often receives the bulk of his income in the fall when his crops are sold, and little or no income during the rest of the year. If such a person's income were counted in the quarter in which it is received, he could get no payments for that quarter. Conversely, the amount of income received in a single quarter might be sufficient to disqualify a family for any payments during the year. Your committee's bill provides, therefore, that, in determining eligibility and payment amounts, the Secretary of Health, Education, and Welfare may allocate income received in a given quarter to prior or subsequent quarters."

[54] Social Security Act § 402(a)(8).

[55] Staff therapist, Exodus House, New York, N.Y., June 1, 1970.

[56] Unearned income of $60 per quarter, and earned income of $30 per quarter.

[57] 45 C.F.R. § 233.20(a)3(7), and Social Security Act § 402(a)(7) and (8).

[58] § 402(a)(10) see p. 16. *supra.*

[59] *Shapiro* v. *Thompson*, 394 U.S. 618 (1969), *Gaddis* v. *Wyman*, 304 F. Supp. 717 (S.D.N.Y. 1969) *aff'd. per curiam sub nom. Wyman* v. *Bowens*, 397 U.S. 49 (1970).

[60] *Shapiro* v. *Thompson*, 394 U.S. at 642. *Washington* v. *Legrant* was a companion case to *Shapiro*, challenging a one-year residency requirement in the District of Columbia. And see *Kent* v. *Dulles*, 357 U.S. 116 (1958) and *Aptheker* v. *Sec. of State*, 378 U.S. 500 (1964).

[61] *Poverty Amid Plenty, supra*, and *Having the Power We Have the Duty*, Report to the Secretary of Health, Education, and Welfare by the Advisory Council on Public Welfare, June 29, 1966. See also the recently released recommendations of the Committee for Economic Development, summarized, the *New York Times*, April 7, 1970, p. 16.

[62] Two exhaustive Law Review articles have explained refusals to extend aid to the able-bodied poor without children as extensions into the welfare laws of old vagrancy law concepts. Since vagrancy concepts are becoming less and less important in the criminal law, the articles ask why they should be maintained in welfare legislation. Rosenheim, *Vagrancy Concepts in Welfare Law*, 54 Calif. L. Rev. 511 (1966), tenBroek, *California's Dual System of Family Law: Its Origin, Development, and Present Status*, 16 Stan. L. Rev. 257 (1964), 17 Stan. L. Rev. 614 (1965).

[63] 292 U.S. 309 (1968).

[64] 45 *Code of Federal Regulations*, § 203.1 (1969).

[65] *Lewis* v. *Martin*, 397 U.S. 552, 557 (1970), invalidated a California statute which presumed that all income of a stepfather or "man assuming the role of spouse" was available to the entire family.

[66] "By breaking up homes, the present welfare system has added to social unrest and robbed millions of children of the joy of living." The President's Message on Welfare Reform, in *The President's Proposals for Welfare Reform*, U.S. House of Rep., Committee on Ways & Means, 91st Cong., 1st Sess. (1969) pp. 93–94.

[67] A similar recommendation was made in "Report on Welfare Proposals," the Association of the Bar of the City of New York, Joint Subcommittee of the Committees on Federal Legislation, Civil Rights, Labor & Social Security, and Municipal Affairs, 1970, p. 17. The recommendation was accepted in the November revision of FAP.

[68] Nebraska, Ohio, Utah, Wisconsin, California, Oregon, Wyoming, Montana, Colorado, District of Columbia, Idaho, Iowa, Kansas, North Dakota, Virginia, Hawaii, Michigan, Rhode Island, Illinois, New Hampshire, Minnesota, South Dakota, Washington, Vermont, Pennsylvania, Massachusetts, Connecticut, New York, New Jersey, and Alaska.

[69] South Dakota, Washington, Vermont, Pennsylvania, Massachusetts, Connecticut, New York, New Jersey and Alaska.

[70] Mayor John Lindsay of New York has said of the new bill: "[It] will almost entirely federalize welfare costs in such states as Alabama, Mississippi, Arkansas, Georgia and Arizona. . . . At least 90% of their welfare costs would be paid by the federal government. But the costs of welfare in states like New Jersey, Illinois, Michigan, Massachusetts, Connecticut, Pennsylvania, and New York would be reduced by only 10 to 20% under the proposed legislation." New York Times, May 14, 1971, p. 51.

[71] Social Security Act § 402(a)(23). States may reduce actual payments by granting only a percentage of basic needs.

[72] "President's Message on Welfare Reform," *House Hearings*, p. 95.

[73] H.R. 16311, §§ 451, 452.

[74] New York State has already applied for permission to conduct a $2400 FAP-modeled "experimental" program. New Mexico, New York, Texas, Nebraska, Rhode Island, Alabama and Kentucky have cut or are about to cut current grant levels.

[75] See note 2, p. 21, supra.

[76] 394 U.S. 618, 642.

[77] § 2171(a)(2)(A) and (C).

[78] At one point the Administration indicated that this would be the case. H.R. 16311, Revised and Resubmitted to the Committee on Finance by the Administration, Comm. On Finance, U.S. Senate June, 1970 p. 68.

[79] Social Security Act § 406(e).

[80] New York State grants emergency assistance in "situations which suddenly render a family destitute including those caused by natural disasters, serious injury to persons or damage to property resulting from other causes," 18 N.Y. Code of Rules and Regulations § 372.3. Assistance can be paid for "food, clothing, household supplies and equipment, utilities, transportation, shelter, moving expenses and other emergency needs . . . medical care, mass feeding, clothing distribution . . . services . . . including family shelter, child care . . . and other services which meet needs attributable to the emergency situation." 18 New York Code of Rules and Regulations § 372.4.

[81] "Public Assistance Statistics, December, 1970," U.S. Dept. of Health, Education and Welfare, National Center for Social Statistics, NCSS Report A–2 (12/70) p. 16.

[82] 397 U.S. 254 (1970). The decisions are implemented in 45 C.F.R. § 205.10, 36 Fed. Reg. 3034 (Feb. 13, 1971).

[83] *Mothers and Childrens Rights Organization* v. *Sterrett*, No. 70 F. 46, N.D. Indiana, May 20, 1970; *Bryan* v. *White*, Civ. Action 70–85, S.D. Ohio, August 29, 1970; *Barnett* v. *Lindsay*, No. C 328–69, D. Utah, April 2, 1970; *Woodson* v. *Houston*, No. 6605, Michigan Court of Appeals. October 7, 1970; *In re Ramirez*, N.Y.L.S., March 26, 1970, p. 2, Col. 4 (Sup. Ct., N.Y. County); *Hernandez* v. *Goldberg*, N.Y.L.J., April 15, 1970, p. 16, Col. 3 (App. Div. 1st Dept.).

[84] 397 U.S. at 264.

[85] Handler, "Justice for the Welfare Recipients" 43 Social Service Rev. 12 (1964) and see Davis, *Discretionary Justice*, p. 181 (1969): "The degree of lawlessness of Welfare Administrators is widely recognized."

[86] 397 U.S. at 270.

[87] 397 U.S. at 271.

[88] *Committee Report*, p. 187.

[89] Raoul Berger, "Administrative Arbitrariness and Judicial Review," 65 Colum. L. Rev. 55, 72–73 (1965). Professor Berger argued his position—that administrative arbitrariness is always reviewable—in numerous articles during the course of a protracted debate with Professor Davis. See "Administrative Arbitrariness—A reply to Professor Davis," 114 *U. Pa. L. Rev.* 783 (1966); Davis, "Administrative Arbitrariness—*A Final Word*," 114 U. Pa. L. Rev. 816 (1966); Berger, "Administrative Arbitrariness—A Rejoinder to Professor Davis' Final Word," 114 U. Pa. L. Rev. 816 (1966); Davis, "Administrative Arbitrariness—A Postscript," 114 *U. Pa. L. Rev.* 823 (1966); Berger, "Administrative Arbitrariness: A Sequel," 51 *Minn. L. Rev.* 601 (1967); Davis, "Administrative Arbitrariness is Not Always Reviewable," 51 *Minn.* L. Rev. 643 (1967); Berger, "Administrative Arbitrariness: A Synthesis," 78 *Yale L. J.* 965 (1969). While the two men disagree over the interpretation of the Administrative Procedure Act and over case law, both argue that arbitrariness *should* always be reviewable.

[90] 118 U.S. 356 (1886).

[91] *Id.* at 370.

[92] 187 U.S. 94 (1902).

[93] *Id.* at 110.

[94] 353 U.S. 232 (1956).

[95] 353 U.S. 252 (1965).

[96] *Schware* at 239.

[97] Jaffe, *Administrative Review of Judicial Action*, 369 (1965).

[98] See Van Alystine, "The Demise of the Right-Privilege Distinction in Constitutional Law." 81 Harv. L. Rev. 1439 (1968).

[99] *Consolidated Edison Co.* v. *NLRB*, 305 U.S. 197 (1938). See 4 Davis, Administrative Law Treatise §§ 29.01.11, pp. 114–188 (1958).

[100] *Data Processing Service* v. *Camp*, 397 U.S. 150, 156 (1970).

[101] In the light of *Goldberg*, and prior cases (as discussed in Van Alystine). See Jaffe, *supra* pp. 376–389.

[102] See Davis, "Veterans' Benefits, Judicial Review, and the Constitutional Problems of 'Positive' Government," 39 Ind. L. Rev. 183 (1964).

[103] D.C. Utah, No. C 328–609 (Apr. 2, 1970).

[104] *Administration Revisions*, p. 69.

[105] 45 C.F.R. 233.20(a)(3)(ii).

[107] 45 C.F.R. 205.10(a)(2)(iii). 36 Fed. Reg. 30, 34, Feb. 13, 1971.

[108] 45 C.F.R. 206.10(a)(1). 36 Fed. Reg. 10784, June 3, 1971.

[109] Sparer, Thorkelson & Weiss, "The Lay Advocate" 43 Detroit L.J. 493, 505–6 (April, 1966).

[110] *Powell v. Alabama*, 287 U.S. 45, 68–69 (1932); see *Chandler v. Fretag*, 348 U.S. 3 (1954), and note *Goldberg v. Kelly*, 397 U.S. at 270.

[111] "Use of the Declaration in Public Assistance," and "Declaration in a Simplified Method of Eligibility Determinations." Facts About Welfare, National Study Service, Inc. Public Welfare Reporting Center, May, 1969.

[112] See Reich, "Midnight Welfare Searches and the Social Security Act," 72 Yale L. J. 1347, 1359 (1963); Handler, "Controlling

Behavior in Welfare Administration," 54 Cal. L. Rev. 479 (1966).

[112] Committee Report, p. 161. Social Security and income tax records are to be used to verify income reports.

[114] Hearings before the Committee on Ways and Means, House of Representatives, 91st Cong., 1st Sess. 321 (1969), p. 128.

[115] Administrative Revisions, p. 69–70.

[116] 45 C.F.R. § 205.20(a)(2), 35 Fed. Reg. 8366 May 28, 1970.

[117] "Use of the Declaration in Public Assistance," and "Declaration in a Simplified Method of Eligibility Determinations. Facts About Welfare," National Study Service, Inc., Public Welfare Reporting Center, May, 1969.

[118] "Does the Declaration System Really Work?" 1 Welfarer, September, 1969, p. 2.

[119] *Kelly* v. *Wyman*, 294 F. Supp. 893, 900 (S.D.N.Y. 1968) *aff'd. sub nom Goldberg* v. *Kelly*, 397 U.S. 254 (1970).

[120] See *Sniadach* v. *Family Finance Corp.*, 395 U.S. 337 (1969), holding a Wisconsin statute permitting garnishment before a judicial determination of debt violative of due process.

[121] Family Assistance grants are also exempt. § 2171(d)(1). This section defeats the purpose of the Act of which it is a part by withholding benefits from the offending parent and his future family, should they ever require FAP or OFF.

[122] The NOLEO (Notice to Law Enforcement Officials), issue (under current law and under FAP) is thoroughly discussed in Silver and Efroymson, "Suggested Attacks on the NOLEO Requirement" 4 *Clearinghouse Review*, Nos. 1 and 2, May and June, 1970.

[123] 45 C.F.R. § 220.4.

[124] See, e.g., 49 U.S.C. § 5(b), recognizing organizations of firms subject to Interstate Commerce Commission regulation, and 38 U.S.C. § 3402(a)(1): "The Administrator may recognize representatives of the American National Red Cross, the American Legion, the Disabled Veterans, the United Spanish War Veterans, the Veterans of Foreign Wars, and such other organizations as he may approve in the preparation, presentation and prosecution of claims under laws administered by the Veterans Administration."

See H.R. 7388, introduced by Rep. Fraser, § 2006(c) and H.R. 6729, § 11, which require all rules and regulations to be made on the record after an opportunity for a hearing under the APA, and give standing to participate in rule-making and in any judicial process challenging regulations to any organization which certifies to a membership of more than 50 recipients. Notification of proposed rule-making is to be sent to all such organizations.

[125] Requiring adequate notice, an opportunity for interested persons to participate, and provision for petition for the issuance, amendment or repeal of a rule. 5 U.S.C. § 553.

[126] 5 U.S.C. § 553(a)(2).

[127] See, e.g., § 2335, § 1663, and § 1663 (Subcommittee Revision) of the 88th Cong.; see Hearings on § 1663 before the Subcomm. on Admin. Proc. of the Sen. Comm. on the Judiciary, 88th Cong., 2d Sess., 1, 21, 32 (1964); § 518 of the 90th Cong., see Hearings on § 518 before the Subcom. On Admin. Prac. and Proc. of the Sen. Comm. on the Judiciary, 90th Cong., 1st Sess., 1 (1967), § 2770 and § 2771, see 113 Cong. Rec. 36028 (Dec. 12, 1967) (introduction). The Administrative Conference of the United States recommended the elimination of these exemptions, see mimeographed recommendations of the Administrative Conference of the United States Committee on Rulemaking, and attached consultant's report, Bonfield, "Public Property, Loans, Grants, Benefits, or Contracts," (October 2, 1969) as did the Hoover Commission, Task Force Report on Legal Service and Procedure 158–59 (1955).

[128] "Our society has reached the point once again where the very legitimacy of decision-making, both in government and in private affairs, is questioned by black and white, money and deprived, dove and hawk, hippy and straight arrow." Ferren, "Preliminary Thoughts About Public Decision-Making and Legal Aid: the Prospects for Legitimacy," 1 Conn. L. Rev. 263 (1968). For discussion of the evolution of the concept of "maximum feasible participation of the poor" (Economic Opportunity Act of 1964, 46 U.S.C. § 113(a)(6), see Rein and Miller, "Citizen Participation and Poverty," 1 Conn. L. Rev. 221 (1968) They conclude: "Our recital of difficulties and tensions in the unfolding of citizenship participation in the sixties could lead to the conclusion that it should be abandoned. That would be a grievous error. The idea of participation will be tremendously important in humanizing and democratizing institutions." 1 Conn. L Rev. at 242.

[129] *Statistical Abstracts of the United States*, U.S. Dept. of Commerce, p. 320 (1969).

[130] U.S. Department of the Interior, Territories Division, August, 1970.

[131] Social Security Act, § 430.

Mrs. CHISHOLM. Mr. Speaker, will the distinguished gentleman from Maryland yield?

Mr. MITCHELL. I would be glad to yield to the distinguished gentlewoman from New York.

Mrs. CHISHOLM. Mr. Speaker, next week the Members of this House will vote on the most far-reaching and important piece of domestic legislation of this session. H.R. 1 will not only dramatically affect the lives of recipients in all categories; the blind, the aged, the disabled, and the indigent mothers and children but it will also set the pattern for the manner in which we shall deal with these dependent citizens in the future.

The essence of FAP, as I understood it, was to help families get off the welfare rolls by giving them the incentive and opportunity to work. Unfortunately, the family assistance plan, as it is currently embodied in title 4 of H.R. 1, will not accomplish its avowed goal.

I am firmly committed to welfare reform but in this case the word "reform" is a misnomer. If the family assistance plan is passed in its current form we will only replace an inadequate system with one that is equally ineffective.

Quite aside from the question of adequate minimum support levels, the bill does not provide adequately for day care, job training and job development which will be necessary if the family assistant plan is to work.

I see the inadequacies of this bill as part of the overall pattern of discrimination against women, especially minority women, in this country.

When we talk about welfare we are talking about women and children. When people scream about the skyrocketing welfare rolls, what they are really talking about are the female heads of households who have had to resort to welfare because they could not make it in the economic marketplace. And I do not see how or where this bill improves the chances for women to secure employment with an adequate income.

I say adequate income because we really have not solved any problems if we help a woman find a job making $3,091 a year. That is the average income for all women working full and part time—fiscal year 1969. Black women, working full and part time make only $1,991 a year and they make up 46 percent of the current welfare rolls.

Under H.R. 1 recipients are not protected by the federal minimum wage. The women would be forced to accept any job that pays up to three-fourths of the federal minimum wage which is now $1.60 an hour. If she were lucky enough to get a full time job that would mean $2,400 a year.

Another negative aspect is that families headed by a college or university student will not be eligible for benefits. This amendment was instituted to placate the outrage of members over students from middle-class families signing up for food stamps. But the effect of it will eliminate the very successful experimental programs which were putting welfare mothers through school so that they would have a real skill with which to support their families.

This factor and the lack of minimum wage certainly lend credibility to the NWRO accusation that the purpose of FAP is to subsidize low-wage paying employers rather than enable poor people to become self-supporting.

The provision that any women whose children are over 3 years old must work is equally punitive especially if one considers the current lack of day care facilities. If you use the administration's conservative figures of $1,600 per child for day care and multiply this times the 1,262,400 children under 5 on AFDC and get $2,019,840,000. I would like to point out that that is a very conservative estimate because in New York City for example public day care already costs $2,700 per child per year.

Under FAP the old 25 percent State, 75 percent Federal matching grant formula for day care financing is retained. The problem is that the States, like the Federal Government have made day care a very low priority item.

Except in a handful of States the 75 percent Federal matching grant formula has not proven to be enough of an incentive to the States to set up the comprehensive day care systems that are needed.

Further, there are no day care standards in the bill. A woman must accept whatever child care facilities are offered or forfeit her rights to benefits.

Before I entered the political arena I was a day care teacher, director, and consultant for 12 years. My experiences in the day care field make me adamant in my opposition to this lack of standards. I have seen children tied to chairs, left in care of attendants who were so sick or simple minded that they needed help themselves and left totally without food or supervision all day. What it amounts to is the warehousing of children.

At a time when our employment rate is high and threatening to rise still further, it is essential for this bill to be wedded to the concept of job development and expanded public service employment. The public service employment authorized by FAP would receive funding for only 3 years, 100 percent the first year, 75 percent the second, and 50 percent the third, with States picking up the entire

costs in the future—a bit of pie-in-the-sky in view of the cities' and States' current financial situation. It is especially interesting when one considers that one of the principal groups lobbying for the Federal takeover of welfare costs is the State and city governments.

Finally the provisions of H.R. 1 are totally inadequate in the area of job training. The typical welfare mother has not finished high school and has no specialized skills. She must receive additional education and/or job training before she will be able to handle a job. In the past women have always gotten short shifts in job training programs.

The number of training slots reserved for women has always been small in every training program and in apprentice programs they have been nonexistent. This policy must change.

There are some 2,400,000 AFDC families in the country today. These women are the heads of their households. They need day care, job training, and a chance at a decent job where they can support themselves and their families.

If we enact the family assistanct plan in its present form it is foredoomed to failure. In my view anyone who votes for this bill in the name of welfare reform is either hypocritical or has not bothered to read it carefully.

Mr. MITCHELL. Mr. Speaker, I thank the gentlewoman from New York for her incisive remarks.

Mr. Speaker, the reason for taking this special order today is that so many of us are concerned about doing the right and decent thing in this country. We know that when this bill comes out on the floor, it will come out like a monolithic steam roller with no one having a chance to address himself or herself to the major faults in the bill. Therefore, we have to seize this opportunity to speak to the issue.

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

Mr. MITCHELL. I am delighted to yield to my distinguished colleague.

Mr. MIKVA. Mr. Speaker, I, for one, want to congratulate the gentleman from Maryland and the gentlewoman from New York. I share their concern. I am deeply troubled about this proposal that is going to come before this House next week—on which a great deal of our future as a country depends and about which, as the gentleman from Maryland has indicated, we are going to have very little of what we talk about in the textbooks as the power of Congress to fashion the kind of legislation that we are going to have. I am afraid that those decisions already have been made and those horses have already left the barn.

Mr. Speaker, I congratulate the gentleman from Maryland and the gentlewoman from New York for focusing the spotlight of attention on this trouble we are going to have.

Mr. MITCHELL. Mr. Speaker, I thank my colleague very much. I might simply indicate that in my hand I have five prepared statements of my other colleagues who are expressing their area of concern. I also have a list on which there are 14 names of Members of this House who are also as deeply concerned as you are and as I am about what is going to transpire in this House next week.

Mr. RANGEL. I am pleased today to introduce on behalf of the congressional black caucus their position on welfare reform. The caucus has carefully reviewed H.R. 1. Their report follows:

CONGRESSIONAL BLACK CAUCUS POSITION ON WELFARE REFORM

H.R. 1 as reported out by the House Ways and Means Committee on May 26, 1971, has been represented to us as a major step in welfare reform.

Indeed, for the first time low-income families with a working father would be eligible for cash payments. The bill would emphasize work rather than welfare dependency by providing training to all able-bodied applicants except mothers with children under three years of age. It would establish greater equity amoong the states in welfare payments by providing a basic federal level of $2400 a year for a family of four. It would replace the three state-administered programs of assistance for the aged, blind, and disabled with a single adult assistance program administered by the Social Security Administration. And, finally, it would provide social security recipients not only with a 5 percent increase in benefits beginning June, 1972 but also with an automatic annual increase in benefits according to the rise in the cost-of-living index.

But these limited virtues of H.R. 1 are more than offset by the defects buried deep in the bill and by the destructive potential they would have if unleashed. Not the least of these is the especially discriminatory potential that Title IV, the Opportunities for Families Program and the Family Assistance Plan, would have on the estimated 8.4 million black, Puerto Rican, Chicano, and Indian recipients who would be eligible for family assistance plan payments under H.R. 1, if enacted.

Specifically, the family assistance plan category which contains proportionately more blacks in comparison with whites than the other three categories—the aged, the blind, and the disabled—would not only be singled out and administered separately and more harshly but would also be saddled with lower benefit levels. Instead of equalizing the benefit levels, H.R. 1 would allow an aged welfare couple to receive $2400 a year and would limit a welfare family of two to only $1600. Not until the welfare family reaches the size of four members would it receive benefits equal to the aged couple.

As previously mentioned, a disproportionate number of non-whites occupy the families with children category. According to the latest available HEW characteristic studies of the aged, blind, disabled, and AFDC recipients, some 55.2% of the recipients in the AFDC category are non-white while the recipients in the other categories are overwhelmingly white as is more clearly shown below:

TABLE 1.—RECIPIENTS (ESTIMATED) BY RACE UNDER CURRENT LAW IN JANUARY 1973

[In thousands]

Category	Total	White	Non-white	Percent non-white [2]
AFDC (families)	11,600	5,200	6,400	55.2
OAA (aged)	2,200	1,700	500	24.7
AB (blind)	100	70	30	30.5
APTD (disabled)	1,100	700	400	36.1

[1] Table 11, H.R. 1 committee report.
[2] Characteristics studies of AFDC, OAA, and APTD.

TABLE 2.—RECIPIENTS (ESTIMATED) BY RACE UNDER HR.. 1 IN JANUARY 1973

[In thousands]

Category	Total	White	Non-white	Percent nonwhite
AFDC (families)	19,300	10,900	8,400	43
OAA (aged) [2]	4,900	3,800	1,100	22
AB (blind) [2]	100	70	30	30
APTD (disabled) [2]	1,200	800	400	36

[1] Tables 11, 12, and 13, H.R. 1 committee report.
[2] Office of Program Development and Estimates, family assistance planning staff, Office of the Secretary, HEW.

Note: The actual minimum needs of a family of 4 greatly exceed the needs of an aged couple in all regions of the country both by HEW's own poverty level standards and by each State's own objective determination of actual need.

EXAMPLE: DETERMINATION OF ACTUAL NEEDS AS COMPUTED BY THE STATES THEMSELVES

	Family of 4	Aged couple
Arkansas	$2,736	$1,764
New York	4,032	2,628
Mississippi	2,784	2,208
Kansas	2,928	1,824

EXAMPLE: HEW NATIONAL POVERTY LEVEL

Family of 4	$3,743
Aged couple	$2,38

The striking fact is that the only rationale offered for separating families with children from the other categories, which are combined under H.R. 1, is the "work" myth. The President and others perpetuate the myth that the rapidly expanding AFDC category contains millions of loafers who must be put to work. The fact of the matter is that the overwhelming majority of recipients in this category are not adults, but children. Of the 2,700,000 recipients who are adults, the administration itself states that only a minority—about 1 million—are even employable under the most optimum conditions, conditions where there are child care facilities, transportation, job training, and job slots available. It is felt that by keeping all families with children in poverty—even the majority who are headed by a person not considered employable—this will provide an incentive to those few adults who can work to do so. We find under H.R. 1 that this separation and penalization of AFDC recipients who are disproportionately non-white to be totally arbitrary and irrational. We, therefore, assert unequivocally that we will actively work for the defeat of H.R. 1 unless this inequity is corrected.

Besides this reservation, we have others. If H.R. 1 is to carry the banner of reform, we believe that no recipient, regardless of race, should be worse off under H.R. 1 than he is now under current law—a principle we note that the President himself stated in August, 1969, when he first unveiled the Family Assistance Plan to our nation. The following additional changes must be made in H.R. 1 if this principle is to remain viable.

2. *The federal grant level for families must be increased.* Section 2152(b) of H.R. 1 authorizes a benefit level of $2400 a year for a family of four which would be less than the combined AFDC-food-stamp level for an estimated 90 percent of the welfare families in 45 states and the District of Columbia unless the states choose to supplement the $2400 level. This $2400 a year level is $1343 less than HEW's own $3743 poverty level for a family of four and thereby assures for the vast majority of America's welfare recipients not a guaranteed minimum income but guaranteed annual poverty.

3. *Annual cost-of-living increases must be provided.* H.R. 1 provides annual cost-of-

living increases for social security recipients but the people who are really poor—those who would be on welfare—would be denied this benefit. Title IV of H.R. 1 entirely omits any federal cost-of-living increases for families and omits any federal matching for a state which wishes to do the same. Under current law, cost-of-living increases are required although states may reduce the percentage of need paid or make across-the-board cuts which may in effect cancel out these increases. Nevertheless, on balance, the majority of families under current law have benefited, something they would not similarly do under H.R. 1.

4. *The arbitrary family maximum must be eliminated.* Section 2152(b) of H.R. 1 will not allow an increase in benefits for families of a larger size than 8 members. This constitutes an arbitrary and irrational means of discriminating against existing large families.

5. *Eligibility must be based on the current need of the applicant.* Under the present law, states determine whether an applicant is eligible and how much he will receive by looking at his current financial condition. This allows migrant workers, school bus drivers, cotton shoppers and ginners, and other seasonal workers relief when there is no work. It also allows relief for those who through no fault of their own have lost their jobs or have suddenly become injured and cannot work. Section 2152(d) of H.R. 1, however, requires eligibility to be computed by determining if income from the current quarter exceeds $1,080, the break-even point for a family of four. If it does not, then the earnings of the applicant for the previous two quarters exceeding $1,080 would be carried forward to determine if a person is still eligible. Thus, a person may remain ineligible for several quarters irrespective of his current plight simply because he earned too much in the past.

6. *Mothers with pre-school children must not be forced to place their children with neighbors or in day care centers and required to work.* Section 2111(b) of H.R. 1 requires all mothers with pre-school children age 3 or over to work as a condition to receiving benefits. This age level should be raised from 3 to 6. A family would be better served by the recognition that the work of the mother in caring for her pre-school children would be more meaningful than requirements which would separate her from her vital family obligations. When over ⅔ of the mothers in the nation not on welfare who have children under 6 do not work, it is indeed repressive to require all welfare mothers to do so.

7. *Suitable work conditions and a federal minimum wage must be provided for persons who are required to work.* Section 2111(c) requires all able-bodied persons to accept employment as a condition to receiving benefits. This section omits any requirement that the work must not be a danger to safety or health and other traditional protections such as those provided under unemployment insurance laws. This section also requires a person to accept employment at ¾ the minimum wage of $1.60 ($1.20/hr. or $48/week, $2400/yr.) thereby possibly discouraging family efforts to work themselves out of poverty.

8. *The Medicaid provision not requiring states to cover under Medicaid persons who were made newly eligible for cash benefits under H.R. 1; the provision imposing on recipients an enrollment fee, a premium, or a cost-sharing requirement; and the provision decreasing federal matching for long stays in institutions must be eliminated.* Section 209 (d) of H.R. 1 states that no state will be required to furnish medical assistance to any person unless the state was required to furnish such assistance to such person under its Medicaid plan that was in effect on January 1, 1971. This means that states would not be covering any new people made eligible for welfare under H.R. 1. Section 208 of H.R. 1 provides that deductions or cost-sharing could be imposed for optional services to welfare aduits and families. It also provides that the medically indigent who receive no welfare cash assistance would be required to pay an enrollment fee or a premium. Finally, Section 207 would decrease by ⅓ federal matching after the 60 days of hospitalization or skilled nursing home care. These provisions undesirably pit state treasuries against the health of the poor.

9. *Recipients must be accorded the same basic rights and due process protections that other citizens enjoy.* a. Section 2156(c) gives federal backing to any state making supplementary payments wishing to reinstate one year residency requirements. This is the wrong way to stop welfare families from moving to these states. This interstate barrier imposed on the mobility of the poor is similar to that outlawed by the Supreme Court in *Shapiro* v. *Thompson* 394 U.S. 618 (1969). Population stability is best assured by creating a national welfare system paying adequate benefits and thereby eliminating the need for states to supplement the $2400 benefit level in the first place.

b. Section 2171(e) requires recipient families to submit information to redetermine eligibility every quarter. Failure to do so within 30 days would result in a cut-off of aid and any delay or failure to report all needed data would result in fines. Section 2152(e) requires families to re-apply all over again every two years despite the rigid quarterly reporting requirement. This simply causes more inconvenience for recipients and unnecessary burdensome paperwork for the social workers.

c. Section 2171(c) dealing with fair hearing undermines the right to appeal administrative rulings. No provision for a prior hearing is really specified prior to reduction or termination of benefits and the scope of such hearings does not appear broad enough to include fraud determinations. Section 2171(d) requires that persons representing welfare recipients at the fair hearings must show that they are of "good character" and in "good repute" and possessed of the "necessary qualifications". Such vague requirements easily lend themselves to barring advocates who in the past have been highly effective in representing the poor against hostile social workers and adverse agency determinations.

10. Current welfare benefit levels must be maintained, including a cash-out of food stamps. The Federal Government must assist those states which currently provide benefits above $2400. Our final reservation about H.R. 1, perhaps the most significant from the standpoint of many other Congressmen besides Black Caucus members, is the failure of the bill to give adequate fiscal relief to the states which wish to supplement federal welfare benefit levels. It is our firm belief that the Federal Government should cover the entire cost of an adequate income program. However, since this apparently will not be the case, states must maintain their present benefit levels and the Federal Government must assist states in their efforts to provide benefits more consistent with need.

Section 2156 and 503 of H.R. 1 do not do much of anything toward this end. Section 2156 simply provides that if a state does supplement the federal payments, the federal payments would not be proportionately lowered. Section 503 provides if a state does supplement the federal payments, the federal government would not provide matching funds but would only hold the state harmless over the next five fiscal years for the costs above the actual dollar outlays during calendar year 1971 under the present programs. Additionally, any increased costs arising from changes that the state might make in the state program, would have to be paid by the state. In short, not only would no state be required to maintain its present payment levels (as was required in the previous bill) but it would be given virtually no fiscal help if it decided on its own to do so.

In our opinion, H.R. 1 must include a provision requiring no state to spend in the first year more than 75 percent of what it spent for assistance in calendar year 1971. For 1974 and later years, state expenditures for those purposes should not exceed 90 percent of calendar year 1971 expenditures. This all assumes that present benefit levels would be maintained, that an adjustment would be made for loss of food stamps, and that the state share of future welfare costs would be at a level of at least 25 percent of calendar year 1971 expenditures. These provisions would give states and localities an additional $4.2 billion of badly needed relief over the next five fiscal years. On the next page is a table showing the estimated savings each state would have.

TABLE 3.—SAVINGS BY STATE IF THE STATE SHARE IS AT LEAST 25 PERCENT BUT NO MORE THAN 75 PERCENT OF FISCAL YEAR 1971 EXPENDITURES WITH CURRENT BENEFITS MAINTAINED AND ADJUSTMENTS MADE FOR LOSS OF FOOD STAMPS

[In millions of dollars]

State	Fiscal year— 1973	1974	1975	1976	1977	State	Fiscal year— 1973	1974	1975	1976	1977
Alabama	26.0	29.0	31.0	32.0	33.0	Iowa	24.0	24.0	27.0	28.0	29.0
Alaska	4.0	5.0	6.0	6.0	7.0	Kansas	14.0	16.0	18.0	20.0	22.0
Arizona	18.0	19.0	20.0	20.0	21.0	Kentucky	10.0	11.0	12.0	14.0	15.0
Arkansas	13.0	14.0	14.0	15.0	16.0	Louisiana	45.0	47.0	50.0	52.0	55.0
California	380.0	432.0	485.0	538.0	591.0	Maine	6.0	7.0	8.0	9.0	10.0
Colorado	16.0	18.0	20.0	23.0	25.0	Maryland	36.0	39.0	41.0	44.0	48.0
Connecticut	22.0	26.0	29.0	33.0	36.0	Massachusetts	81.0	93.0	105.0	118.0	130.0
Delaware	3.0	3.0	4.0	4.0	5.0	Michigan	72.0	83.0	95.0	107.0	119.0
District of Columbia	17.0	19.0	22.0	24.0	27.0	Minnesota	26.0	30.0	34.0	38.0	43.0
Florida	150.0	160.0	170.0	180.0	190.0	Mississippi	13.0	13.0	14.0	15.0	15.0
Georgia	39.0	42.0	44.0	45.0	47.0	Missouri	17.0	19.0	21.0	23.0	24.0
Hawaii	8.0	9.0	10.0	9.0	9.0	Montana	2.0	2.0	2.0	2.0	3.0
Idaho	2.0	3.0	3.0	3.0	4.0	Nebraska	5.0	5.0	6.0	7.0	8.0
Illinois	100.0	115.0	131.0	146.0	162.0	Nevada	1.0	2.0	2.0	2.0	2.0
Indiana	12.0	14.0	16.0	18.0	19.0	New Hampshire	5.0	5.0	6.0	7.0	8.0

TABLE 3.—SAVINGS BY STATE IF THE STATE SHARE IS AT LEAST 25 PERCENT BUT NO MORE THAN 75 PERCENT OF FISCL YEAR 1972 EXPENDITURES WITH CURRDNT BENEFITS MAINTAINED AND ADJUSTMENUS MADE FOR LOSS OF FOOD STAMPS—Continued

State	Fiscal year—				
	1973	1974	1975	1976	1977
New Jersey	83.0	97.0	110.0	124.0	137.0
New Mexico	6.0	7.0	7.0	8.0	9.0
New York	240.0	282.0	325.0	368.0	410.0
North Carolina	27.0	29.0	30.0	31.0	33.0
North Dakota	2.0	2.0	2.0	3.0	3.0
Ohio	59.0	63.0	67.0	71.0	75.0
Oklahoma	32.0	33.0	35.0	36.0	37.0
Oregon	14.0	16.0	18.0	20.0	22.0
Pennsylvania	104.0	122.0	140.0	157.0	175.0
Rhode Island	8.0	10.0	11.0	13.0	14.0
South Carolina	7.0	8.0	8.0	9.0	9.0
South Dakota	3.0	3.0	4.0	4.0	4.0
Tennessee	31.0	32.0	33.0	34.0	35.0
Texas	46.0	48.0	50.0	54.0	56.0
Utah	4.0	5.0	5.0	6.0	6.0
Vermont	2.0	2.0	3.0	3.0	4.0
Virginia	16.0	18.0	21.0	23.0	26.0
Washington	26.0	30.0	35.0	39.0	44.0
West Virginia	15.0	16.0	17.0	18.0	19.0
Wisconsin	23.0	25.0	33.0	28.0	29.0
Wyoming	1.0	1.0	1.0	2.0	2.0
Guam	.2	.2	.3	.3	.3
Puerto Rico	17.0	18.0	19.0	20.0	21.0
Virgin Islands	.8	.8	.8	.8	.8
Total	1,900.0	2,200.0	2,400.0	2,700.0	2,900.0

Since H.R. 1 as reported out of Committee fails to deal with the aforementioned provisions and the many other defects of the bill, the Black Caucus has no alternative but to oppose the bill in its present form. It is our hope that many of our colleagues will join us and vote their consciences to oppose the bill.

Mr. CLAY. Mr. Speaker, the House of Representatives is expected to vote next week on H.R. 1, which includes the welfare reform provision—commonly known as the Family Assistance Plan. The Rules Committee reported the measure out under a modified closed rule which permits one motion to take place—this is to strike out entirely title IV of the bill, which is the Family Assistance Plan.

Since Members of the House will not be given the opportunity to offer amendments to raise the $2,400 figure and modify other repressive provisions, I will be forced to vote against this legislation.

The congressional black caucus, of which I am a member, intends to work actively for the defeat of the Family Assistance Plan. The bill has been sold to the Congress and the American people by the Nixon administration as a reform of the welfare system. After a careful study of the bill's provisions, we have concluded that the effect they would have on poor people's income, legal rights, ability to find meaningful employment and medical care would be detrimental. The Family Assistance Plan is not welfare reform, but rather a giant step backward.

The estimated 8.4 million black, Puerto Rican, Chicano, and Indian who are to receive payment under the Family Assistance Plan, if enacted, would be worse off than they are now. When the President unveiled the Family Assistance Plan to this Nation in August 1969, he noted that no recipient, regardless of race, should be worse off under the reform plan than he is now under current law. Unfortunately, this principle does not hold true.

How can a plan which would allow an aged welfare couple to receive $2,400 a year and a welfare family of two a mere $1,600 a year be considered fair? In fact, not until the welfare family reaches the size of four members would it receive benefits equal to the aged couple. The actual minimum needs of a family of four greatly exceeds the needs of an aged couple in all regions of the country both by HEW's own poverty level standards and by each State's own objective determination of actual need.

The work myth seems to be the underlying rationale for distinguishing between families with children and the other categories. The families with children are being penalized by this perpetuating myth. The fact is that the overwhelming majority of recipients in this category are not adults, but children. Of the 2,700,000 recipients who are adults, the administration itself states only a minority—about 1 million—are even employable under the most optimum conditions—where there are child care facilities, transportation, job training, and job slots available. The congressional black caucus finds under H.R. 1 that this separation and penalization of AFDC recipients who are disproportionately nonwhite to be totally arbitrary and irrational.

The Family Assistance Act sets a minimum and a maximum Federal payment of $2,400 a year for a family of four. There is no requirement that States maintain present payment levels in the 46 States where they now exceed $2,400 in cash plus food stamps. In fact, 9 of our 10 families are likely to be worse off, since $2,400 a year is above present levels for only 10 percent of them.

States would be encouraged to reduce payments. If States increased payments above the amount recipients received in cash and food stamps combined as of January 1, 1971, the States will have to pay the entire cost of these increases. H.R. 1 fails to give adequate fiscal relief to the States which wish to supplement Federal welfare benefit levels. The black caucus believes that the Federal Government should cover the entire cost of an adequate income program. However, since this apparently will not be the case, the States must be assisted by the Federal Government in their efforts to provide benefits more consistent with need.

Another factor which has been omitted from the welfare bill is the assurance that welfare families will be provided annual cost-of-living increases. H.R. 1 specifically provides these increases for social security recipients but denies them to those receiving welfare. Thus, when the cost of living goes up, the welfare family of four will be forced to continue to exist on the meager $2,400 a year amount.

In addition, H.R. 1 requires all mothers with preschool children ages 3 or over to work as a condition to receiving benefits. The black caucus believes that this level should be raised from 3 to 6. The fact that mothers who are taking care of their children are indeed working and performing a necessary duty has been clearly overlooked by the family assistance plan. To force these mothers to go out and get jobs will destroy rather than enhance the family institution. These mothers will also be forced to accept child care arrangements while no safeguards as to their adequacy have been written into the bill.

As presently written, the bill requires all able-bodied persons to accept employment as a prerequisite to receiving benefits—while never setting up suitable work conditions. Our unemployment statistics can only increase by throwing this additional number of people into the job-seeking market. H.R. 1 also forces these people to accept employment at three-fourths the minimum wage of $1.60 which certainly will not help them to rise above the poverty level.

These are only a few of my objections to the welfare reform measure soon to be considered by the House. The list goes on.

If H.R. 1 is to carry the banner of reform those provisions which are repressive must be changed. In view of the fact that the legislation will be brought up under a modified closed rule and the only vote on the family assistance plan will be to vote it up or down—I will be forced to vote against the plan. If the House votes to retain this section of the legislation, I will vote against the entire measure. I urge all of my colleagues to do the same.

Mr. BADILLO. Mr. Speaker, I have grave reservations over H.R. 1, especially the effect of title IV, if enacted, would have on assistance to those in need, and I have concluded that the regressive features of the bill far outweigh the improvements to such a degree that, unless significant improvements are made in this title, the bill should be defeated.

H.R. 1 fails to properly identify the problems of people already suffering from social neglect; and it fails to provide adequate answers to their problems. Instead, it offers inoculations—mere shots in the arm—which in many cases are worse than the disease itself.

The family assistance plan as reported by the House Ways and Means Committee simply does not provide a system of welfare reform. It does not, as the committee report states "provide a basic restructuring of the national welfare system," and "set public welfare in this Nation on a new and constructive course." I believe the bill, if enacted, will put this Nation's welfare system on a disaster course. It fails to rehabilitate families and prevent individual family crises. In fact, it creates family crisis in some instances. It is an erratic and irrational answer to the outcry of the American people who want us to do away with

the welfare system completely, and I say to my colleague in the House, before we accept the provisions in this bill, let us do just that.

Not only does this bill provide a means of cutting back income supports by making social services less accessible, it forces recipients to live in poor housing, accept inadequate health care, and work for lower wages. It perpetuates all the conditions of poverty.

The distinguished committee has attempted—in one piece of legislation—to calm the outcry of the American people over the burgeoning welfare rolls; answer the cry of the poor that benefits are inadequate; and provide a measure that fulfills the administration's announced intent to reform the current welfare system and find a solution that will enable States to meet the ever-increasing costs of welfare. It has failed miserably to succeed in these areas. It has succeeded, however, in polarizing Members of Congress on the welfare issue and in overlooking certain basic facts about the welfare problem.

In its attempt to answer the demands of our constituents that people be forced to work and leave the welfare rolls, it has overlooked the fact that in this period of high unemployment job opportunities are just not available; that the limit it has imposed on the amount of money the working poor can keep, makes a mockery of the concept that H.R. 1 will "enable welfare recipients to work themselves out of poverty."

The attempt in H.R. 1 to centralize and federalize administration of welfare is just that. It fell noticeably short of permitting a duplication of administration at State and local levels. States are now allowed to set up different programs in different areas.

In its attempt to find a solution to the problem of welfare recipients migrating to urban areas, it has created a migration problem within the States themselves, enabling the Secretary to waive the present statewide requirement that social services must be in effect in all political subdivisions of a State or furnished by all subdivisions, if locally administered—to receive funds.

How can we in Congress maintain our self-respect and endorse a measure which:

First, limits assistance for a family of four to $2,400 a year, including rent. Levels for Puerto Rico are one-half of that for the mainland;

Second, contains no plan to increase minimum levels of assistance;

Third, allows State to cut back assistance to $2,400 and spend nothing on welfare;

Fourth, eliminates single individuals and childless couples—unless they are aged, blind, or disabled;

Fifth, provides the same amount of assistance to an aging or disabled couple as a young family of four—$2,400 a year;

Sixth, provides less assistance than 90 percent of AFDC families in 45 States now receive;

Seventh, provides New York State only about 9 percent fiscal relief;

Eighth, authorizes States to impose a 1 year's residency requirement—as New York State has done—raising the question of constitutionality;

Ninth, makes families ineligible for participation in the food stamp program; and

Allows the aged, blind and disabled—15 percent of the poor—to be used as political footballs in the struggle for improved benefits for the younger poor—60 percent children under working age—and their parents caring for them—20 percent of the welfare population.

Perhaps in defeating H.R. 1, we could consider new initiatives and further our attempts to educate the American people about the composition of the welfare population and the reasons why we have a welfare population at all.

Mr. FRASER. Mr. Speaker, H.R. 1 is likely to be the most far-reaching piece of legislation to come before us this session. At least 50 million Americans will be directly affected by our action if H.R. 1 is enacted into law.

Many of us, I think, are in support of the provisions in this bill that expand social security and adult welfare programs. The real issue before us, however, is title IV which attempts to overhaul the unwieldy, costly and inefficient aid to families with dependent children program.

While title IV contains a number of useful new provisions, I am deeply concerned by this title's negative features. Unless some major changes are made before final passage, I am afraid that we we may be taking two steps backward in order to take one step forward.

Probably the most serious deficiency in the bill, as it stands now, is the lack of protection it affords current recipients against the threat of a cut in benefits. Recipients in 22 States, it's true, may receive higher cash payments. But in the remaining 28 States, which contains 70 percent of the current caseload and the Nation's largest urban centers, recipients are likely to receive cuts or, at best, remain locked in at current benefit levels.

As a result of the hold harmless provision added to the bill during the final days of the committee's deliberations, a State will be protected against increased welfare costs if it decides to maintain current benefits and provide the cash value of food stamps. Nineteen States will probably be able to use the hold harmless clause to protect recipients against a loss of benefits without, at the same time, sacrificing the State's share of the bill's $1.6 billion in fiscal relief. In 19 other States, however, some fiscal relief will have to be sacrificed in order to maintain benefits. If a State must choose between maintaining benefits or gaining added fiscal relief at the expense of recipients, the State is almost certain to choose the latter option.

Many recipients may not be faced with an immediate reduction in benefits but they will be forced to comply with new eligibility requirements that could be more painful than actual cuts in cash payments.

All mothers with children over the age of three will be forced to seek work and place their preschool children in some type of a day-care program. These mothers will be unable to determine for themselves whether the day care is adequate to meet their children's needs. In many cases, the day care is likely to be only the custodial or parking lot variety.

All recipients will have to take jobs that could pay less than the minimum wage. Job placement officials will not be required to match the jobs with the skills or the career goals of the applicant.

For the first time, college students will be unable to obtain benefits. This little noticed restriction is likely to eliminate highly successful college level career development programs such as the one at the University of Minnesota where 400 AFDC recipients are enrolled on a full-time basis.

The new work requirements along with the more frequent eligibility checks and the weakening of recipients' legal rights will mean the imposition of a highly regimented new system on millions of poor people who are already struggling just to make ends meet.

Unless these and other provisions are modified before final passage, adoption of H.R. 1 will mean only that we will have replaced the current illogical and inhumane welfare system with a new system just as inhumane but somewhat more systematic and orderly.

Mr. HARRINGTON. Mr. Speaker, the need for welfare reform is painfully obvious, the inequities and injustices of the present system have been pointed out time and time again. Equally obvious and painful is the disgrace that the wealthiest Nation in the world has over 25 million of its citizens existing below the poverty level.

H.R. 1, the family assistance program, was supposed to address this problem—supposed to help these fellow Americans. What happened to it? This bill sets a painfully low ceiling on the income given to the recipient—less than two-thirds of poverty level. This bill establishes punitive work requirements that will pull a mother of children over 3 years old away from her family while her children are sent to day care centers. These centers will be funded at a level so low they cannot even assure good custodial services, much less provide the type of care and guidance needed for proper growth. Yet, this period of life is the most important and formative in a person's development. This bill can force an individual to take any work no matter how far away from home—work which pays less than the minimum wage and could even be injurious to the individuals health. This bill grants no aid to childless couples or single persons living below the poverty level. This bill penalizes any family of over eight members. This bill authorizes States to impose residency requirements already declared illegal by the Supreme Court. This bill's entire tone seems to blame the poor for being poor and refuses to accept the fact that the cause of poverty is deeply rooted in the structure and development of American society. This bill seems to say, "We have failed and now, once again, will punish you for our failure for we are too ashamed and afraid to admit that the fault is ours."

Unfortunately, the form of this bill is not as strange as it seems. The bill

addresses itself to a mythical portion of the population. It assumes that millions of employable but lazy people devote a good portion of their time to defrauding the government and buying expensive furs and cars from their welfare checks. The women in this mythical problem population spend most of their time having illegitimate children and taking their swarming brood from one State to the next until they find the one with the highest welfare payments. The basic assumption underlying this bill is that this segment of the population is poor because it chooses to be.

This mythical population has been created in total disregard of the facts. The President of the United States has recently been one of the more vocal perpetrators of these myths by making statements such as ". . . the way to get them off—welfare—is to provide incentives and disincentives, which will make them get off . . ." or "I do not think we can tolerate a system under which working people can be made to feel like fools by those who will not work. On the contrary, I think those who refuse to register for work and accept work or training should be ineligible for welfare payments." President Nixon's concerted campaign against welfare fraud has deluded the public into thinking that the bulk of welfare recipients are cheaters. At a formal White House function the President personally requested the song "Welfare Cadillac," a song that promotes the myth that recipients are fraudulent and lazy, drawing huge sums of welfare moneys while laughing at those who work and pay taxes.

The above picture of the welfare recipient is in stark contrast to the reality of the situation. Studies conducted by the administration's own agencies have uncovered the dismal truth about the plight and characteristics of the welfare recipient.

Well over 50 percent of the welfare recipients are children living on diets that fall far below the minimum nutritional standards derived by the White House Conference on Food Nutrition and Health.

Less than 1 percent of welfare recipients are ablebodied employable men. A report from the Department of Health, Education, and Welfare states that—

> Even with the best possible services, only about 5 percent, at most (of welfare recipients) can be helped to self-sufficiency within a reasonable length of time. A more realistic figure is probably closer to 2 percent. The rest are children too young to work, the aged and hopelessly disabled who cannot work, and mothers who have nowhere to leave their children in order to take a job—if one existed.

When these families move from one locale to another they do so to find work, not to get higher welfare payments. In fact, the average family now on welfare that moved to an urban from a rural area lives in the city for approximately 5 years before applying for welfare.

The average welfare family has only three children—not eight or nine.

In no State does a welfare family receive even close to what the Bureau of Labor Statistics has determined to be the minimum amount needed to exist at minimal health and nutritional standards.

The incidence of fraud is estimated by HEW at 4 percent. The percentage of tax fraud and evasion, as reflected by unreported income for professionals, businessmen and farmers, is 28 percent.

A study authorized by the President in 1968 and still continuing in New Jersey has found that the work drives and success desires of the welfare recipient are the same as the rest of the population and that an income supplement in no way discourages a man from working.

This bill, specifically title IV, appears to be an effective means of handling the mythical problem population, but it is a dishonest means of approaching the responsibility of society toward its poor. As long as we as legislators avoid facing the truth surrounding the conditions of poverty in America, we cannot hope to eradicate it. A first step is to defeat or amend this punitive bill. But the more important task for us as responsible legislators is to change the entire climate and approach to this problem. We need to make ourselves and our constituencies aware of the true nature of the problem. Poverty is not the fault of those afflicted. Rather, it is evidence of an inherent weakness in our society that we must honestly and constructively—not vindictively—try to correct.

Mr. METCALFE. Mr. Speaker, the family assistance plan, is a welfare reform bill, but it seems not to meet the needs of our welfare population. The major problem of poor people in this country is the lack of adequate income. True welfare reform must meet this need. We have the basic resources to meet the basic needs of all our citizens. Now, while H.R. 1 does appear to have some plausible merits, it is still a far cry from offering a realistic alternative to the existing welfare program that is needed in this Nation.

Mr. Speaker, it should never be forgotten that we are dealing with human beings—with people—people who have been just a little less fortunate than some of the rest of us; nevertheless, they are part of our society, and that, we should never forget.

True, H.R. 1 establishes a greater equity among the states in welfare payments by providing a basic federal level of $2,400 a year for a family of four. However, this is an unlivable wage in many parts of the country. How, in good conscience, I ask, is a family of four expected to exist on $2,400 a year, with the cost of living at the level that it is today.

Mr. Speaker, on March 25, the Congressional Black Caucus submitted a list of 60 recommendations to President Nixon. As a member of that distinguished body, I stand firmly behind our recommendation that the present welfare system be replaced by a guaranteed adequate income system. We opposed any welfare reform which fails to establish a satisfactory timetable for reaching a guaranteed adequate income system of a minimum of $6,500 a year for a family of four from cash assistance, wages, or both.

What I would like to see included in welfare reform is a built-in incentive to bring the father back into the family as breadwinner and as head of the home. On his return to the home, family assistance should remain constant while he is given an opportunity to raise his level of income to meet the needs of the family.

When the father returns to the home, as an inducement for him to remain to serve as a positive force for good of the family, I offer a formula as an incentive for him to seek work. Should he acquire a job that brings home a salary of $200 a month, there should be no decrease in his assistance, and for every additional $1 increase over the $200 of his salary, his family assistance will be decreased by 50 cents; also, the family shall be permitted to have the use of television in the home, and own an automobile, which are essentially a part of the American life of today.

Any federalization of existing welfare programs must have as an ultimate objective the realization of individual economic self-sufficiency. The federalized programs should guarantee the standardization of eligibility requirements, the establishment of adequate payment standards, the elimination of abusive and degrading administrative practices, and the provision of suitable work opportunities which maximize individual freedom of choice and self-respect.

I commit myself to work relentlessly to raise the floor grant of $2,400 to a more realistic goal of $6,500.

Mr. CONYERS. Mr. Speaker, I commend my colleague, Mr. MITCHELL, for calling this special order to discuss H.R. 1, the Social Security Amendments of 1971. It is vital when these amendments are considered that we have before us the facts of those provisions pertaining to so-called welfare reform, rather than some of the fictions which parade as facts. Above all, we must make it clear when discussing welfare that we are discussing people, children, and families, with pressing human needs and with aspirations to human dignity and security. Satisfaction of these needs and aspirations should be the birthright of every citizen.

I will not attempt at this time to chronicle the numerous deficiencies contained in this bill. As reported, there is no way that I can support it. Poor families, black and white, are denied the benefits and the rights to which they have a legitimate claim in a civilized society.

The story of welfare and what it means is told by several articles and analyses which I intend to include for the RECORD. The material is voluminous, but the conclusions are unanimous. The welfare system is on the brink of collapse and this bill does little to improve it. The articles and analyses follow:

[From the Washington Post, February 1971]

THE WELFARE TIDE—A HUMAN CRISIS

(By Nick Kotz)

Bertha Hernandez supported her family in the slums of Houston, Tex., for 18 years

on the strength of her back and her ability to turn out spotless laundry for the ladies in the suburbs. The tiny Mexican-American woman raised three sons by working seven days a week, earning $30 to $45 when business was good.

She never went near a welfare office until 1968, for a number of reasons: under Texas welfare regulations, she made too much money. She knew the state seldom helped "her people." The presence of a husband further disqualified her for public welfare, even though he drifted in and out of the household and only occasionally contributed a few dollars earned by moving furniture or digging ditches. And she was proud.

But in 1968, a national tide reached Bertha Hernandez.

The tide was a phenomenon of the '60s. The civil rights movement began to show that in many cases poverty was the result of discrimination and therefore not a personal sin. The war against poverty further dramatized the problems. Federal court decisions challenged welfare agencies to justify why they arbitrarily excluded poor families from payments. The easy entry, low-skilled jobs in the central cities began to shrink with automation and the growth of suburbs. Inflation began to make it impossible to raise an urban family of four on $45 a week. Television convinced the poor that the nation really might care about them.

For Mrs. Hernandez, personal circumstances helped make the decision: her age, a final breakup of her 18-year marriage, the accumulated wear and tear of scrubbing and ironing seven days a week.

"I was too proud before," Mrs. Hernandez says, "but the migraine headaches got just too bad."

She went to the Texas State Welfare Department office that October and signed up for $38.50 a week under the Aid for Dependent Children (AFDC) program.

Thus the four members of the Hernandez family became a statistic in what President Nixon has called a national scandal—the crisis in welfare.

In Texas, AFDC rolls have doubled in the two years since Mrs. Hernandez's family became recipients. Nationally, in the same two-year period, AFDC rolls have gone from six million to nine million recipients. Today, almost 10 per cent of the nation's children are being supported by welfare. In 1968, AFDC welfare payments cost taxpayers $2.5 billion. Today, the cost is $5.3 billion annually, with the federal government paying $2.9 billion and state and local government footing the balance.

Some state and local officials, unprepared for the new tide or unwilling to appropriate funds to meet it, say the program is pushing them toward bankruptcy.

Similar welfare programs operate for the aged, the disabled and the blind, but the AFDC program, with accompanying Medical benefits, accounts for most of the rising cost and numbers.

IN MASS CONFUSION

"Our welfare funding is in mass confusion, our recipient rolls are growing by 10,000 monthly," Texas Gov. Preston Smith told his state legislature last month. His answer: fund the state's share of Mrs. Hernandez's AFDC check for only 10 more months, meanwhile beseeching the federal government to take over the entire program.

The present AFDC program has "degraded the poor and defrauded the taxpayer," said President Nixon. His solution: the proposed Family Assistance Program, "the most comprehensive and far-reaching effort to reform social welfare in nearly four decades."

Mr. Nixon's plan, now before Congress, would provide more federal funds to reduce the state's share (22 per cent in Texas) of Mrs. Hernandez's $154 monthly welfare check, on which she is supporting Rudy, 17, Philip, 13, and Robert, 10. But the President's proposal would not add a penny to her check, since Mrs. Hernandez's payment already exceeds the $1,600 annual ($133 monthly) federal guarantee of the program for a four-member family.

In fact, payments to those now on AFDC would rise in only the seven Southern states that now pay less than $1,600 annually, while 36 other states, including Texas, would continue providing support at less than the official federal poverty line and less than their own established standards of need.

Since all the Hernandez children are of school age the Family Assistance Plan would require Mrs. Hernandez to accept either job training or jobs offered her at a minimum wage of at least $1.20 an hour. If she found a job, she could still keep part of her welfare check "as a work incentive," but not necessarily as much as present welfare regulations would permit her to keep if she were working now.

$3,920 MAXIMUM

The Nixon plan also would provide, for the first time, federal income supplements to 12 million persons in families of "the working poor," permitting up to $1,600 in federal aid to boost their total incomes to a maximum of $3,920.

In the eyes of many angry taxpayers and politicians, Mrs. Hernandez and people like her are lazy, cheaters, breeders of illegitimate children and riders in welfare Cadillacs. To sympathetic liberals, she is the product of a culture of poverty that has trapped 25 million Americans at the bottom of this most affluent society.

Mrs. Hernandez's life does not fit traditional welfare myths, but her attitudes and recent actions are indicative of the new aspirations of the welfare poor.

Growing up in the generations-rooted poverty of the Southwest's Mexican-Americans, she never finished the sixth grade in school. Of her $154 monthly welfare check, $30 goes for rent in overcrowded public housing and $37 for food stamps "that don't stretch a whole month." When the children need shoes, she bakes and sells pies; when Rudy wanted to study the clarinet, she traded out $40 worth of laundry work for a used one. She states forcefully that "my middle-class concerns include group therapy, which she believes is helping Philip with emotional difficulties.

And she is no longer ashamed of welfare. Although she doesn't look the part, she is even blossoming as a community leader "to help people get the right to a decent life." Less than five feet tall, a dumpy little woman with long brown hair, she appears older than her 43 years. She wore an apron when timidly attending her first welfare rights meeting. Now she sits on three community boards, is determined that other poor people get on welfare, that benefits be raised, and that the poor be permitted full access to education and all the benefits of an affluent society.

Bertha Hernandez, welfare statistic, symbolizes a new movement in this country—a movement regarded both by critics and advocates as a welfare revolution.

Strangely enough knowledgeable critics of the spiraling welfare rolls and advocates of expanded government aid for the poor agree closely about most of the long-term and short-term causes of the welfare revolution.

Conservative welfare commissioners such as Burton Hackney of Texas and William Serret of Indiana agree, for example, with much of the analysis given by Richard Cloward, a professor at the Columbia University School of Social Work and resident philosopher for the national welfare rights movement.

A 25-year migration of unskilled black, brown and white poor from rural areas to the cities created a vast pool of eligible poor people who originally came to cities seeking work and a better life. Most worked at menial jobs, survived off the charity of relatives or lived by their own wits, hustling in the swelling ghettoes. Their economic plight worsened as unskilled and semi-skilled grew fewer and industry moved out of the central cities into the suburbs.

At this point, unemployed men began deserting their growing families in record numbers and the scene was set for a welfare explosion. And then the political climate forced open the welfare system, which had been tightly guarded until this point by an ingenious set of federal, state and local restrictive practices.

"The '50s were a period of calm in the cities, so there was no pressure to open the rolls," says Prof. Cloward, "but the riot-torn '60s were a different matter. The federal government responded through its intervention to try to deal with the turbulence in the cities. The political response and the overwhelmingly important force was the antipoverty program—the Vistas, legal services, community action agencies—that's what spawned the welfare rights movement.

"The recent rise in the rolls is chiefly a political phenomenon, not an economic one. The urban blacks couldn't gain housing, education or jobs, but they now had political power, particularly with the National Democratic administrations, and they did gain welfare. Finally, the present recession came at a time when restrictive (welfare) practices had collapsed all over the country."

The "welfare crisis" today comes in large part because in the past most families technically eligible for welfare, were, in fact, arbitrarily excluded for a variety of reasons. In the past few years, court decisions and new federal regulations have taken the position that if a family meets the standard that its children are needy and there is no fraud, it has to be granted welfare status if it wants it.

For the first time, welfare clients had lawyers representing their cause, and restrictive welfare department regulations and practices came tumbling down in a torrent of Supreme Court and lower federal court decisions.

The Supreme Court knocked out the so-called "man in the house" rule, by which welfare departments summarily cut off AFDC families whenever welfare investigators found a man living with or visiting an AFDC mother.

Next, the Supreme Court ruled unconstitutional the one-year residency requirement by which states and counties kept newly arrived migrants from benefits.

The Supreme Court then invalidated the vague "unsuitable home" device by which Southern state had purged thousands of welfare families from the rolls on grounds that mothers were not caring properly for their children and home.

Lower federal courts eliminated the "stepfather responsibility rule," under which a stepfather was required to assume financial responsibility for his wife's AFDC-supported children from an earlier marriage.

New HEW regulations, backed up by the federal courts, required welfare departments to act on applications within 30 days, rather than the frequent indefinite delays. The new regulations prohibited cutting persons off the rolls arbitrarily, without first giving them an opportunity for a fair hearing.

Congress, in a little-noticed amendment to the 1967 Social Security Act, required states to update their cost-of-living standards, though not necessarily the actual benefits. Washington, D.C., for example, until last year paid AFDC recipients on the basis of 1953 housing costs and 1957 food and clothing costs.

The District and many states responded by raising the standard, but then paying only 75 per cent of it in benefits. Nevertheless, the higher payment standard made far more families eligible for benefits.

Another provision of the same law for the

first time provided a positive "work incentive," permitting families to keep part of their earnings. Previously, all earned income was deducted from welfare payments.

Vista volunteers, Legal Service attorneys, community action agency workers and the emerging National Welfare Rights Organization helped steer the poor through the still formidable bureaucratic welfare jungle. Many of the poor learned for the first time about their legal rights.

Finally, the stigma that had kept many eligible poor away from the welfare office began to lessen as the poor and their allies openly lobbied for welfare benefits as a right, not "charity." And as welfare became more respectable, many of the urban poor began to view it as an acceptable alternative to their traditional dead-end jobs as maids, janitors and kitchen helpers—jobs that often paid less or only slightly more than rising welfare benefits in northern industrial states.

Welfare advocates and welfare critics, in accord as to those root causes, stop agreeing at this point. They differ markedly in assessing the implications of the welfare crisis for American society.

From Columbia Prof. Cloward's viewpoint, "the crisis is really the reform—namely that poor people are finally getting some money. The normal state of the system is that the poor get nothing."

National Welfare Rights Organization Director George Wiley adds: "If this is a crisis, there ought to be a bigger one. My question is not why so *many* people are getting benefits, but why so few. In a law-and-order society, these people have been denied their legal rights."

Government officials, on the other hand, define the "crisis" as a burden to the taxpayer and to government budgets and as a disruption to the economy.

"The crisis is basically fiscal," said HEW Under Secretary John Veneman in an interview. "State and local government can't handle it. And the whole [welfare] system is posing a challenge to the wage structure in the country. Seven and one-half million people are working for less than the minimum wage. It's a fundamental challenge to low-wage, marginal employment. It creates an alternative, seriously undermining these jobs."

Within the general public and the government, there has always been angry disagreement over the real characteristics of the welfare poor. Myth blends with fact in efforts to analyze family structure, divorce, desertion, illegitimacy, racial composition, work ethics, welfare fraud, economic and geographic mobility, and living standards of AFDC recipients.

Several facts are clear. Widening access to welfare benefits did not occur simultaneously throughout the country. Numerous states still prevent the vast majority of potentially eligible poor from obtaining benefits, and access to welfare in even the highest-benefit states has not necessarily produced economic security for the recipients.

New York City is the welfare capital of the nation with more than 800,000 women and children receiving the highest AFDC benefits (nearly $4,000 annually for a family of four). But a critical shortage of low-cost housing, an absence of jobs, and the highest cost of living nationally makes women swear about "welfare hell" in this supposed welfare paradise.

The city's AFDC rolls have risen from 195,000 in 1960 to 809,000 today. The city's share of welfare costs has grown from $89 million 10 years ago to $500 million last year, including $182 million for AFDC alone.

Judith Irby, an attractive 31-year-old black mother of six, would like to know, "Where has all that money gone?" She knows it has not gone for public housing, for which she has been on the waiting list for 10 years, or for adequate child day care facilities, the absence of which forced her to quit work.

Home for Mrs. Irby and her children was a rat-infested apartment with gaping holes in the walls, until the building was condemned. The New York City welfare department moved her family to the Hamilton Hotel, until it also was condemned last month as unfit for human habitation. She's still on a welfare tour of the citys' fleabag hotels and says of her recent homes: "I've never lived in hell but I can imagine what it's like. Believe me, we don't want to raise our kids in filthy slums. This is killing them."

Leaving rural poverty and her husband in Georgia, Sarah Glover came to New York in 1958 with a job as a sleep-in maid. Then she supported her children by caring for invalids. She always considered welfare a last resort, and that came when she had an eviction notice in her hand and only bus fare in her purse. "I went with my children to the welfare department and told them, 'I'm moving in somewhere, if I have to move in with you.'"

A 30-week manpower training course in bookkeeping "gave me hope," says Mrs. Glover. "Then the only job I was offered was $71 a week as a cashier clerk. I would have lost my Social Security, and with five kids to support, I couldn't take it. So I went back on welfare."

Indeed, a New York AFDC mother receiving an average $278 welfare check is better off than she would be working at the typical $274 monthly salary level for which AFDC recipients can qualify. And with Medicaid benefits, she is far better off than many of the city's working poor.

The willingness of women to regard welfare as an acceptable alternative to work appears related directly to welfare benefit levels, HEW studies show. In high-benefit states like New York, only 8 per cent of AFDC women work, but in states like Mississippi, Georgia and Florida where payments are near the bare survival level, more than a third of recipients supplement their welfare checks with low-paid jobs.

In New York City, the question of work is fast becoming academic, particularly for poor men. New York welfare officials estimate the city has lost several hundred thousand unskilled and semi-skilled jobs in the last few years.

"This has become a city of the very rich and the very poor," explains William Johnson, who has just completed a welfare study for New York's Rand Institute. "The jobs and the middle-income people are leaving for the suburbs, and what's left is the trapped migrant, who can't find housing or transportation to follow the jobs. The jobless husband deserts and the family goes on welfare."

"Desertion, sure," says Beulah Sanders, leader of the New York Welfare Rights Organization. "Do you think a man is going to sit there and see his family starve?"

Life may or may not be worse for the welfare poor in Indiana, which, in contrast to New York, pays the lowest welfare benefits of any Northern state ($150 a month for a family of four) and has the smallest proportion, of its poor receiving AFDC benefits—2 per cent.

"The entire philosophy of welfarism is alien and foreign to the people of Indiana," explains State Rep. Robert Bales, chairman of the House Health and Welfare Committee. "We run a very tight ship."

53% IN A YEAR

But the rolls are rising even in Indiana. The number of people receiving AFDC payments went up 53 per cent last year.

And in contrast to New York, where virtually all AFDC recipients are black or Puerto Rican, 55 per cent of the new welfare poor are native, white Hoosiers who grew up in rural poverty and now are moving to the cities and towns.

Marilyn Schwab, for example, grew up on a farm and moved to Richmond, Ind., where her husband worked in a tire factory. After her husband deserted her last year, Mrs. Schwab says she tried supporting her three sons working at two jobs—a tavern until 2 a.m. and then in a radio parts factory starting at 7 a.m. "I ended up in the hospital with nervous exhaustion," she says, "and for the next six months we lived on a $12 weekly grocery order, until they finally accepted me on welfare."

Of her $150 monthly welfare check, Mrs. Schwab says $58 goes as rent for an unfurnished apartment. "We make our own clothes or pick up used ones at a church," she said. "I had to call the school to say I didn't have shoes for two boys. This is not right. Children should have new clothes.

Mrs. Schwab's bare living is now endangered by a government and taxpayers revolt. For the politicians in Indiana, New York and Texas are now debating whether to cut the welfare payments of Mrs. Schwab in Richmond, Mrs. Glover in New York and Mrs. Hermandez in Houston.

[From the Washington Post, February 1971]

RULES ON WELFARE ARE TIGHTENED AS TAXPAYERS BALK

(By Nick Kotz)

Edith Reese, 19, unmarried mother of a 2-year-old daughter, looked at the list of 47 jobs. It included, "zoo keeper—apply at Indianapolis zoo" and "go-go dancer—call 291–1010."

She had walked 21 blocks to the county welfare office to ask for welfare for her daughter. The case worker told her:

"Before I will even give you an application form, you have to try all these jobs. You must get the lady's or man's name at each place, the time and date you went there, and what they told you. I want it in writing."

Edith Reese said, "How am I going to get there? I don't even have bus fare."

The case worker replied, "You'll do it or else you'll never get an application."

Miss Reese started with the less exotic jobs—kitchen helper, janitor, counter lady—but at each place she received such comments as, "There's no vacancy here. Tell the welfare office to stop sending people here."

Partway through the list of 47 jobs she consulted the Indiana Welfare Rights Organization, which threatened legal action if the county did not give Miss Reese an application form. She received the form and filled it out. Several weeks passed without a decision on the application. The welfare rights group pressed again. The county said they'd put Mrs. Reese's child on the Aid to Dependent Children program if she would drop any legal action.

"This is the new game," says Jill Hatch, organizer in Indianapolis for the National Welfare Rights Organization. "It's one of the new maneuvers. The welfare departments are really digging in their heels."

"The new game" is part of the welfare crisis.

Battles like the one between Marion County and Edith Reese are being duplicated daily in welfare offices, governor's offices and state legislatures throughout the country.

On one side are the poor. Empowered by court decisions, new federal regulations and welfare rights groups, they are increasing the size of Aid for Dependent Children (AFDC), the nation's major welfare program, at the rate of 200,000 a month.

On the other side are state and local governments, confronted with growing welfare lists, facing either drained treasuries or angry taxpayers or both. In response, many states are using a variety of strategems to discourage and delay welfare applications or increased welfare benefits.

Some states and cities face bankruptcy, but others have tax and welfare policy rather than pocketbook problems.

Indiana, for example ranks 11th in total personal income but although 17 per cent of its population is poor it has a smaller percentage of its residents receiving child welfare benefits than any state in the country. Its state taxes are relatively low—40th per capita among states—and it hopes to keep it that way.

To keep taxes low, Gov. Edgar Whitcomb recently vetoed a state welfare appropriation that would have permitted the state to comply with a federal requirement that welfare payments be based on the 1969 cost of living. It would have cost the state $10 million. It would have raised support for a mother with three children to $47 a week from the current $37.50, the lowest payment of any state outside the Deep South.

We ended the fiscal year with a healthy $56 million surplus," Gov. Whitcomb told the state legislature last month. "I always feel proud to live in Indiana because things are going so well." The observation was made at a governor's conference, where he noted, "that the states that spend the most, tax the most, also have the most civil disturbance, the highest welfare, and the most crime. I ask you to give thought to these matters, and let us work together to make Indiana an even greater place to live . . ."

Several days after Whitcomb's speech, the legislature sustained his veto of higher AFDC grants. The governor and legislature knew that the Department of Health, Education and Welfare would cut off Indiana's federal welfare funds on April 1, if the state has still refused to raise its AFDC payment standards. If the governor and legislature do not have a change of heart, the state's dwindling AFDC funds will force a reduction in Mrs. Reese's welfare check, rather than permit the federally called-for increase.

Indiana's actions do not represent an isolated example of a growing government rebellion against the cost of welfare. Ten other states and the District of Columbia have not raised their benefit standards to match present living costs, or otherwise violate separate provision of the 1967 Social Security Act. Nine states last year reduced AFDC benefits.

In an effort to save $11 million annually, the District refuses to provide a congressional-ordered "tax break" for 5,000 AFDC mothers who work full time at low-paid jobs. As an incentive for them to work, the law requires that eligible welfare recipients be permitted to keep one-third of their earned income rather than have the entire amount subtracted from their welfare checks. The District refuses eligibility and the "work incentive" to these women with full-time jobs.

The District's penny-pinching may prove counter-productive. A woman applying for AFDC support last month was told her full-time job, earning $74.50 a week cleaning offices at night, disqualified her family. The next day the woman with her five children was back, minus job, and onto welfare with a $313 monthly check. The District would have saved money by letting her work and receive a greatly reduced welfare check. But the often-stated goal "let's get them back to work" is often lost sight of today by governments fearful of sheer numbers on welfare.

Nevada last month cut off 22 per cent of its AFDC recipients. In the view of Ronald Polk, a leading welfare rights attorney, Nevada violated the court-ordered rights of all 3,000 recipients by denying each family a "fair hearing." Pollak says an investigation now under way already indicates that hundreds of those denied assistance were clearly entitled to their welfare checks.

Leading the welfare rebellion is California Gov. Ronald Reagan, whose state has 1.5 million AFDC recipients, the highest number in the nation. California's annual AFDC payments now total $900 million, and the state pays one-half of this cost. California's soaring AFDC costs are more a product of an incredible rise in recipients—now coming on the rolls at an annual rate of almost 400,000 persons—rather than the state's generosity in benefit payments. Seventeen states pay higher benefits than California's average monthly grant of $193, an amount that meets only 51 per cent of the state's self-established standard of need.

Rather than endlessly raising taxes to pay welfare costs, Reagan says he will "excise the cancer eating at our vitals." The California governor, already facing a federal welfare fund cutoff for refusing to provide the 1969 cost of living increase, now plans to eliminate the "tax break" for working AFDC mothers, put thousands of them to work on public projects, and revise eligibility standards downward.

[One Reagan proposal applauded by liberals, is to simplify welfare payments for the elderly, disabled and blind, thereby eliminating the need for hundreds of welfare workers.]

California's welfare burden is compounded by the largest old-age assistance rolls in the country. Its total of 317,000 elderly recipients is 50 per cent higher than that of any other state. When California's Medi-Cal costs are added the state's taxpayers end up paying more per capita for total welfare costs than those of any other state except New York.

New York was the first state to respond generously to the welfare rights movements' demands for legal entitlements, and ironically, the first to plug up liberal provisions in its welfare laws.

In its most successful campaign, the National Welfare Rights Organization in 1966–1968 helped thousands of New York City AFDC mothers claim the "special grants" provided for clothing, furniture, kitchen appliances and other essential needs. At the height of this drive, in August 1968, welfare mothers had won $100 million in special grants, an average of $104 per welfare family. Since these benefits had to be sought in individual bouts with the welfare office and most welfare recipents did not participate, those participating actually received far more than $104 in benefits.

Reacting against this successful campaign, the New York State Legislature eliminated the special grants and slightly reduced total AFDC benefits.

Two to four years ago people were pulling themselves together through the vehicle of special grants," says New York City Welfare Department official Robert Jorgen. "When that ended, hope ended. Now there's no money for furniture or for winter school clothing for the kids."

Despite the legislature's best efforts, welfare costs continue to soar and New York Mayor John V. Lindsay is attempting countermeasures. Lindsay, the liberal mayor twice elected with black votes, had voiced approval several years ago when the percentage of welfare applicants accepted on the rolls increased from 60 to 80 per cent. Now, he is tightening welfare eligibility, has rejected his welfare department's budget as too expensive, and has filed suit to force the state and federal governments to take over the city's share of welfare costs. At present, the federal government pays 50 per cent, and the city and state split the balance.

Lindsay challenges the complicated formula by which welfare costs are shared by cities, states and the federal government. New York City pays $500 million a year as its share of total welfare costs but there are laws in 25 states that permit their cities to pay nothing.

In general, the richer the state, the smaller the portion it gets of federal money for welfare. As the individual level of monthly payments go up, the federal share becomes smaller. Thus, the federal formula encourages states to pay low benefits.

The difference among states is most dramatic in the case of Texas. Texas is rich, sixth in total personal wealth. But although it spends only $80 million in state welfare money on its 2.6 million poor, the federal government pays almost 80 per cent of total welfare costs for Texas, compared with 50 per cent for New York and California—each of which pays out more than $1 billion.

"We know we've been restrictive." Texas Welfare Commissioner Burton Hackney said in an interview. "Of necessity, we've had to be restrictive and serve only the poorest of the poor."

Texas has used a number of devices for keeping down its welfare payment. It is the only state with a constitutional limit on welfare spending—any subtantial increase in individual benefits or total recipents requires a referendum and an act of the legislature.

It required a court order last year to force one-third of the state's counties to operate a food assistance program for the poor. The state welfare department has a maximum of $50 allowance for rent, regardless of the size of the poor family, 75 per cent of whom live in cities.

In 1969 when welfare funds began to run out the maximum payment for a family, regardless of size, was cut from $135 a month to $123. This meant that a family of ten had to live on $31 a week. After a federal court invalidated this cut, voters raised state welfare funds from $60 to $80 million. Now funds are exhausted again and Gov. Preston Smith says he will not recommend another increase in welfare spending.

Despite pressures of higher taxes and less wealth than Texas, many other states are attempting to meet the rising welfare costs for the poor. Thirteen states raised their welfare payments last year. Many states are either raising taxes or making excruciating, Solomon-like choices between competing human needs. Oregon, for example took school funds to meet welfare crisis needs, and Vermont Gov. Deane Davis froze state spending on education to raise AFDC payments. "A high quality of education is part of the long-range solution," Davis said. "But the tragedy is, a long-term solution is of little help to a child who is hungry, sick or cold this winter."

The most devastating government blow to the welfare rights movement may have been signalled last month in a 6–3 U.S. Supreme Court decision, says Ronald Pollak, who successfully argues federal court cases that helped open up the welfare rolls. Justice Harry Blackmun, in his first written opinion, ruled that a welfare recipient must admit a caseworker to her home. It is not the immediate case that bothers Pollak so much as the welfare philosophy now expressed by a Supreme Court majority.

Commenting on the notorious midnight welfare raids which lower courts long ago ruled unconstitutional, Blackmun pointedly left open the possibility that the constitutionality of such searches will "present another case for another day." Blackmun compared welfare aid with "purely private charity" and said the benefactor "expects to know how his charitable funds are utilized."

"The court has come very much in tune with the political climate," said Pollak. "Judges are again seeing welfare as a gratuity, not an entitlement. A beggar must prove himself worthy. If we've now lost the support of the Supreme Court, it's very hard to figure out a strategy."

The next struggle over the welfare crisis will be in the present Congress, as it debates President Nixon's Family Assistance Program, and alternatives offered by welfare advocates and critics.

[From the Washington Post, February, 1971]

WELFARE REFORM: THE QUESTIONS RAISED ARE ENDLESS

(By Nick Kotz)

The nation's welfare rolls have swollen by almost three million persons since August 1969, when President Nixon first proposed his Family Assistance Plan. The an-

nual costs have risen by $1.7 billion. And Congress is once again debating how to cope with what the President calls "a monstrous consuming outrage" for both the taxpayer and the welfare poor.

The Nixon administration's answer is a controversial new plan that would for the first time offer federal income supplements to workers in low-paid jobs. Any family of four with less than $3,920 annual income could gain benefits, ranging from a few dollars to $1,600. The hope of this plan is to ease the financial plight of 11 million "working poor" and keep them off the soaring welfare rolls.

The Nixon plan also would attempt, by a "carrot and stick" approach, to lift some of the 9.5 million now on welfare back into the workforce.

Most of these poor are women receiving benefits for their dependent children.

The underlying thesis of the proposal is to place a floor under the income of every family with children. Need rather than dependency would be the governing factor.

Every family would be guaranteed $500 for each of the first two family members and $300 for each additional child. Thus, a family of four would receive $1,600, if they had no other income.

President Nixon calls his plan "the most comprehensive and far-reaching effort to reform social welfare in nearly four decades." Initially hailed by many liberals because it embraced the concept of a guaranteed annual income, it enraged many conservatives who consider it the straw that will finally destroy the American work ethic that a man should rise strictly by the sweat of his own brow.

The Nixon proposal passed the House last year, but was blocked in the Senate by an unlikely coalition of conservatives appalled by the cost and the emerging philosophy of guaranteed annual income and liberals dissatisfied with the benefit levels and the provisions forcing recipients to work at low-paid jobs.

But the debate has broadened into far wider issues. At heart, critics of the welfare crisis and of the President's proposed solution are questioning what kind of country America is or should be.

Does a work ethic originally premised on "useful work," still apply to an affluent society that spins out both redundant luxuries and grinding proverty? Does the country need a fundamental re-allocation of its wealth and resources to meet basic human needs?

The questions, endless, are being asked as Congress scrutinizes the Family Assistance Plan and wonders how to stop the spiral in which thousands are forced out of employment—or leave voluntarily—for welfare.

Criticism of the Family Assistance Plan grows as various state and local officials examine how it would affect their tax rolls, as well as welfare rolls.

"The Family Assistance Plan represents only another attempt to add a patch to an already overburdened system of welfare patches," says Texas Gov. Preston Smith.

Concerned mainly about the skyrocketing state costs, conservative Smith and other governors want to turn over the entire welfare burden to the federal government. Liberals such as Rep. Donald Fraser (D-Minn.) also see full federal control as a way to untangle the welfare bureaucracy and bring justice to the poor.

Recently the powerful House Ways and Means Committee has become intrigued with the idea that a federal welfare system might provide the most direct and helpful kind of revenue sharing with the states. The state's share of welfare program costs is about $5 billion a year, the same amount the President has proposed for new funds going into revenue sharing.

The most conservative governors, such as Ronald Reagan in California and Edgar Whitcomb in Indiana, are considering another approach: withdrawing their states from the present federal-state program and operating much less costly welfare entirely on state and local funds. Both strongly oppose the Nixon plan's guaranteed income for the working poor.

From the viewpoint of advocates for the welfare poor, the President's plan provides far too little money and too much potential coercion.

"The Nixon plan is an attempt to stem the tide of rising benefits," says George Wiley, director of the National Welfare Rights Organization. "This so-called welfare reform will be more punitive than the present system. The welfare department will be a new employment agency for substandard industry, agriculture, laundries, sweatshops." Labor union leaders criticize the plan for subsidizing low-wage pay, and say it will undermine efforts to organize farm and domestic workers.

Wiley's National Welfare Rights Organization favors a $5,500 a year guaranteed annual income. Additional incentives to the working poor would bring their incomes up to a maximum of $10,000. The plan would cost $50 billion a year and provide varying benefits to 100 million Americans. Despite its costliness NWRO's plan has a surprising number of supporters: the White House Conference on Food and Nutrition endorsed the plan at its December, 1969 meeting.

The Family Assistance Plan would affect the lives of 25 million poor Americans in differing ways.

The plan really contains two different proposals, one brand new and the other a reworking of an existing welfare plan:

1—A form of guaranteed annual income for "working poor" families with children.

This would offer benefits to almost 11 million Americans in families who now cannot receive welfare, in most cases, because there is a father in the house and he works.

Any family of four with less than $3,920 annual income would get some benefits. From the maximum payment of $1,600 for a family with less than $720, payments would decline as work income approached the $3,920 cutoff. Almost one half the potential beneficiaries live in the South.

Take a drug store clerk trying to support a wife and two children in Washington, D.C., on a $1.60 an hour salary, the federal minimum wage. His $64 weekly paycheck would be supplemented by $5.70 weekly in federal "family assistance." His annual income would rise from $3,328 to $3,624. He would have to agree to accept job training or move to a higher-paying job if a suitable one were offered.

The program would be paid for entirely out of federal funds. The administration estimates the first year costs at $1.7 billion. Benefits would be the same, no matter which state a person lived in. In this and other respects. Family Assistance for the working poor would differ from the second part of the plan.

2—A revision of the present Aid to Dependent Children program, in which federal, state and some local governments share administration and costs. It would continue to assist families in which one parent (usually the father) is absent or incapacitated. Most of the present 9.5 million recipients are mothers and children. Most of the mothers do not work.

At present, benefit levels are set by the states and the federal government simply pays part of whatever level the states establish. Payments for a family of four now vary from a low of $720 a year in Mississippi to a high of $4,164 in New Jersey. The Family Assistance Plan would only slightly alter this disparity.

The proposed plan would establish, for the first time, a federally paid floor under ADC payments of $1,600 for a family of four—raising payments for the one million recipients living in the seven Southern and Border states that now pay less.

For example, it would add $76 a month in benefits for Mary Williams, who tries to support three children in a Mississippi shack on a $57 ADC check.

But for the 8.5 million receiving ADC payments in the 43 states whose benefits are above the floor, the Nixon plan does not offer increased benefits.

Pamela Johnson and her two young children in Houston, Tex., would receive the same $129 welfare check. Although the Nixon plan would require states to maintain benefits at the present level and would permit a maximum of $3,720, it is unlikely any states would raise their payments. Most states want to cut benefit costs, not raise them.

As in the present system, Mrs. Johnson and Mrs. Williams could retain part of their earnings from a job and still get welfare benefits although reduced. But under the Family Assistance Plan, they would be denied $500 of their annual welfare payments if they refused job training or "suitable" employment paying at least $1.20 an hour. The plan also would offer day care for children.

The revised ADC plan is being touted to state and local governments chiefly on the basis that it will reduce their share of program costs. The federal government would pick up $356 million of the $2.3 billion state and local governments will pay this fiscal year in AFDC costs, plus $166 million for adult welfare programs: old age assistance, aid to the blind, aid to the disabled.

But state officials throughout the country are becoming increasingly doubtful as to whether the Nixon plan might end up costing them more money.

All agree, for one thing, that the present cost-sharing inequity among the states would be maintained. The federal government would take over the entire cost for Alabama, Arkansas, Louisiana, Mississippi, South Carolina, Tennessee and Missouri. Cost savings to the biggest states would differ widely depending on their present efforts.

State officials and others are appalled that the plan would very likely continue—and probably even further complicate—the present tangled federal-state-local partnership of welfare costs and administration.

Further, officials in most states now believe that their share of soaring Medicaid costs will soon outstrip any possible benefits in ADC cost-sharing. The administration acknowledges this problem but says it will reduce Medicaid costs by its forthcoming Family Health Insurance Plan. The plan most likely will transfer some of these costs to the welfare poor, who now get Medicaid benefits.

State officials also are skeptical about how many welfare recipients can be put to work. Of the 9.5 million ADC recipients, less than 200,000 are able-bodied men. The expected workers are principally mothers, 80 per cent of whom have children under eight years old.

The administration hopes to put 40 per cent of * * * available, they question whether the plan's provision for 250,000 job training slots will be any more successful than a present program for job training, which is failing. The child day care program is criticized as too expensive if the only rationale for it is to put women into low-paid jobs and inadequate if the purpose is to help children.

In addition, many state officials believe the best contribution of mothers should be to care for children growing up in already broken homes. The poor also strongly oppose forcing a woman to work if she would rather care for her children.

"These are people with large families," says Wilbur Williams, chairman of a welfare reform committee in Houston. "The mother should be home caring for them. This is not putting a family together. It's destroying it."

The level of benefits provided the poor under the Family Assistance Plan is hotly disputed by both liberal and conservative critics, but for very different reasons.

In the judgment of the conservative Council on Economic Development and of many in the economic-political power structure of the Deep South, the support level is too high. The CED believes that hundreds of thousands of service jobs such as waiters, gas station attendants, and household help are now going begging partly because welfare benefits already pose too attractive an alternative. Some Southerners fear, for example, that a black woman with three children no longer will work as a maid at $15–20 a week if her welfare check rises from $15 to $30.79 a week.

Advocates for the welfare poor argue that the plan is designed to put a lid on higher benefits the poor have been winning in the federal courts, in Congress and by their own efforts. "Whenever the federal government talks about reform," says Richard Cloward, a professor at the Columbia University School of Social Work, "it means reimplementation of restriction and of the system. The normal state of the system is that the poor don't get anything."

The Nixon administration does want to put a lid on benefits. The plan would permit 48 states to freeze benefits to ADC recipients at as much as $2,100 below the federal poverty line of $3,720 for a family of four. Forty-three states could continue paying less than their own "standards of need," a cost of living appraisal of the essentials of life: food, clothing and housing.

Another basic criticism of welfare advocates is that the combination of continued low payments and the "must work" provision will force the poor to continue performing the lowest-skilled, dirtiest and worst-paid jobs. Debate over the work requirement leads inevitably into the broader implications of welfare reform as they affect the essential quality of American life.

"Has welfare become an acceptable alternative to work?" questions Robert Patrecelli, deputy under secretary of HEW. "We think that liberals won't face up to that possibility."

Indeed, the poor are openly expressing growing unwillingness to trade even a meager welfare check for jobs at the bottom of American society.

"Who needs to be trained to wash dishes or clean toilets?" questions Dorothy Pittman Hughes, a black community leader in New York City. "What happens when we ask for meaningful work, like a proposal to train black mechanics to run their own cooperative business? That competes with someone else and it's turned down."

Asked in an interview what work the welfare poor would be expected to perform, HEW Under Secretary John Veneman replied: "Where they will work will depend on the economy. With today's economy there would be problems. Logically, they would work in services—hotel, food, beverage, janitors, cleaning, domestics."

What if the poor would rather care for their children than do that kind of work?

"If a woman is adapted to that kind of work," replied Veneman, "Then I think she should do it. If someone has been a maid for 10 years at $1 an hour then that's an appropriate job."

The welfare poor also criticize the $1.20 wage at which they would be required to accept jobs under the Family Assistance Plan. It is 40 cents below the federal minimum wage law.

"I don't think the Social Security Act is the place to set the minimum wage," says Veneman of this criticism. "It's a fact of life that millions of jobs pay below the minimum wage."

The over-all criticism by welfare reformers is that the Nixon administration's Family Assistance Plan doesn't try hard enough to really change the present facts and quality of life for poor Americans.

A survey for HEW recently showed that 80 percent of women receiving welfare would like to work, and 40 per cent are good prospects for employment. But these women have increasingly shown in their job training choices that they not only want decent salaries but work in human services rather than drudge labor. They sign up eagerly to become nurses aides, community action aides, day care center workers.

Daniel Patrick Moynihan, the former White House counselor who helped design the Family Assistance Plan, is impatient with criticism about the nature of work. As a pragmatist, he says that the first need of poor people is for more money. He thinks the plan establishes that right for the first time.

"Do you have a meaningful job?" Moynihan asked a critic. "How many Americans have meaningful jobs?"

Leaders of the National Welfare Rights Organization quote author William Stringfellow on the point of jobs. Stringfellow contends that the work ethic lost its legitimate original meaning when most Americans no longer produced tangible products of human needs but "redundant luxuries in which the package rather than the product is marketed." Yet the affluent American society still "enforces the work ethic with a literal vengeance against the poor."

Stringfellow, along with welfare rights advocates Richard Cloward and Michael Harrington, says the poor will be lifted out of their welfare poverty trap only by a massive reassignment of national priorities. Their viewpoint, shared by many liberal members of Congress, is that the government should redirect its resources into jobs that would help improve the quality of American life.

Sens. Jacob Javits (R-N.Y.) and Gaylord Nelson (D-Wis.) introduced legislation last week to spend $1 billon creating 200,000 public service jobs.

America may or may not make the called-for re-allocations in the nation's wealth, resources, and energies, but observers of the welfare crisis believe fast short-range action is mandatory.

Dr. Henry Rossner, scholarly assistant director of the New York City Welfare Department has worked at that city's welfare problems for 37 years. Last week while two Americans were walking on the moon, D. Rossner observed:

"Welfare is a holding action and I'm afraid we don't have any long-range programs. Public assistance is the price we pay for social order. Over $1 billion a year is going into the slum areas of this city. Do you think those people in Bedford-Stuyvesant and Harlem would starve peacefully?"

[From the Washington Post, February, 1971]

WELFARE MYTH, FACT ARE FAR APART

MYTH: They're getting rich on welfare.

FACT: Welfare benefits for AFDC families now average $185 monthly, 43 per cent below the federal poverty line.

MYTH: They all come to the city to get welfare.

FACT: Seventy-two per cent of AFDC families now live in urban metropolitan areas, but the typical rural migrant lives in the city five years before applying for welfare.

MYTH: Most AFDC families contain men who won't work.

FACT: Of nearly 10 million AFDC recipients, only 100,000 (1 per cent) are able-bodied, unemployed men. More than 95 per cent of recipients are women and children.

MYTH: Most AFDC recipients are black.

FACT: 49.6 per cent are white, 46.3 per cent are black, 4.1 are other races.

MYTH: Once on welfare, they never get off.

FACT: The typical AFDC family stays on welfare for slightly less than two years. Sixty per cent of present recipients are receiving welfare for the first time.

MYTH: They cheat.

FACT: Some do. Fraudulent receipt of welfare is detected in less than 1 per cent of all cases, and detectable fraud has not been increasing.

MYTH: They keep having more children to receive more benefits.

FACT: The size of the average AFDC family has declined slightly to a present level of three children.

MYTH: AFDC is a problem because fathers desert and won't support their children.

FACT: Desertion is a major cause of AFDC dependency, but rising family breakups are a national phenomenon. Generally, the rich get divorces and alimony while the poor more often get separation or desertion with no available child support, and therefore go on welfare.

MYTH: More and more welfare children are illegitimate, particularly blacks.

FACT: Out-of-wedlock parental responsibility is the cause of dependency in 27 per cent of AFDC cases a percentage that is not rising. Nationally, illegitimacy is rising sharply among white women, but declining by 30 to 70 per cent among black women depending on age.

[From the Washington Post, May 16, 1971]

WELFARE: WHAT MR. MILLS HAS WROUGHT

Wednesday the House Ways and Means Committee isued a 32-page press release, in the form of a Committee print, describing the major provisions of the Social Security Amendments of 1971—the package that will contain Mr. Mills' substitute for President Nixon's original welfare measure. The administration has accepted Mr. Mills' revisions. Since the entire package, rendered into legislative language, will reportedly be some 800 pages long, it is only possible at this point to discuss it in its barebones outline. Even so, the Committee's press release makes a number of things abundantly clear, enough in fact to indicate that for many who have supported this measure enthusiastically—not to say combatively—through its many incarnations, it may now become increasingly difficult to do so. That is because, while the Mills version retains most of the key concepts of the original reform, it also contains one new, different and (in our judgment) damaging feature—to which we shall return in a moment.

The revised bill does preserve a number of sorely needed reforms that were present, or at least partially so, in the earlier versions of FAP. These include the creation of uniform federal standards of eligibility and minimum payment; aid to working as well as non-working; financial incentives to take work, and assistance in doing so in the form of federally supported training programs and day care centers. The relatively noncontroversial "adult" categories of welfare (aid to the aged, blind and disabled) are to be subject to a phased takeover by the federal government of both their total costs and administration. The highly controversial AFDC program is to be replaced by what the Committee calls "two new totally Federal programs." These would divide welfare recipients into categories of "employable" and "unemployable," one to be administered by the Labor Department and the other by HEW. By virtue of a food stamp "cash-out," the standard annual benefit for a family of four would be $2400, as distinct from $1600, which was the base payment in the original bill.

There are any number of elements in this new legislation that could be quarrelled over—and doubtless will. And there some that strike us as ill-advised, good candidates for amendment. But all this must await the availability of the full text of the bill. What is plain at this point, however, is that the

Committee has made a major alteration in the original bill by providing no obligation for the states to maintain, by supplemental payments, the benefit levels they are paying now. Suppose that under the federal-state sharing arrangements of current law, a family of four is now receiving an annual payment of $3500. The federal government and the state government (with or without a local government contribution) may each be paying $1750 of it. Under the proposed law, the federal government will now make a contribution of $2400. The state by making a supplementary payment to the family of $1100 could maintain the family's present benefit level and would still be making a saving of $650 (its $1750 present share minus $1100). Under the previous versions of FAP that bobbled around the Senate and House last year, this supplementary effort by the states to maintain current benefit levels was mandatory. In the revised Ways and Means version it is to be optional. There is not even (as was hoped) an incentive in the form of a federal sharing—say, 30 per cent—of what supplemental payments the states might make. It is this feature of the proposed bill which we find potentially so dangerous. It could work real and serious hardship on great numbers of recipients, making them (not the federal government) a source of state treasury savings.

We have said in this space before that, in our estimation, any equitable across the board effort to reform and rationalize our federal welfare programs must necessarily result in *some* recipients being *somewhat* worse off than they are under present law. Circumstance has made that patchwork of statutes particularly advantageous to some in terms of a collection of cash and in-kind benefits. But making entirely optional the states' own supplementary contributions and failing even to offer some federal help with what voluntary contributions they choose to make is something else again. It does not come under the heading of making some special recipients worse off for the sake of bringing relief and equity to millions of others not now covered. Rather, it opens up a possibility of wholesale harm to current recipients in a number of mainly Northern states now paying (with federal help) a benefit substantially higher than the proposed $2400.

Apparently, the argument for accepting this feature of the new bill is that the affected states will voluntarily continue to bring recipients up to current benefit levels, that political realities will make it so. We wonder. Looking around the country at the mood in state capitals from New York to California, we do not get the impression that officialdom will need much of an excuse to seek savings at the expense of the welfare poor. This is the single provision (or lack of one) in the Mills bill as outlined by the Committee that seems to us sufficiently faulty—if it stands—to undermine the value of the rest of the bill and raise questions about its ultimate merit.

[From the Washington Post, May 1971]

DEAFENING SILENCE FROM THE POLITICIANS—THE GROWING IMPACT OF PAYROLL TAXES ON MIDDLE INCOMES

(By David S. Broder)

Among the many publicly unexplored issues buried in H.R. 1, the welfare reform and social security bill devised by Chairman Wilbur Mills (D-Ark.) and the House Ways and Means Committee, is a tax increase on middle-income families that will almost double the size of the second-biggest bite on their paychecks in the next six years.

Under the bill, the Social Security tax rate will rise in three steps from the present 5.2 per cent to 7.4 per cent in 1977. The wage base for Social Security taxes will increase from the present $7,800 to $10,200 next year, with the result that the payroll tax for a man making a bit less than $200 a week will rise from $405 to $755 a year.

By contrast, that same auto worker, supporting a wife and two children and taking only his standard deductions, will have an income tax bill of $1052 this year, decreasing to $995 with next year's scheduled income tax reductions.

What this example indicates is that payroll taxes are becoming an increasingly important part of our revenue system—yet one which has largely escaped debate, either in political campaigns or in the tax-writing Ways and Means Committee.

Unbeknownst to most Americans, payroll taxes now constitute the second largest source of federal funds—and the fastest-growing. Payroll taxes provide more income to the treasury than corporate income taxes or any other federal taxes except the individual income tax. And the 1972 budget estimates that between last year and next, payroll taxes alone will rise $12.3 billion, while individual and corporate income taxes combined will grow by only $7.2 billion.

What this means is that we are becoming increasingly dependent for federal finances on the payroll tax, a tax that is not progressive, that has little relationship to ability to pay, and whose burden hits hardest on low-and-middle-income wage-earners.

That this can happen without a murmur of debate or political controversy indicates just how insensitive to real pocketbook issues the Washington politicians have become, particularly those Democrats who control Congress and parade as the champions of the average man.

The impact of payroll taxation has been amply documented in the studies of such Brookings Institution specialists as Alice M. Rivlin and Joseph A. Pechman. It appears also in the report of the administration's advisory council on social security. But it is almost as if there were a conspiracy of silence by politicians to keep the taxpayers and the voters unaware of these issues.

In part, the Brookings studies suggest, the social security tax system has been protected from debate by two carefully cultivated myths. One is the notion that it is a "social insurance" system, in which an individual's contribution (taxes) are held in trust for him and returned, with interest, as retirement benefits.

In fact, it is not. It is, rather, a system of transfer payments to currently retired people, financed almost entirely by taxes on the working generation. There is nothing wrong with this, in principle, but it is not what people think it is.

The second myth is that the employer pays half the social security tax. In a literal sense, he does, but, as the Brookings studies demonstrate, the whole tax really falls on wages and the wage-earner, because the amount the employer pays in social security taxes he would otherwise be putting into the paychecks.

This is worth emphasizing. When the Social Security system began 35 years ago, the tax rate was one per cent each on employee and employer on the first $3,000 of annual earnings. With the new bill, the combined rate rises to almost 15 percent of the payroll on wages up to the $10,000 level.

That tax is levied regardless of the number of dependents or legitimate deductions the earner has. It gives no real consideration to his ability to pay.

This year, as the Brookings analysts have noted, a family with a husband earning $7,000 and a wife earning $5,000 will pay $624 in payroll taxes (5.2 per cent). A family with the identical income from one wage earner would be taxed only $405.60 (3.4 per cent).

That is one inequity. Another is pointed up in the advisory council study. When the social security system began in the 1930s, the $3,000 wage base included all the earnings of all but three per cent of the workers. The wage tax, in those days, was, in effect, the same tax on everyone.

But in recent years, Mills and his committee have been reluctant to push the wage-base ceiling up as fast as inflation and earnings have increased. Today, somewhere between 20 and 25 per cent of the wage-earners make more than the wage-base limit. These well-off workers get a real break on social security taxes. A $23,400-a-year man, for example, gets just as big retirement benefits as a $7,800-a-year man, but the effective payroll tax rate on his income is just one-third of the lower-salaried man's.

There are ways in which these inequities could be remedied. Proposals have been made for years to shift a portion of social security financing onto the progressive income tax and off the regressive payroll tax.

Without going that far, there could be a system of deduction or income tax credits that would help the low-income wage earner who now is hit hardest by payroll taxes. But Congress, under Democratic control, has done exactly the opposite in recent years, cutting income taxes and raising payroll taxes, and thereby making the whole federal tax system more regressive. According to participants in this year's Ways and Means sessions, the question of social security taxes did not receive any extended discussion. If Mills is successful, as usual, in obtaining a closed rule for the bill, there will be no meaningful opportunity for presenting amendments to it on the House floor.

This example—and it is only one of many—suggests the price that is being paid for letting vital questions of economic policy be settled in the politically insulated, tightly controlled environment of the Ways and Means Committee's closed sessions. Too many members of Congress have become accustomed to letting Wilbur Mills do their thinking and decision-making on difficult questions.

But it also indicates something else: the peculiar insensitivity of the leading Democratic politicians, including the presidential aspirants, to the economic issues. Discussing the inequities of payroll taxing may not attract as much praise at Georgetown cocktail parties as a ringing denunciation of the bombing in Laos or the tactics of the Washington police. A candidate who took a serious look at our tax system might even suffer a sudden shortage of campaign contributors. But there are issues that can be raised, wrongs that can be righted, and votes that can be earned by the politician who will design to consider matters that matter to wage-earners.

[From the Washington Post, May 15, 1971]

THE PRESIDENT BORROWS FROM GOVERNOR REAGAN—THE POLITICAL COMPLEXION OF THE WELFARE REFORM ISSUE

(By Nick Kotz)

In a recent speech to Republican governors, President Nixon praised California Gov. Ronald Reagan for "biting the bullet" of welfare reform. The President also could have expressed a debt of literary gratitude to Reagan for parts of the speech criticizing welfare recipients.

The President told the governors:

"I advocate a system that will encourage people to take work, and that means whatever work is available. It does not mean the attitude expressed not long ago at a hearing—I read about it in the paper and heard it on television—when a lady got up at a welfare meeting and screamed, 'Don't talk to us about any of those menial jobs.'"

Inquiries to the White House as to the identity of the welfare lady produced a deafening silence, except from one helpful White House aide. The source of the Nixon quote, he volunteered, could be found in a March 1

U.S. News and World Report interview with Gov. Reagan.

There it was. Governor Reagan, recalling a lady from the Welfare Rights Organization who "screamed out, 'And don't talk to us about any of those menial jobs.'" (Reagan's press secretary also is not certain where the governor got his example but said he quotes it often.)

Whether a presidential speechwriter borrowed only a speechline from Reagan or also his philosophy is not clear, but the President and governor offered closely similar reactions to the woman's comments and to the welfare problem.

The President said: "If a job puts bread on the table, if it gives you the satisfaction of providing for your children, and let's you look everyone else in the eye, I don't think that is menial. But it is just that attitude that makes others, particularly low-income workers, feel somehow that certain kinds of work are demeaning—scrubbing floors, emptying bedpans. My mother used to do that. It is not enjoyable work, but a lot of people do it. And there is as much dignity in that as there is in any other work to be done in this country including my own."

The President's words here were pointed at emphasizing one section of his welfare proposal approved by the House Ways and Means Committee that envisions forcing welfare mothers to accept jobs as maids, and cleaning women, at salaries 25 per cent below the minimum wage.

But in a broader sense, Nixon, Reagan and the Ways and Means Committee are in effect saying: state and local governments are going broke because welfare rolls are skyrocketing; the rolls are soaring because millions of welfare recipients are loafers, and finally, the nation's work ethic is crumbling as those now working at low-wage menial jobs decide they are suckers and drop out of the work force.

This picture of what is now happening in American society is held by many people and may be politically productive for Nixon and Reagan. But this picture does not coincide with the administration's own studies on what is happening.

First of all, who are the 12.8 million welfare recipients? HEW says that 10.2 million are either children, the aged, or the totally disabled. That leaves 2.6 million adults, all but 170,000 of whom are mothers of dependent children. Of this 2.6 million, HEW says 765,000 are either employed, in training or actively seeking work. That leaves 1.9 million, most of whom HEW characterizes as "mothers needed in the home fulltime or who have no marketable work skills."

HEW says there are perhaps several hundred thousand more welfare mothers who could qualify for menial jobs, or with training for better jobs, "if"—they had child care services, training, and job opportunities.

What is the status of the job market which these women might enter? They will compete first of all with 5 million already unemployed Americans, 2.2 million more than when Mr. Nixon became President.

Next, they will compete with five million others, who now work at poverty wage jobs—and are characterized by the Labor Department as "the last hired and the first fired." Furthermore, Labor Department studies show that these unskilled jobs are rapidly disappearing in an automated, computerized economy.

What is happening to present federal programs to train the welfare poor to enter this unalluring job market? A study for the administration on failures of the Work Incentive Program concluded, in part: "There is a tendency (by the government) to feel that any job is better than no job at all. This is not necessarily the view held by the recipients nor is it a valid axiom around which a vocational program can be built. . . . Forcing people to accept unappealing, low-pay, dead-end jobs will not result in program success."

So, the attitudes expressed by President Nixon's and Governor Reagan's welfare lady are not mythical. But the Labor Department study also stressed—as any conversation with a welfare mother will confirm—that the poor do want meaningful jobs. They eagerly desire jobs with decent pay and the pride of making a social contribution—as nurses aides, teacher's aides, and helpers in Head Start programs. They no longer (if they ever did) share the President's sense of the work ethic that picking cotton on Senator Eastland's plantation for a couple of dollars a day "let's you look everyone else in the eye."

The five million working at poverty salaries undoubtedly resent the non-working welfare poor, but most share their attitudes about being exploited in dead end jobs.

The administration and the Congress have before them proposals that would deal with the status of the generations-rooted poverty of these blacks, Mexican-Americans, Puerto Ricans, Indians and Appalachians who have always filled a role at the bottom of the heap.

First, there is the question of pay. The AFL–CIO proposes a $3 minimum wage to replace the present $1.60, which leaves a family of four with income 20 per cent below the barest definition of minimum income needs. Even Rep. Wilbur Mills (D-Ark.) favors a $2 minimum. The administration favors a slower rise to $2.

Second, there is the question of new job opportunities. Congress last year passed a bill to create hundreds of thousands of new jobs with social utility, but the President vetoed it. Reluctantly, he now supports a less ambitious job program to provide temporary work to those kicked off the welfare rolls.

Third, there is the future shape of a post-Vietnam economy. Senator George McGovern (D-S.D.) and others have proposed reconversion plans that would pour resources into creating a society with far more emphasis on providing human services to all its citizens. The Nixon Administration has announced no such plan. It has sought to stimulate the economy with a variety of tax breaks for big business to produce more consumer goods for a consumer society.

Finally, there is the issue of welfare. The President proposes that the welfare poor join others who work at poverty wages, with the government guaranteeing a supplement that would give some families of four a total of $2,400 income—less than two-thirds of the poverty guideline—and would bring others slightly above the poverty line.

The President's new rhetoric and restrictive additions to the original welfare proposal are premised on a belief in the justness of the present economic system, and on an apparent fear that more generous aid for the helpless and trapped poor would destroy the so-called work ethic.

Instead of his new rhetoric about the unworthy poor, the President might refer to one of his own studies, the New Jersey Graduated Work Incentive Experiment. Soon after he announced his Family Assistance Program, the President displayed preliminary findings of this experiment to show that the poor do not stop working when they receive an income supplement. Indeed, the preliminary results indicate that the poor have the same work drives and success desires as the rest of us. And the President might refer to HEW studies clearly refuting charges of massive welfare fraud.

Yet the President and a majority on the Ways and Means Committee now have eliminated last year's guarantee that the welfare poor not lose benefits, and have insisted on even more punitive measures to ensure that the poor will work at jobs assigned their lot.

Seldom has a President or member of Congress taken a similar attitude when the Ways and Means Committee considers the taxes and tax breaks that will affect affluent Americans. Commenting on how Ways and Means effects the income and lives of various groups of Americans, committee member Hugh Carey (D-N.Y.) said recently: "This committee has learned how to create more millionaires than any country in history. It has contributed, by its policies, to creating the largest middle class in history. But when it comes to the poor, we don't want to give them anything."

In the final analysis, the welfare issue will be resolved by how the nation views the poor and by the generosity of its spirit. Are the welfare poor to be pushed back into their traditional status in American society? Or will they be given enough money to raise their children decently and enough opportunity to pursue the same values and ambitions that animate most Americans?

THE GAPS IN F.A.P.

(By National Welfare Rights Organization)

The Family Assistance Plan (Title IV of H.R. 1) will soon be released by the House Ways and Means Committee chaired by Wilbur Mills. The House of Representatives is expected to vote on the bill during June.

The bill has been sold to Congress and the American people by the Nixon Administration as a reform of the welfare system and by others as a first step toward adequate income. The bill does make several positive changes in the welfare system. It provides aid to families with an employed father in the home for the first time. It raises the payment level for recipients in states which now pay the least. It provides substantial benefits to the aged, disabled and blind.

However, based on our careful study of how the bill's provisions affect poor people's income, legal rights, ability to find meaningful employment and medical care, the National Welfare Rights Organization stands firmly opposed to the bill.

On balance, the Family Assistance Plan (F.A.P.) is not welfare reform. It is not a step toward welfare reform. It is a giant step backward. It is worse than the present inadequate welfare system. F.A.P. must be opposed and defeated by those who believe in improving the conditions and opportunities of poor people.

Meet with your Congressman now. Explain to him how the provisions of this bill really affect poor people. Urge him to support an "open rule" so that the bad parts can be defeated. Urge him to vote against the Family Assistance Plan. If liberal members of Congress join the vote against F.A.P. it can be defeated. Only if liberals defeat the bill will Congress want to consider a better welfare bill, one that will increase and protect the rights of poor and low-income Americans.

CASH BENEFIT PROVISIONS

1. *Payment level inadequate.* F.A.P. sets a minimum and a maximum payment of $2400 a year for a family of four. Payments would never go above $2400; there is no commitment to adequate income or to maintaining present payment levels in the 45 states where payments are now above $2400.

2. *Nine out of ten welfare families could be worse off.* $2400 a year, $200 a month is above present payment levels for only 10% of the welfare families, those in Alabama, Arkansas, Louisiana, Mississippi and South Carolina. All others—90% of the families—could be cut back.

3. *$2400 is less than $1600.* The $2400 amount proposed by the Ways and Means Committee is actually less than the $1600 proposed earlier by President Nixon. The earlier bill provided $1600 in cash plus $864 in food stamps for a total of $2464. Ways and Means has made recipients ineligible for food stamps.

4. *States would be encouraged to reduce payments.* State governments will not have to spend more than they spend during calen-

dar year 1971 for the first five years of the Plan, no matter how many more people get on welfare. The federal government will pay for the costs due to more people getting on welfare. However, if states increase payments above the amount recipients received in cash and food stamps combined as of January 1, 1971 the states will have to pay the entire cost of these increases. While the $2400 payment means most states will save some money in the first years of the plan, they are not likely to pass this money along to poor people. Most states will keep the savings because they now spend more than they want to on welfare.

In fact, states may cut the amount they spend on welfare. No state is required to maintain present payment levels. They can cut back to the federal $2400 and not spend anything on welfare. By reducing payments, states can save even more than they would by maintaining benefits. It will be much easier for states to cut benefits under F.A.P. than under the present system which requires that a state percentage reduction plan be approved by H.E.W.

5. *Present cost-of-living increase will be denied.* In addition to the possible cuts in the amount recipients receive, poor people will be denied the cost-of-living increases states have been providing under the present welfare system. Between 1969 and 1970, 25 states increased the payment levels of AFDC families, raising grants for over one million recipients. In the same period only ten states cut grants, reducing payments to 250,000 recipients. There are no provisions in F.A.P. allowing increases in the federal payment of $2400. States may provide increases but they must pay for them entirely with state and local money.

6. *Family Maximum Imposed:* A family of two people receives $1,600, three people receive $2,000, four receives $2,400, five receives $2,800, six receives $3,100, seven receives $3,400, eight (or more) receives $3,600.

Families' payments vary with the number of people in the family. The more people, the more money it can receive. However, families of more than eight members will be able to get no more than $3,600, the amount a family of eight receives. F.A.P. discriminates against large families.

7. *Discrimination against single individuals, childless couples, families and against Blacks.* F.A.P. provides benefits only for families with children. Single individuals and couples without children receive no benefits whatsoever, unless they are aged, disabled or blind. They must rely on almost nonexistent state and local relief programs.

Families with children would receive only half as much as the aged, disabled and blind. While a family of four receives $200 a month, by July, 1973 an aged *couple* will receive the same amount.

Half of the families on welfare are Black. Only one-fifth of the aged, disabled and blind recipients are Black. The program that is largely Black will pay half as much as the program that is largely white.

FORCED WORK PROVISIONS

1. *The forced work requirement is more repressive and punitive than present law.* In the light of growing unemployment these provisions will only serve to deny benefits to needy people, harass innocent citizens, destroy family life and deny real opportunities for advancement. Families with members considered employable will be referred to O.F.F., Opportunities For Families, a separate program run by the Labor Department. Recipients who refuse to participate will be thrown off welfare. However, the lack of adequate training, child care and employment provisions means no real opportunities, only harassment for poor people.

2. *Mothers with children over 3 years old will be forced to work.* All family members will be required to register and accept a job offer unless they are specifically exempted. Under present law only those specifically referred to work are forced to register. Mothers of children over three and children over sixteen and not in school are among those not exempted and forced to work.

3. *Stable family life is threatened.* If a family member refuses to register or refuses a job that member is cut off welfare. This includes a mother in cases where there is no male parent in the home. Payments for other members of the family will not be sent to that member. Instead, the children's welfare is required to be paid to a third party, likely to be someone outside the home whom the government believes will be more interested in the well-being of the children than the mother who prefers to work raising her family rather than work outside the home at a menial, low-paying job. Third party payments are not required under present law, were not required by earlier versions of F.A.P., and should be restricted to cases where the mother is proved to be unable to manage funds.

4. *The plan will help only the very lowest paid workers.* Recipients will be allowed to keep only the first $720 a year they earn plus one third of their earnings above $720 and still receive assistance. Unless family members receive training allowances or have school children who work, the most a family of four can receive in welfare and wages combined is $4320 a year. Recipients will have to pay income taxes on their wages. These provisions will not allow poor people's income to go above the official poverty level by the time the bill goes into effect.

5. *Recipients are not protected by the federal minimum wage.* It is unlikely that recipients will be referred to jobs paying the minimum wage since the jobs available to the poorest workers are not covered by the minimum. The bill forces recipients to take whatever work is available unless the job pays less than three-fourths of the federal minimum. The present federal minimum wage is $1.60 an hour so recipients must accept $1.20 an hour, or $2400 a year.

6. *Recipients may be referred to any type of job.* The only language in the bill on the suitability of the job prevents recipients from being forced to strike break. Provisions insuring that no one would have to take a job that endangers health and safety or that is too far from home have been removed.

7. *Opportunities for training are restricted.* The bill makes it very clear that the purpose of F.A.P. is to subsidize low wage paying employers rather than enable poor people to become self-supporting. Families headed by a college or university student will *not* be eligible for benefits. Under current law welfare mothers are regularly attending college in the WIN Program, Under F.A.P. family heads will be denied the opportunity to receive the training necessary to enable them to advance to the limit of their capabilities.

8. *Child care opportunities are almost nonexistent.* Mothers with children will be required to accept whatever child care facilities are offered by the Labor Department or be cut off welfare. Under present law a mother has the right to refuse a child care arrangement she believes inadequate. No standards for child care arrangements are written in the bill. Authorization of funds for child care in this bill is totally inadequate. Families may be asked to pay all or part of the child care costs although some of these costs may be credited to the family's income. But the amount of child care costs that may be deducted from income under the income tax law will be only $750 a year. Child care authorities estimate the actual cost at over $2100 a year for one pre-school child.

9. *The federal government will not provide jobs.* Public service employment authorized by F.A.P. would receive federal funds for only three years: 100% in the first year, 75% in the second and 50% in the third, nothing thereafter unless states fund the entire cost. More extensive legislation has been passed by Congress but vetoed by President Nixon.

10. *Jobs for welfare recipients are not available.* The punitive nature of the forced work requirement assumes that jobs are available for welfare mothers and that the rolls are filled with employable people who simply refuse to work. Neither assumption is correct. The 1969 H.E.W. Study of Aid to Families with Dependent Children reports that 20.1% of welfare mothers are in the labor market. Of these, 66.5% are working. 33.5% are unemployed—looking for work but unable to find it. This is over five times the national employment rate.

Governor Reagan of California wrote to 309,485 employers in the state asking each to hire one welfare recipient. Only 13,000 employers responded. A total of 337 jobs were reported but only 26 actual jobs resulted from the effort. The average salary was $71.00 a week.

LEGAL AND CONSTITUTIONAL RIGHTS

1. *Recipients would have fewer legal rights under F.A.P. than they have now.* The few legal rights to welfare poor people enjoy under current law are seriously undermined or outright denied by H.R. 1. Several provisions fly in the face of constitutionally protected rights to equal protection and due process of law. Many provisions further demean poor people and destroy their family life, dignity and pride and make them less able to stand on their own.

2. *People who lose their jobs can be denied assistance.* Families whose current income and resources are low enough to qualify for assistance may be denied aid because of the restrictions on eligibility contained in the bill. If a family head suddenly loses his or her job, the family may be denied assistance for six to nine months because the bill assumes the family will have savings available even if all the savings have been used up. This will particular hurt larger families and those ineligible for unemployment insurance.

3. *Welfare recipients are assumed to be guilty of fraud without a trial.* Recipients who fail—for whatever reason—to report accurately all earnings plus other income from Social Security and other sources will be cut off welfare and fined $25 for the first offense, $50 for the second and $100 for later times. In the case of fraud, recipients would be fined $1000 or be imprisoned for one year or both. Under the Medicaid provisions of H.R. 1, hospitals and nursing homes must be reviewed by "program review teams" before those hospitals and nursing homes which abuse the program can be cut off. People under the F.A.P. provisions of H.R. 1 are not given this review opportunity.

4. *Recipients must reapply every two years.* Since the provision noted above requires recipients to report accurately their income every three months, there is no need for this provision which forces a family to reapply as if it had never been receiving assistance. It is a means of harassing recipients and encouraging those eligible for aid to go without it.

5. *Recipients and applicants can be denied adequate representation.* The Secretary of H.E.W. is given broad authority to ban certain people from entering Family Assistance offices to help recipients obtain their legal rights.

6. *Families can be denied benefits unless they know they are available and specifically apply for them.* Families eligible for Family Assistance would have to make separate applications for other benefits they may already be eligible to receive, such as Medicaid, state supplemental payments and surplus food commodities.

7. *The right to appeal decisions is curtailed.* Recipients and applicants may apply for a hearing if they feel they have been unjustly treated. However, the matters about which a hearing may be held are restricted. Hearing procedures need not conform to pres-

ent regulations or to the Administrative Procedure Act—thereby denying the right to present evidence, cross-examine and the right to be heard by an impartial examiner. These rights are granted to citizens and corporations in their dealings with other federal agencies. Factual rulings made by hearing examiners are not permitted to be appealed to the courts.

8. *Illegal residency requirements may be imposed.* States which choose to supplement above the federal $200 a month payment may also choose to impose a one year residency requirement as a condition of eligibility for supplementary payments. F.A.P. would obligate the Federal Government to follow the state's decision in administering the supplementation. This entire provision violates the Constitution as interpreted by the Supreme Court in *Shapiro* v. *Thompson*, 394 U.S. 618, April 21, 1969.

9. *Stepparents of F.A.P. children are held liable for support payments.* Under present federal welfare law, a stepparent must support the children of his or her spouse only if there is a general state law requiring all stepparents to support their stepchildren. Only a few states have such general laws. This provision of F.A.P. would require stepparent support and thereby discriminate against the poorest families by imposing an unnecessary financial hardship. Rather than reducing the amount of government funds neecessary for the support of step children, it will increase the need for welfare payments. A mother with children will be deterred from remarrying because her new husband would be forced to support the entire family. Step-fathers would be encouraged to leave the home so that the mother and children could receive higher payments. The Supreme Court has ruled that such provisions are illegal under the present law in *King* v. *Smith*, 392 U.S. 309, June 17, 1968.

10. *There is no limit on parents' support obligations.* Even if a mother or father cannot afford to support the children, a parent who leaves home would be obligated to the United States government for every cent the family receives from F.A.P. The ability of the parent to pay is not permitted to be a factor in limiting his or her liability. Many fathers do in fact leave their wives and children because they cannot afford to support them. Parents who travel in interstate commerce to avoid supporting their children are subject to a fine of $1000, a year in prison, or both.

11. *Advisory committees exclude recipients.* Advisory committees to evaluate the program would be composed of representatives of labor, business, the public and the government. Representatives of recipients and recipient organizations are not specified.

MEDICARE AND MEDICAID PROVISIONS

1. *Basic principles of the present Medicaid Program are undermined in a separate part of H.R. 1, Title II.* Recipients would have to pay for services now completely paid by the government and the quality of the services which is already horrible in many communities would be cut back further.

2. *Recipients would have to pay part of their hospital bills.* After the 30th day of hospitalization a recipient would have to pay $7.50 a day. After the 60th day a recipient would have to pay $15.00 a day. The longer a person is ill the lower his ability to pay becomes. But the federal government reduces its contribution and forces the recipient to increase his as time goes by.

3. *Recipients would have to pay part of their nursing home bills.* After the first 60 days of nursing home care, the Federal Government reduces its contribution by one-third. For mental hospital care a one-third reduction is made after the first 90 days and after one year there is no Federal contribution.

4. *The incentive to work is completely destroyed if you get sick.* F.A.P. recipients must spend a third of their earnings on medical bills before they become eligible for Medicaid coverage. Since F.A.P. recipients are allowed to keep only a third of their earnings in the first place, this means a family will be reduced to the basic welfare level of $2400 before they get Medicaid.

5. *Services covered by Medicaid may be cut back and people eligible for assistance for the first time under F.A.P. are not necessarily eligible for Medicaid.* States are not required to spend more on Medicaid than they now spend. Rather than paying for the additional cost of the program, the Federal Government will allow states to reduce the medical services provided under Medicaid and to decide whether or not newly eligible families with a father employed full-time will be eligible.

6. *Profiteering by nursing homes in rural areas will be encouraged.* Requirements that nursing homes in rural areas have at least one full-time registered nurse on staff would be dropped.

GENERAL LEAVE TO EXTEND

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today, and to include extraneous material.

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

There was no objection.

ASSISTANT SECRETARY OF THE INTERIOR CALLS CHANNELIZATION DEVASTATING

The SPEAKER pro tempore. Under previous order of the House the gentleman from Wisconsin (Mr. REUSS) is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, yesterday I reported to the House that a dozen national environmental organizations have testified that channelization of our Nation's streams is causing severe environmental damage. On Wednesday I reported that State fish and game agencies are also gravely concerned about the detrimental environmental consequences of stream channelization.

Both the environmental organizations and the State agencies recommended that stream channelization programs of the Department of Agriculture be halted for 1 year pending review and study of the effects of channelization and the development of alternatives to channelization.

These organizations and State agencies contend that channelization works cause increased flooding downstream from the project area, add sedimentation and pollutants to the waterways, lower the ground-water tables, and are very detrimental to fish and wildlife and to the ecology of bottomlands. They offered substantial evidence that channelization has accelerated the drainage of many thousands of acres of valuable timberlands, marshes, and important wildlife habitat.

They also contend that the Soil Conservation Service has given little attention to these adverse environmental effects. A review of 24 recent SCS environmental impact statements indicates that they may be right.

In at least one case, where 26 miles of channelization will take place, the SCS concludes in a brief three-page statement that "no adverse effects on man's environment are anticipated." The view and comments of other agencies were not even solicited, as required by the National Environmental Policy Act.

The Council on Environmental Quality, in a letter of December 14, 1970, to the Department of Agriculture, said that it had reviewed "32 statements" of the SCS and concluded that "SCS appears to be going through the motions in their preparation."

Since then SCS has made some revisions in their procedures for preparing statements, but the SCS still gives short shrift to the environmental damages caused by the projects and to alternative approaches.

A June 1970, report by the Atlanta office of the Fish and Wildlife Service on constructed SCS projects in North Carolina concludes that its recommendations have not been followed by the SCS and the local sponsoring organization. The report also states that—

> In general, the practice of stream channel excavation is contrary to the stated policy of the National Environmental Policy Act.

Mr. Speaker, today I want to bring to the attention of the House the pertinent excerpts of the recent testimony of Assistant Secretary of the Interior Nathaniel P. Reed who was recently appointed to the post of Assistant Secretary by President Nixon. Mr. Reed testified with the complete backing of Secretary Morton, as follows:

TESTIMONY BY NATHANIEL P. REED

In the recent controversey concerning the channelization of the Alcovy River in Georgia, it was learned that the Soil Conservation Service under P.L. 566 has plans for alteration of nearly every watershed in Georgia. Reviewing the status of small watershed projects in the Southeastern States alone, we found that as of August 1, 1969, 1,119 applications for watershed assistance have been received covering 122,620 square miles. Of that number, 638 have been authorized for planning and 428 have been approved for installation. Estimates indicate that projects in just this one program will involve the alteration of over 25,000 miles of stream channels to obtain flood protection and drainage objectives. These alterations will adversely affect from 25,000 to 60,000 acres of stream habitat. A conservative estimate of the wooded wildlife habitat damaged or destroyed by these alterations would be about 120,000 acres and could exceed 300,000 acres.

After an inquiry with the field staff in preparation for this statement, we found these trends occurring throughout the Nation....

Stream channelization projects usually entail changing the physical shape of the stream bed and bank, regulating natural stream flow patterns, and impounding or modifying the flood plain. If the emphasis on these practices continues, the ultimate result will be the destruction or serious degradation of valuable and irreplaceable natural resources, including stream fisheries and wildlife in many bottom lands and watercourses.

Stream channel alteration under the banner of channel Improvement for navigation, flood reduction, and agricultural drainage is undoubtedly one of the more, if not the most, destructive water development or

management practices from the viewpoint of renewable natural resources. These alterations are carried out in varying degrees, with a corresponding variation in damages to stream ecology. (*Italics supplied.*)

Stream channel excavation which increases the width and depth and changes alignment of a natural channel is the most damaging of these practices. Following in descending order of their detrimental effects are extensive clearing and snagging with dip out, clearing and snagging, minor snagging, and selectively cleared stream channels and/or floodways.

Channelization or other stream alteration practices destroy the balance of space and associated life supporting elements. *The effects of stream alterations on fish and wildlife is somewhat analogous to the impact of hurricane Camille on the human population along the gulf coast.* After the hurricane (or after stream alteration) the space still remains; however, the elements within the space which support vigorous and thriving populations are no longer immediately available or arranged in a fashion so as to be usable. *Fortunately, man has the capability and desire to rebuild his environment following such a disaster. Fish and wildlife lack this rebuilding potential; therefore, the organisms must evacuate the damaged or destroyed habitat or perish.* (Italics supplied.)

Studies conducted by the North Carolina Wildlife Resources Commission evaluated the effects of channelization on fish populations in eastern North Carolina streams. These studies showed that the production of game fish species was reduced by 90 percent following channelization. They further demonstrated that this loss is a permanent loss because normal maintenance procedures preclude the possibility of recovery of the stream's normal productivity.

A similar but unpublished sample relating to the fish population before and after channelization in Tippah River was obtained by the Mississippi Game and Fish Commission. Before channelization, a population sample was taken which revealed a total standing crop of 877 fish per acre weighing 241 pounds. Another sample obtained following channel excavation disclosed a total standing crop of 1,498 fish per acre weighing only 5 pounds. These comparative data show a 98 percent reduction in the weight of fish per acre with a 69 percent increase in the number of fish per acre. The marked increase in the number of fish may be misleading since 99 percent of these fish were minnows, shiners, and darters with a combined weight of 4.4 pounds.

Damage to fish habitat brought about by man's alteration of stream channels occurs across the United States. We have studies in Montana, Florida, Missouri, and other areas further documenting losses of 80 to 99 percent of stream productivity.

These studies provide shocking and irrefutable evidence of the severe damages to fish habitat and populations in the immediate area of channel alterations. (Italics supplied.)

Additional stream habitat degradation also occurs for some distance downstream from the altered areas. Siltation and turbidity associated with upstream channel alteration and disruption reduces light penetration in downstream waters, particularly during construction and until some reasonable degree of channel stability is achieved. This reduction in light penetration results in reduced photosynthetic activity by aquatic plants which are important links in the food chain. These plants also provide a certain amount of dissolved oxygen which is essential to a healthy aquatic environment. As the suspended particles settle out, they blanket large areas of productive habitat, thus seriously reducing or completely destroying the area's capability to provide the essential elements for fish survival and reproduction. To *me, this phenomenon is the aquatic version of the dust bowl disaster.* (Italics supplied.)

Some channels are constructed for navigation; however, the stated purpose of most channelization proposals is to increase the volume and velocity of flow for flood reduction and/or drainage. *In essence, this is water disposal and not water conservation, which in turn creates instant drought in the channeled area and instant floods in downstream segments.* These modifications can create problems in downstream segments which generate the need for more channel alterations.

The increase in quantity and speed of flow causes waters to carry a much higher silt load into downstream reaches. Under natural conditions, high waters spread out over the seasonally flooded bottom lands and swamps, thus greatly reducing the flow velocity, permitting the settling out of much of the silt load and reducing turbidity. These overflow bottom lands and swamps, which are highly productive of timber and wildlife, are nature's own floodwater-retarding structures. They may also perform other functions, such as recharging ground water storage areas, filtering and purifying surface flows, and controlling eutrophication of downstream waters by removing and utilizing nutrients.

The specific impact of channel alterations on the quantity and quality of bottom-land wildlife and waterfowl populations has not been the subject of intensive study. However, it is clearly evident to anyone who understands the rudiments of biology that habitat disruption and destruction of the magnitude caused by stream channel alterations result in serious losses to waterfowl and other bottom-land wildlife.

Stream channelization results in a direct loss of woodland habitat through right-of-way clearing for equipment access and spoil disposal. Some mitigating of this loss occurs when wildlife plantings are placed on the modified areas.

Channel alteration accelerates the removal of surface waters from swamps and marshes and greatly reduces the frequency and duration of seasonal flooding of other wooded bottom lands. Seasonal and permanent surface water, which are essential factors in maintaining these ecological units, are greatly decreased or eliminated. Loss of this surface water will allow encroachment of undesirable underbrush, inhibit growth and reproduction of desirable vegetation, reduce aquatic and wetland habitat, eliminate swamp refuge or escape areas, and significantly reduce or eliminate waterfowl utilization. Our experience indicates that installation of flood control and drainage channels encourages and accelerates the construction of smaller private drainage projects that further reduce the quantity and quality of wooded bottom-land wildlife habitat.

I think we are kidding ourselves if we do not admit that stream channelization has had a devastating effect upon our nation's waterways. We could spend all day detailing the endless miles of streams slated for additional modification by one agency or another. But that will not solve an admittedly serious problem. *What is needed is a complete rethink and redirection by the men who are designing and constructing the projects.* [Italic supplied.]

Is it possible to protect and enhance our environment while still providing needed flood protection?

While the demand increases for wild and scenic rivers, for fishing, hunting, swimming, and open space, and environmental quality, our supply is rapidly decreasing. The philosophy to date has been that as people move into and develop the river flood plains they demand flood protection, water for domestic and agricultural uses, and navigation to import and export the goods of our consumer-oriented economy and have sacrificed our rivers and streams to accommodate these apparent demands.

Even though we spend millions of dollars each year for ditching, dams and diking of our rivers and streams, the flood damage throughout the Nation continues to rise. Perhaps our philosophy has been misdirected. We have some Federal agencies charged wtih doing a job which involves environmental destruction and others charged to protect the environment, in continuous conflict. A redirection would involve a land use philosophy which by necessity would include flood plain delineation. After the flood plain has been defined, then flood plain zoning practices must be implemented which allow land uses compatible with periodic flood cycles; such land uses in the flood plain would involve fish and wildlife production, open space pasture, parking lots, recreation areas, and other demands for space which can withstand temporary flooding. This redirection of land use practices would not only aid in saving fish and wildlife and environmental quality but should also reduce insurance losses and other losses during flood periods. We realize this will not eliminate the damage but it would reduce the economic losses to our society.

The Department of the Interior definitely feels that there are ways that the environmental quality of the Nation can be protected while still providing needed flood protection. The following suggestions would aid in this endeavor:

1. Allow land owners to reduce their taxable acreage by the amount of land they have in wetland areas as long as it remains in its natural condition. This could include flood plain hydric hammocks and marshes. The fish and wildlife resource values of these areas must be approved by a State or Federal environmental agency prior to their acceptance. Furthermore, a land owner commitment that these lands will remain in their natural condition for at least a 10-year period of time would be necessary.

2. Encourage Congress to pass legislation establishing a green belt of vegetation which must be left along rivers and streams to protect the river ecosystem from erosion, as well as sustaining fish, wildlife, and environmental quality.

3. Zone flood plains so that whatever use is made of the land it should be able to withstand temporary flooding. There are certain land uses which can serve our society and still be compatible with occasional flooding.

4. A complete revision of Public Law 566 to incorporate purchase of lands for fish, wildlife, public access, recreation, environmental quality, and other needs of our modern society.

These recommendations alone, however, will not suffice. Existing uses and commitments in the flood plain zones necessitate some continued project works.

The National Environmental Policy Act of 1970 was a meaningful step towards weeding out the truly environmentally destructive proposals. It has, however, one serious flaw. The act is basically reflective in nature and not designed to function as an effective early warning system for society's decisionmakers. Project review is not accomplished until such time as the proposed project design has been, for all practical purposes, decided upon. Our experience to date has been that it is extremely difficult to effect project revision when the project has arrived at the Council on Environmental Quality for final review.

Proper input into the project design from its inception by qualified, knowledgeable professional in the environmental field is essential. Under existing procedures Bureau of Sport Fisheries and Wildlife functions only in an advisory capacity to the other agencies authorized to design and construct stream channelization projects. These

agencies are under no compulsion to integrate our recommendations into the project design nor are our objections overriding under existing procedures.

What is clearly called for is a reallccation of agency priorities. The Department of the Interior and the Environmental Protection Agency should be given a much stronger and more meaningful voice in the development of project design.

It is time that the Congress gave the environmental agencies the leadership role in determining project design. Make us a leader rather than a frustrated follower. A large portion of the morale problem within my Department is the result of rarely being listened to when we offer relevant recommendations to other agencies on this problem. It is discouraging for our biologists and field personnel to stand by helplessly and watch the wetlands resource succumb to the dredge bit or dragline bucket with little or no regard for the natural system.

And now to the third question I posed in my opening remarks . . . Should some sort of moratorium be placed on stream channelization activities at the present time?

In answering this question I must first tell you quite frankly that it has been the observation of the majority of our personnel that those agencies engaged in stream channelization activities are still largely paying nothing more than lip service to earnest environmental protection. We have yet to detect any substantive departure from the practices of yesteryear by these aegncies, and I believe the record will clearly support these conclusions.

In view of our continuing problems in this vital area, it is my belief that the following items should be given careful consideration as means to further protect these rapidly vanishing wetland systems:

1. A complete review of all river and stream channelization projects should be initiated by the Council on Environmental Quality working in cooperation with the Department of the Interior and the Environmental Protection Agency. This review should be directed to the possible need for project redesign or project deauthorization. If the supporting agencies fail to take this review seriously and if nothing more than lip service is paid to redesigning these projects then I would welcome the opportunity to reappear before this Committee to discuss the imposition of a complete moratorium on all such projects until these reviews and necessary project revisions have been completed.

Mr. Speaker, the foregoing comments of Mr. Reed dramatically demonstrate that channelization often has severe adverse environmental effects. During the subsequent colloquy, I asked Mr. Reed to tell us whether or not he supported the recommendations of the dozen environmental organizations and others that the moratorium which SCS has imposed earlier this year be continued through fiscal year 1972. Our colloquy follows:

Mr. REUSS. At our hearings last month, at which 12 of the major environmental organizations of the country were present, they all without exception agreed that in view of the environmental damage caused by the stream channelization projects of the Soil Conservation Service, that the current self-imposed moratorium on continued channelization work of the Soil Conservation Service should be continued throughout the next fiscal year, starting on July 1, in the appropriations act, which of course would permit it to be revived under supplemental appropriations legislation at such time as the environmental procedural questions had been worked out so that we are no longer in this lip service situation that we have been in. Would you agree with the positions of those organizations?

Mr. REED. I was unaware of their stand, sir.

Yes, I would support that. Unless real consideration is given, with a fresh start on estimation of many of the environmental projects—not many, all of these projects—I think it is inconceivable, with all the interest in the Congress and in the United States as a whole, we would go ahead under the same old ballgame as we have been doing all these years. We know what the track record is. The bear tracks all come right back and are easily followed. And yet we do not seem to be able to attract anybody's attention at the planning agencies before they initiate these projects.

HON. HUBERT HUMPHREY ADDRESSES SPACE SEMINAR OF THE HUGH O'BRIAN YOUTH FOUNDATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas (Mr. TEAGUE) is recognized for 20 minutes.

Mr. TEAGUE of Texas. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the text of an address which the Honorable HUBERT HUMPHREY, U.S. Senator from Minnesota, delivered to approximately 70 high-school-age boys concerning the merits and benefits of our space program:

TALK BY SENATOR HUBERT H. HUMPHREY TO NASA-HUGH O'BRIAN SEMINAR, LAUNCH CONTROL CENTER, JUNE 14, 1971

Thank you. Thank you, very much. It's a great pleasure to be introduced by a famous actor and a man of the stage and screen like Hugh O'Brian. I always felt, myself, that I should have been in the movies but, somehow or another, I never made it. I want to compliment Hugh on the Hugh O'Brian Foundation For Youth and compliment him particularly because of what I see ahead of me here right out in front, you young men. And I want to thank the National Association of Student Councils, the Principals, the NASA organization and others who have made this Space Seminar possible.

I'm going to get right down to the nitty gritty of what I've got to say to you and then, I understand, we might have a little question period and I'll, hopefully, come up with at least some attempts at answers.

I think the first question that comes to mind whenever you think of a program such as the Space Program and think of the times in which we live and the problems which our country faces, which you are well aware of, the needs of our poor, the needs of all the people in this country in health and education, I think we have to ask ourselves, 'Why do we spend money on Space?'.

I just left Philadelphia this morning. Hugh and the group picked me up at Philadelphia after I had addressed the United States Conference of Mayors. I've been the Mayor of a great city, the city of Minneapolis, Minnesota, I've been a United States Senator during very difficult periods of American life. I've been the Vice President of the United States and I even thought I'd like to move into a place where they gave you free rent over at 1600 Pennsylvania Avenue. But I missed that by a little bit. It was sort of a space shot that went off target. So, I came back to the launching platform or, back to Earth called the United States Senate.

I would like to visit with you on why I think this program's worthwhile. Let me say, first of all, that I've been a man that spent most of my life trying to figure out how we could help people who needed help. How we could get housing for people of low income and moderate income; how we could get Federal aid to education; how we could get more money for our parks and playgrounds for a Youth Employment Program. I was chairman, for four years, of the Youth Opportunity Program. I came into political life fighting the battle of Civil Rights, trying to open up opportunity for people of all walks of life, of every race, creed and nationality. Because I happen to believe that this country of ours is the greatest experiment of all. It's greater than any space experiment. The United States of America, an experiment as to whether or not people such as in this room, and I look here and see every race, creed and nationality, whether we as a people can live together in peace and harmony and progress. Let me tell you that it's never been done before.

Just like the first landing on the Moon; never been done before. Never in the history of the world have the people of such variety as we have in this country ever been able to live in freedom and peace, in all of recorded history. Now, you say, "I can't believe that. People live in peace in Sweden." Yes, but they're all Swedes, with few exceptions. There may be a Finlander or two in there. There's a fellow here from Duluth. We've got a lot of Finlanders up there around Duluth. People in Norway live in peace but they're all Norwegians. People in Japan live in peace but they're most all Japanese. This is a heterogenous, to use a big word, pluralistic society from every race, creed and nationality, every culture and I want to repeat to you as a teacher, not as a politician, I just spent two years in the classroom at the university as a teacher and I've spent a lot of other years teaching, my work is in the field of History and Political Science, no country in all of recorded history has ever been able to do what's happening in this room right now, to have a white man and a black man or a brown man and a red man and a yellow man sitting alongside of each other in peace and harmony. It's never been done. And we're not quite sure that we're going to make it. That's the question before the house. Can we make it? Can we resolve our problems out of reason rather than out of force? Can we think through things rather than fighting them through? Can we preserve institutions of representative government where we make selections through elections rather than through connivery, conspiracy, slaughter and brute force? If we can we'll be the first. We've come a long ways. You've seen that ad they have on the television of the Virginia Slims. That was for the girls. We've come a long ways, girls. Well, we've come a long ways, fellows. We've come a long ways in this country but we haven't arrived at our destination. We're still exploring. So that's the big question before the country. All the other questions are on the periphery. They're all related somewhat.

One of the reasons that I have been active in the Space Program is because I believe that this program did something for all the things I thought were important in life. First of all, I think everybody ought to have a challenge. I think everybody ought to explore. And I think everybody ought to dare. And space requires all of that. Space exploration. Of course, so do other things. You don't have to be out in outer space to explore. After all, Columbus explored and he was just on the ocean. We've had other explorers who went over the hills and over the mountains. And you can explore in a thousand and one fields from education to athletics. But there is a great challenge here. But, more importantly, I think the Space

Program relates directly to what you and I are interested in.

For example, most of you in this room have taken a keen interest in what we call Ecology. Do you realize that word had almost been lost to the English language up until the last six or seven years? I venture to say that if you go to the library and ask the librarian to take a look back to six years ago and see how many times the word Ecology appeared in the metropolitan press that it would not have appeared once in a thousand editions. Six years ago. Ten years ago, practically unheard of except amongst the professors, the academics. Now, it's in every article, practically. We talk Ecology, environment. When do you think we made the great breakthrough in discovery about environment? When a man got in a space capsule and got up there in space and looked down and saw this Earth of ours and said, "It's blanketed in smog and filth and dirt." The Space Program was the pioneer in beginning to make the discovery in environmental control. And it's only beginning. One thing the Space Program has done is to prove that you can live in a pure environment. The men who live in a space capsule have to live in a pure environment. It's also proven to us that there's a relationship between the living space that we have and the number of people that can be there. It's also proven to us that you can have clean water and clean air. And it's proven to us that you can work together. So the Space Program has given us some rather practical examples.

The computer, they say, has revolutionized American industry. And, not only industry, but education. It's just in its infancy. And the computer is a direct by-product of the Space Program. It has tremendously increased the technical capabilities of modern industry and science. The telecommunications industry and, by the way ten years, fifteen years from now this same group, or a group like yours will be able to have a telecommunications lecture out of a space satellite that will have its own power station included within it and be able to bring you lectures on television from every country, practically, in the world. They say that it's fifteen years from a successful experiment in a laboratory to a practical application in what we call the real world. It is now possible, by laboratory, to lecture. We know, we watched the Olympics broadcast on the space satellite, communication satellite. But now, what I'm talking to you about is a man in Tokyo at the University of Tokyo giving you a lectur on Japanese Government and there's an instantaneous translation of that lecture into your classroom by mechanical translation, not by the human voice. Mechanically. It's on its way. Where you will be able to get the best minds of the world. Not that you have to hire them to bring them to your classroom but you plug in and turn the dial and turn on the switch, turn on the closed circuit television and there he is speaking in Russian or Japanese or Hindii, whatever it may be and instantaneous translation into your language to explain to you what his message is. The Space Program is making this possible. Not only ours but the Russians' and space research all over the world. This is in the offing for us.

One other part of the Space Program that often goes unnoticed is what it does for health. We've learned more about the stress and strain and tension and what the human body can take and how it reacts to weightlessness, for example, to different strains and pressures under the space program of Space Medicine, it's called, than ever before in medical history. This means lives saved. It surely means a great deal in the kind of a life we lead today, a very busy, urbanized life.

The Space Program is going to do something else that's quite interesting for us and it's right now doing it. For example, we have what we call an Earth Resources Satellite. I imagine that somebody may have told you about it. This is one of the interests that I had when I was Chairman of the Space Council. Our Earth Resources Satellite is able to discover, a satellite in outer space taking pictures of the Earth or using different kinds of science and technology that we have, the ultra-violet ray and so on, able to detect plant disease. Able to detect underground rivers. Able to detect underground lakes. Able to detect underground oil deposits. It used to be said that the fisherman went to sea and cast his nets in the hope of catching fish. Today, an Earth Resources Satellite detects where the fish are and the boats go on out to where the fish are. The Earth Resources Satellite has unlimited possibilities. Unlimited possibilities. The largest gold mine in the United States was discovered at Carlsbad, Nevada, by an Earth Resources Satellite. However, this one was attached to a high altitude plane like a U-2. You used to see the picture of the fellow with his little donkey and his pickax and his shovel and the guy's out there chopping away into the side of a mountain and hoping he's going to find gold or silver. The largest gold mine in the United States of America was discovered without a fellow using a pick or an ax or a donkey. He had an Earth Resources Satellite to pierce down through the Earth and it said, "There's gold." This is just a beginning. And this is in its infancy. I'm only trying to show you that these are experiments. But, they're beginning now to produce results.

The weather satellite, Project Nimbus. Project Nimbus has, alone, saved more money in property than the total cost of the Space Program. So when people talk about the cost of the Space Program, the best investment—if we'd never done anything, forget Walter Cunningham over here in Apollo 7, forget the boys in all the other Apollo flights and the Gemini flights, just say that's the dramatics of it. I don't happen to think it is but if you want to be cynical just say that that was just to keep the people interested—the weather satellite has saved lives by the thousands by advanced warning and it has saved billions of dollars in property. And, actually, the cost of the Space Program could well have been paid for by the savings that have been made by this one breakthrough. And, needless to say, the communication satellite has literally revolutionized communication. And you and I know as we talk we're all the time saying 'Well, we've got to learn how to communicate'. Well, not only do we have to learn how to communicate but we've got to learn as Americans to learn how to communicate with Russians and with Chinese and with Indians and with Japanese and so on and with Nigerians. And the space communications satellite has made it not only possible for us not only to communicate the voice but the picture and to communicate the active body to make things come alive. The weather satellite, now here's the one that means more to me than anything else. I think this generation of young Americans wants to live in peace. The greatest single threat to peace is the Arms Race. And, of course, the Space Program has made possible a great development of what we call the great boosters like the Saturn. And the Russians have their boosters. And it's on these boosters that we put the nuclear warhead. And the nuclear warhead of the megaton of the ten megaton like the Soviet SS 9 or our Minuteman, this is all part of the development of the military aspects of the Space Program. And, on that basis, somebody could say it's a killer. If we'd never had it we'd been better off. But the interesting thing is that the same program that produced the booster, that made possible putting an Intercontinental Ballistic Missile from one country to another, that that same Space Program produced what we call Project Vela.

Project Vela makes it possible for us to detect testing of nuclear weapons by the Soviet Union or any other country. Our space reconnaissance satellites that take millions of pictures—and I have seen them and I don't think it's any breach of security to tell you that I have seen pictures taken in the Soviet Union years ago when we thought the Soviet Union did not have Polaris submarines. And I saw the shipyards in which the Soviet Polaris submarines were being built. And the picture was so accurate that we could tell how many tubes the submarines had. And that reconnaissance satellite was hundreds of miles in outer space. I've seen reconnaissance satellite pictures that were so accurate that you could read the license plate on jeeps in foreign countries. Reconnaissance satellite pictures of the areas in China where they had their space stations and where they tested their nuclear weapons. I submit that the Space Program has possibly done more to give us what we call some protection for peace than anything. For example, frequently when we try to negotiate as we are today with the Russians a treaty on the banning the ABM, anti-ballistic missile, or slowing down the arms race, we call it the Strategic Arms Limitations Talks, right away somebody comes and says 'How can you trust those Russians?'. Well, they think, 'How can they trust us?' But, let's take our argument, how can you trust the Russians? We don't need to trust them. That's old fashioned in international diplomacy. We have built an alternative to trust. And that alternative to trust is a satellite system, a space system of monitoring. We can take pictures. We can take testings. We can not only take pictures, for example, of space installations and of military installations, but we have a system where we can not only tell what they have tested or when they have tested but what they have tested, how big they have tested it, how big it is and of its chemical composition. Not bad. It's all come out of this program. So I submit that possibly one of the greatest efforts for world peace has come right out of the science and technology of space research.

I think I saw an example of what this Space Program means. You maybe noted of late that the Russians have been much more cooperative with the United States. I don't want to attribute this to any one thing. I've spent twenty some years studying Soviet policy. It was one of my courses of study when I was a professor. I helped negotiate the Nuclear Test Ban Treaty. I went to Moscow when it was signed. I have the pen that President Kennedy used to sign the treaty and he gave it to me and when he did he said, "I give you this pen, Hubert, because it's your treaty." I've spent more time with Russian leaders than any living American. That's a bold statement but it's a fact. With Mr. Khrushchev, with Mr. Mikoyan, with Mr. Kosygin—these are people that I have gotten to know. I've been with their great news agencies, the Pravda and the Izvestia and the Tass. And when the space shot with Neil Armstrong, our Moon shot took place, I timed a visit to the Soviet Union to be in Moscow on the day that that space launch took place from this very Center. And I was in the offices of Pravda and Izvestia, one the Communist paper and the other the official state paper, daily newspapers, and a dispatch came through from Reuters, the English news service, noting that the launch had been successful, and I had said to the editors of Pravda, "Why don't you run this as a headline?" There was nothing in their paper that indicated that our launch had taken place And when I went to Izvestia the same afternoon I said, "Look, the launch has taken place and I see nothing in your headlines in your papers." I'm happy to tell you that they were somewhat embarassed and the next morning, at the National Hotel, under my door was a copy of Pravda and Izvestia with front page stories saying that there had

been a successful launch. I waited in Moscow those days until our boys had completed their exercise and their great trip to the Moon and when Neil Armstrong touched down that Sunday night, it was Sunday night when I was in Moscow, I don't know what the night was here, the only information that I was able to get was out of the Voice of America through the United States Embassy because the Russians had blacked out. They were one of the few countries that did not have live television of that great space shot and of that great dramatic moment. I think it was the Soviet Union, China, and Albania, I believe, two or three countries that refused to cover it live. In Poland and East Germany and Czechoslovakia and in Rumania and in Yugoslavia there were great screens on the street and people were watching it. It was a tremendous thing across the world. But, in Russia, they were playing it down. You may recall they had an unmanned space vehicle that they were trying to get on the Moon at the same time. It went afoul. It didn't work. I'm sure that they were trying to prove to us that they could get there first even if it was without men.

I was in my hotel room at the National Hotel that Sunday night with an open telephone to our embassy reporting back to the hundreds of people that had gathered in our suite from all over the world, giving them a blow by blow account as Neil Armstrong walked down that ladder and put his foot on the Moon's surface. And a great cheer went up from these people. The next morning, I had an appointment with Kosygin, the Chairman of the Council of Ministers of the Soviet Union at 10:00 in the Kremlin. There had been no notice on the Soviet television or radio as to the success of that Moon shot. And when I arrived at the Kremlin that morning, of course by then the Soviet Union had to acknowledge it and there had been in the morning broadcast, before the arrival at 10:00 an announcement that the Moon shot had been a success without any details. When I arrived at the Kremlin and had my better than three hour visit with Mr. Kosygin, he complimented the United States of America, he complimented our astronauts, he complimented our Space Program and he asked me to convey to our astronauts, through the Houston Space Center, the congratulations of the people of the Soviet Union, which I did. I brought that through our ambassador and it was communicated directly to the men on the Moon and in the space shot and the Kremlin.

Now, why do I tell you that? Because I think that one thing did something great for the world. The Russians, remember, were in competition with us. They said they were going to get there first. They didn't believe that we had the stick-to-itiveness because we're a kind of a jump-around people. We start something and we're not sure if we want to finish it. We get all hot and bothered and then we cool off. And they were pouring in vast resources into their Space Program, tremendous resources, under great secrecy. And, you may recall when President Kennedy said in 1961 that we would put a man on the Moon and bring him back safely to Earth within the decade of the '60s. Most people believed that we weren't going to be able to do it. And we did it ahead of schedule at less than we had contemplated in cost. And what did this mean to the Russians? Because the Russians understand power. The Russians understand, the Communists, the Soviets, understand organization. They understand science and technology. They pour billions of dollars into it and they're good. Don't misunderstand me. And the Russians understand the meaning of all of this. When we were able to succeed they said, and it went through their mind like through a computer, they said, "They did it. They mobilized the resources, the manpower, the plan, they had a commitment, they stuck to it and they succeeded". Which was just a simple way of telling the Russians that if these Americans make up their mind to do something, they may do it. And, they can do it. It told them something about our management, about our labor skills. It told them something about our resource ability. And it told them something about the dimensions of power. And, from that day on, the relationships with the Soviet Union have been decidedly better, all for the future hope of mankind. Because the peace of the world in your lifetime and in the balance of mine depends in a large measure on how we get along with the Russians. Not that we give in to them. But that we're able to find areas that are mutually beneficial where we can come to some arrangement. Because this man speaking to you, serving on the National Security Council, as I did, can tell you that we have enough atomic power in any one of our sections of our nuclear weaponry, to destroy the whole of mankind. The Russians and ourselves are capable of total destruction. They can destroy us and we can destroy them. And we can take a small fraction of what we have in nuclear weapons today and destroy over 35% of the entire population of the Soviet Union. They can do exactly the same to us so don't start puffing up. Neither one of us can win it. In other words, it is what we call a balance of terror, mutual deterrence. The Soviets understand it and we understand it. And what they understood more out of the Space Program than anything else was that we knew how to organize, to mobilize, to make a commitment and to follow through. And from that day on we've had a better relationship. And I predict that if we stick with it that you're going to have a chance to live in peace because, despite all the tragedies of the present war and pray God that's over promptly and I mean promptly, the great threat is between the Soviet Union and the United States. And, in the days ahead, it could be between mainland China. But, thank goodness, we're now beginning to act civilized about that and beginning to open up contacts.

I'll just leave you with one little suggestion. I remember when Apollo 13 got into trouble. You know, we're all so proud of this wonderful program. It's been a kind of an excitement for us at a time when there's been so many troubles, so many mistakes and so many decisions that didn't seem to come out right, it was kind of good just to have one or two that seemed to work. It was a great uplift just out of the success of space programs and particularly of the manned flights. Well, when Jim Lovell and Jack Swigert and Fred Haise took off in Apollo 13, I remember they said it was a perfect launch. Just perfect. And everything was going great. And then, one noon, as I recall, I think it was sometime in the mid-day, there was a flash that something had gone wrong. And a terrible feeling came over America. And what was that feeling? That these fellows might never get back. Oh, we'd always felt that that might happen. But we never quite believed it. We never wanted to believe it. We'd had another tragedy in the Space Program and that was when, in one of the tests down here, on the ground there had been a terrible explosion and you may recall it. White, Grissom and Chaffee, two of them I knew very well, perished in that unbelievably tragic explosion. But it appeared that it was going to happen again. And then what happened? Then the whole resources of this program came into being. And I use this as an example for you. It's like our Earth. Our Earth is our satellite. You're on a space satellite now, called Earth. That's why you're space men. We're all space children. We're a part of the Solar System. We're a part of a big family. And if there was no other reason to have the program than to know the rest of the family called the Solar System, we ought to have it. We ought to learn more about the Sun. We ought to learn more about the effect of other planets on our lives. Obviously, it has some effect. People have known for a long time that Sun Spots had some effect on our psychic reactions, upon plant life, upon weather. We know so little. We have just scratched the surface.

Well, Apollo 13 was, again, another part of the Earth's great study of our Solar System. And it went wrong. And there was all across this land a feeling that these men would never come back. Horrendous stories were told. They'll burn out in space. What will be their last words? Who will be the last one to communicate? And we worried about their families. The uncertainty of it all. But, yet, almost the certainty that they'd never made it. And then, they made it. And I'll tell you why. And it relates to our kind of thing. They made it because, first of all, they had confidence in themselves and they had confidence because they were trained and equipped. They had confidence in the equipment even though much of it had failed them. They also took a little look to the past and learned from that because there was a man on the ground at Houston who was talking to the boys up there that was one of the other astronauts who was giving them the benefit of his earlier experiences from 7, 8, 11 and other flights. And they were doing everything that they could as a team to bring this space satellite back to Earth. Now, young friends, it's like our space satellite. I've heard a lot of young people say that the system is no good, speaking of our social-political system. Sure, it's got a lot of mistakes. And so they say the thing to do is to blow it up. Well, that isn't what the astronauts did and, let me tell you, their system was in trouble. They were in serious trouble. They were losing their power. They were losing their control, for a period of time, of the very mechanism in which the safety of their lives depended. But Jim Lovell didn't say, "Why those lousy engineers down there that put this confounded contraption together, we ought to go after them and when we get back we'll murder them." He didn't say that. The first thing he said is, "Look, fellows, we're in a fix. Let's see if we can all do our part. Let's not consume too much of our consumables. There's only so much water here." There's only so much here on this Earth, too. "There's only so much fresh air." There's only so much here. Let's not pollute it. "There's only so much power, we've got to conserve it." And we sometimes are in the same condition here. So, here was their world. There were only three men in that world out there called Apollo 13. And there are three billion on our Apollo called Earth. But the three out there decided that they were going to work together. They said we all have something to contribute. They weren't of the same religion or of the same race. Or the same background. But they said, "Look, we can pull together." And they said, "Not only that, we have only so much to deal with, let's conserve it." If they'd have had five men abroad they wouldn't have made it. So there is such a thing as overpopulation. There was enough for three. And they had something else. They didn't say, "Oh, we don't care what the rest of the people have done in the past," as I have heard some young friends say. They say, "What do we care about the yesterdays? It's unimportant." Oh, no. They called back to Houston and they said, "Say, we're in some trouble up here. Did you ever have anything like this go wrong before?" Whoever was down at Houston, they were communicating past experiences. The former astronauts who had been up on these Moon flights said, "Here's the way it worked with us. Try this, try that. Here's our experience." They drew from experience and then they drew from

their own sense and their own knowledge. And they put together what they knew, what others had tried and what they'd experienced and to make a long story, which could have been a tragic story, short they were able to bring it back to Earth safely.

And out of that we've learned a great deal. We've made a better machine. I'm only saying to you, young friends, that out of the mistakes we've made, out of misjudgements, out of the pollution of the atmosphere which we have created, out of wars which we've been involved in, out of social blunders which we've had, such as racism in this country, we're learning if we don't decide to destroy the machine. If we just simply say, "Look, it's all we've got." It's just this Earth satellite. That's the only one we have. You can't stop the world and get off, fellows. You really can't. There isn't enough room to even get on one of these other satellites. Very few of you are going to make it. You ought to stick with it here.

So I think there are some great lessons in the Space Program. That's why I wanted to come here today. When Hugh asked me if I'd come down I said I would. Because I think this is the age that belongs to you. It's the age, the say, of Aquarius. But it's the age of Space. Exploration. Now, take this same exploratory feeling you have into a thousand and one other areas of life. Can we build more and better homes that people can live in? Can we make neighborhoods safe? Can we make cities livable? Can we stop polluting the waters and the air that we're breathing? Can we learn how to live in a community of nations? Are we going to learn more about the entire Universe? Because the Universe has untold secrets and the Solar System has secrets that we need to know. If I were a young man today of your age I would want to spend some time learning about the Sun. Learning about the planets. Because I'm just as convinced that your generation is going to have to know about the Sun as the generation of Christopher Columbus had to know about the new world. I think we're going to have to learn a great deal about the effects of a neighborhood that's bigger than our town or our state or even our world. The neighborhood of the Cosmos. And that's your world now. New frontiers.

So that's my little message to you. And, gee, what a time to be alive. I envy you. But I don't want you to think I'm resigning. I told somebody the other day that I was starting to take Geritol. I want to live to the year 2000. I want to see Number One, whether you're going to repair all of the damage that you think your parents have made. I want to see whether you're as smart as we think you are. Because, you see, I've got a big stake in you. After all, you're going to be responsible for my Medicare and my Social Security and I've got to make sure that you're going to do a good job. But more importantly, I want to see what's going to happen in this world in the next thirty years. Imagine. Look what's happened in the last ten. Look what's happened in the last twenty. In fact, in the last twenty years, television. That's all. There were no political conventions televised until the convention of 1952. Even Bonanza wasn't on. It's all happened in your lifetime. Now, what do you think is going to happen in the next twenty-five to thirty years? I don't know but I'm sure going to do everything I can to find out. In the meantime, I'll turn it over to you. Thank you, very much.

AIRBORNE RUSSIAN ROULETTE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, 13 years ago a United Airlines passenger plane collided with an Air Force F–100, and 47 passengers were killed.

One month after that, on May 20, 1958, an Air Force T–33 collided with a Capitol Airlines Viscount, killing 11 passengers and one of the occupants of the T–33.

The Nation was shocked. It seemed that military aircraft and airliners were falling out of the sky everywhere, and for one shocking reason: The pilots could not see and avoid each other. Airplanes had become so fast that it was no longer possible for pilots to be expected to see each other, even in clear weather, soon enough to avoid collisions.

The Nation demanded answers. The answer, we were told, was to integrate military and civilian traffic control so that all airplanes in the air over a given place would be controlled by a single ground traffic director. Congress was told in July 1958, that arrangements would be made to exchange information between the military and civilian traffic control systems, so that collisions could be avoided.

Despite the promises, however, airborne Russian roulette is still very much with us. Only a few days ago a DC–9 of Air West collided with a Marine F–4 Phantom, and 49 passengers were killed, plus the pilot of the Phantom. It was almost a carbon copy of the accident 13 years ago at Las Vegas, right down to the number of people killed.

The truth is, Mr. Speaker, that mid-air collisions are a very real danger today. Air traffic control is still a very uncertain thing. There are reasons for this, and I think Congress ought to be aware of the dangers, and why they exist.

In the first place, the FAA has never really integrated military and civilian air traffic control. In the tragic crash a few days ago, the FAA claims that its radars did not see the planes, because of interference from nearby mountains. The truth is that the Marine plane was on visual flight rules and not really under positive ground control. This should not have happened, and would not have happened if the FAA controlled traffic in the way that it assured us a dozen years ago that it would and could.

But of course collisions are possible between any two planes, regardless of whether they are military or civilian. Collisions do happen, and all too often the cause is failure in the air traffic control system.

In the most recent case, out in California, we are told that the traffic control radars had interference from mountains, and so failed to locate the aircraft that collided. In other cases we have been told that the radars were obscured by weather returns, or some other odd factor. The truth is that the system is simply not adequate.

The air route traffic control system is superimposed on an old system that relied on people simply seeing each other and thus avoiding collision. In fact, they called it "see and avoid." That worked well enough when airplanes traveled slowly, but today you have closing rates approaching a thousand miles an hour. Today's planes, traveling headon, are a speck on the windshield at one instant, and are on each other the next; avoidance is just not possible at such high rates of speed. Therefore you have to have positive control from the ground. That is why we have the air route traffic control system.

This system, however, being superimposed on the old "see and avoid" system is in fact no system at all. The equipment available is all too often outmoded and under-maintained. That is why we hear such frequent pleas about planes never being seen on the radars that are supposed to control them.

Moreover, the network is overloaded. Controllers are asked to undertake impossible workloads, and mistakes do happen. Not long ago two controllers standing side by side guided a light plane and a helicopter into collision. The reason was that the local system was illogically arranged. Procedures have since been changed, but who knows how many other places there may be where controllers standing side by side may be responsible for the same airspace, neither knowing what the other is controlling? This may be what happens in all too many collisions.

Sometimes the equipment is faulty, sometimes the procedures are inadequate or just plain wrong, and other times controllers are overworked, and every time this happens—or any one of these things happen—there is potential for disaster.

But there is more to this airborne Russian roulette than merely antiquated equipment or wrong procedures or human frailities. Sometimes the equipment just is not there, as happened at Hartford only a few days ago, when 28 people lost their lives in the crash of an Allegheny airliner attempting to land in fog.

Hartford was known as one of the worst airports in the country for various reasons, but one of those was that Hartford had inadequate instrument landing equipment. FAA never attempted to restrict flying there on that account, so as to force local officials to solve the problem, as far as I know. So Allegheny lost another plane, and 28 people are dead, because the equipment that should have been there was not.

The same could be said of Huntington, W. Va., location of another recent tragedy. The equipment needed for landing by instruments was not adequate. Pilots identified Huntington as one of the 10 worst airports in the country, just as they had Hartford. And just as at Hartford the almost inevitable happened—bad weather, inadequate instruments, and a shortfall. Many were killed.

Why is the equipment not there? Why is it antiquated? Why are there all these faults?

It could be that the FAA has never pressed its own case, because it is afraid to confess its own weaknesses and failings. Maybe they do not want to frighten the public.

On the other hand it is possible that the FAA has been more interested in political fences than in air safety.

Not many years ago the FAA decided that San Antonio would be a good place for a major air traffic control facility. They brought in the latest equipment, brought in highly trained people, and opened up a specially constructed, brand new facility. Then a couple of years later they closed it down and moved it to Houston. There were political reasons for this, which no longer exist, but at

the time it was a smart move, despite the millions of wasted dollars involved.

The argument went that San Antonio traffic would be handled just as efficiently from Houston as from the just-abandoned San Antonio facility. Incidentially they had to build a new facility at Houston to replace the one abandoned at San Antonio, which was also new. But they never could explain to me why the reverse was not the case—why one could not handle Houston traffic from San Antonio.

Politics aside, this move endangered air safety.

San Antonio is a very complex city, in terms of its air traffic. Within a radius of a few miles we have a heavily used military logistics base, a major civilian airport and a military pilot training facility. The air over San Antonio is filled with dense traffic from these sources as well as from assorted private airfields in the area. This is a much more complex, complicated and concentrated picture than you find at Houston, or Dallas or other area cities for that matter. Experts tell me that the original FAA decision to locate its traffic control center at San Antonio was indeed correct, and that abandoning San Antonio created a dangerous situation. I believe that he was right. I do my share of flying, and I have been in the uncomfortable and frightening situation of a near miss.

In essense, we have a traffic control system that is not integrated fully even today, so that we have accidents today that are identical to accidents that we were having 13 years ago.

We have a system that is burdened with antique, inadequate equipment.

We have a system that in many places lacks essential equipment altogether.

We have a system that utilizes vastly overburdened personnel, sometimes under impossible procedures and impossible workloads.

We have a system that fears to make its defects and needs known, for fear of driving away business.

We have a system that does not recognize its own needs, but deals in political bargains, even at the expense of air traffic safety.

Promises were made a long time ago, but airborne Russian roulette is still with us.

MAGAZINE PUBLISHERS MOVE TO IMPROVE SUBSCRIPTION SERVICE, EXPAND OPEN SUBSCRIPTION DATING ON MAGAZINE MAILING LABELS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. ROONEY) is recognized for 30 minutes.

Mr. ROONEY of Pennsylvania. Mr. Speaker, I am pleased to call the attention of my colleagues to a breakthrough in timely and accurate servicing of magazine subscriptions.

In conjunction with a two-and-a-half-year investigation of magazine subscription sales methods which I have been conducting, I urged the Magazine Publishers Association in October of 1969 to initiate "open dating" of subscription expiration dates on magazine mailing labels.

At that time—October of 1969—although virtually all periodicals included subscription expiration dates in the jumble of numbers and letters which commonly appear above the subscriber's name and address on a magazine mailing label, the great majority of periodicals printed the date in some code which the average subscriber could not decode.

Thus, librarians and individual subscribers often were at a loss to know if subscriptions they purchased actually were entered for the proper period of time. And because of widespread selling abuses by subscription sales agency personnel my investigation of magazine selling practices had documented, it was readily apparent that numerous subscribers were being shortchanged on magazine service—that is, they were receiving fewer issues of magazines than they had paid for. Frequently, when a long-term subscription expired prematurely several years after it was purchased by a consumer, the consumer was no longer able to produce documentation to show conclusively that he was short changed. In many other instances, my investigation revealed, the subscriber never discovered that an unscrupulous magazine salesman had entered the subscriptions for shorter periods of time than the subscriber's contract called for, and than he had paid for.

For these reasons, in a letter dated October 29, 1969, I urged the Magazine Publishers Association to take voluntary action to initiate open subscription dating. During the intervening period, my office had a series of contacts with MPA about this matter and I am pleased to report that I was notified this week that MPA has established voluntary "Guidelines for Magazine Subscription Fulfillment and Service Practices" which consists of a series of recommended procedures which, if widely implemented by industry members, has the potential to achieve a commendable goal of "Truth in Subscription Selling." Already, one-third of the MPA members have adopted the guidelines.

Having been critical of MPA in the past for what I felt was a failure or reluctance to deal with abuses occurring in the marketing of periodicals published by MPA members, I want now to commend MPA for devising a set of guidelines which go to the heart of many of the industry's service problems.

The guidelines provide, for example, that—

Subscription service for weekly or biweekly publications be initiated within 25 days after receipt of the order by the publisher.

Subscription service for monthly or less frequently issued publications be initiated within 45 days after receipt of the order by the publisher.

When the publisher cannot meet the deadlines to start service, a written notice of the delay advising of the expected starting date of service be sent to the subscriber.

Recipients of gift subscriptions be sent timely written notice identifying the donor, unless the donor has given specific instructions to the contrary.

Subscribers be notified in writing in the event service has been, or will be, interrupted by the publisher for any reason, and that the notice include information as to steps taken to insure the subscriber will receive the full number of issues to which he is entitled.

Mailing address labels will include the subscription expiration date in a manner that will be easily identified and readily understood by the subscriber.

A change of address form or adequate instruction for the subscriber to effect such change be provided periodically in the magazine.

The publisher will process address changes promptly and make all reasonable effort to maintain continuous service.

The publisher will make all reasonable effort to answer consumer complaints and inquiries within 15 days of their receipt.

Still other aspects of subscription servicing are given attention in the guidelines, a copy of which I will ask to be included in the RECORD with my remarks.

Certainly, if the MPA member publishers will voluntarily adopt these guidelines and make an honest and forceful effort to comply with the proposed time limits for service starts and for responses to consumer complaints and inquiries, the magazine industry will have taken a tremendous stride to restore consumer confidence.

I also am pleased to acknowledge and ask to be incorporated in the CONGRESSIONAL RECORD the results of a survey of subscription dating policies of periodical publishers initiated by MPA's Central Registry of Magazine Subscription Solicitors in response to my request for voluntary open subscription dating on magazine mailing labels. This report identifies some 250 periodicals and reveals how coded subscription expiration dates can be read.

Among those which already have adopted open dating is Reader's Digest. Some 6 months ago a member of my staff met with Coleman Hoyt, of Reader's Digest, and Norman S. Halliday, vice president of MPA, to discuss magazine sales practices and to suggest that Reader's Digest, the periodical with the largest mail circulation, adopt open subscription dating on its mailing labels. I am gratified that Reader's Digest has taken this step.

In addition, although they are not listed among the periodicals in the MPA compilation, I have noted that several consumer-oriented periodicals utilize a dating method that can be read by the average consumer.

The Changing Times code line begins with the month and year in which the subscription will expire, as follows:

[FEB72] R462311HBEPU612R92741 (February, 1972)

The Consumer Reports mailing label identified the month and year by numbers which appear near the end of the code line, as follows:

11004527 N 1[0571[B (May, 1971)

In conclusion, Mr. Speaker, these new steps by the magazine industry to improve customer service and provide the

consumer with the information he needs to determine, with confidence, that he is receiving the subscription service for which he has paid and to which he is entitled are deserving of public attention. I urge every publisher to consider carefully the voluntary adoption of the MPA guidelines in order that "Truth in Subscription Selling" will become an industrywide reality.

I invite the attention of my colleagues to the guidelines, and the key for reading subscription dates on mailing labels, as well as correspondence which relates to the development of both:

OCTOBER 29, 1969.

Mr. STEPHEN E. KELLY,
President, Magazine Publishers Association, Inc., New York, N.Y.

DEAR STEVE: This is to express my appreciation for your obvious concern and your continuing efforts to correct some most serious sales abuses which have been identified with some magazine subscription agencies engaged in cash and PDS door-to-door selling.

I was particularly pleased to receive the report on efforts by the Magazine Publishers Association and Central Registry to combat such abuses. While I remain convinced that many of the abuses I have been able to document are too serious to be overlooked by the Federal agencies which have authority to intervene, I have been favorably impressed by concern being demonstrated by MPA.

In this regard, I commend the action of the MPA's Executive Committee proposing an amendment to your by-laws providing for removal from membership in the Association of any member who has been found to have repeatedly conducted its business in violation of law or of the written standards prescribed for the industry by your Association. Its prompt approval by your entire membership must be viewed as an act of good faith on the part of a majority of publishers, particularly if its authority is exercised when necessary in the future. I hope you will convey my comments to the MPA membership during your November 6th meeting.

Further, there appear to be at least two other areas in which the publishers themselves could be instrumental in helping to halt certain practices which are being used to deceive subscribers. In these practices, deception is possible because the subscriber is unable to read coded information on mailing labels which would reveal when a subscription is due to expire. The consumer thus cannot determine whether a subscription purchased through a sales agency has been entered with the publisher for the period of time covered in his contract.

I ask, therefore, that the Magazine Publishers Association consider industry-wide action to clearly identify on the mailing label of each periodical the month and year the subscription is due to expire. Some periodicals already follow such practice and I wholeheartedly urge all publishers to implement this form of expiration date identification.

Further, a great deal of further confusion could be avoided for consumers and the industry alike if these same mailing labels with expiration date clearly identified were made an integral part of the mail-in subscription renewal forms which publishers mail to their subscribers. Because of the practices of some publishers to make mass mailings of subscription renewal solicitations several times each year, whether or not the subscriber's current subscription is due to expire, I believe the subscriber deserves fair warning if his subscription is not about to expire.

Although legislation could accomplish disclosure of expiration dates, I believe that the Magazine Publishers Association may wish to consider implementing this practice as another step to preserve the integrity of the magazine industry from further exploitation by those who engage in unscrupulous or unlawful practices.

With warm personal regards, I am,

Sincerely yours,

FRED B. ROONEY,
Member of Congress.

MAGAZINE PUBLISHERS ASSOCIATION, INC.,
New York, N.Y., March 13, 1970.

Hon. FRED B. ROONEY,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR FRED: Here is the information I discussed with you on the telephone the other day in answer to your letter of February 25th.

As I reported, we did make a survey of the extent to which the expiration date now appears on the address labels of subscription copies of magazines. You will be interested to know that for 92% of the 203 magazines for which we received replies, the expiration date is shown someplace on the address label. At the same time, Fred, in many cases it may be indicated in a line with other information and therefore a little difficult to read readily. To study this further, we have appointed a special committee to study and set up guidelines for fulfillment procedures and to make further recommendations for the industry in line with your comments and suggestions. (The committee has already had a preliminary meeting too, you'll be glad to know.)

Concerning an agency's participation in the Central Registry program as stated in the Articles of Agreement for the Cash Agencies, "any field selling subscription agency . . . may become a party to these Articles of Agreement upon approval of the Cash Section at a duly called meeting provided there is evidence before the Cash Section of the ability of the agency and its principals to conduct its business of soliciting magazine subscriptions in accordance with the purposes of these Articles of Agreement." The same criterion of evidence of ability to meet the Standards set forth applies to participation in the PDS Code program too. As an aid to determining this ability to comply, a questionnaire form is mailed to each agency applying for participation. I am enclosing a copy of this questionnaire and I think you will find it self-explanatory. (If the person requesting this information has any other questions, have him get in touch with Bob Goshorn.)

It goes without saying that we're following through on all the reports you forwarded to us, and we appreciate your making the information available so that we can be of such assistance.

Cordially,

STEPHEN E. KELLY,
President.

MAGAZINE PUBLISHERS ASSOCIATION, INC.,
New York, N.Y., June 9, 1971.

Hon. FRED B. ROONEY,
U.S. House of Representatives,
Cannon House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ROONEY: The enclosed two reports I think will be of interest to you in light of your concern about subscription mailing labels and the expiration date thereon. The "Guidelines" were completed last winter and sent out to our members. Participation in them is on a voluntary basis and to date approximately a third of our membership has adopted them. Expiration dates are dealt with on page four under point B (2).

Also enclosed is a recent report out of our New York office cataloging the various publications, the form of their mailing labels and how the expiration date may be detemined from those labels. As a result of a conversation Ray and I had with Coleman Hoyt of the Reader's Digest earlier this year, the Digest label, page 20, clearly sets forth its expiration date.

If you have any questions about this material, please let me know.

Sincerely yours,

NORMAN S. HALLIDAY,
Vice President.

[From the Magazine Publishers Association, Inc.]

GUIDELINES FOR MAGAZINE SUBSCRIPTION FULFILLMENT AND SERVICE PRACTICES

INTRODUCTION

The purpose of these Guidelines for Magazine Subscription Fulfillment and Service is to establish standards to provide for customer satisfaction, to maintain the good will and confidence of the public and its willingness to enter into subscription contracts, and to forestall subscriber discontent and adverse publicity.

The following Guidelines are therefore set forth for voluntary adoption by those publishers desiring to conform to these standards.

A. PROCESSING OF SUBSCRIPTION ORDERS

1. Start of service

The publisher will promptly process all subscription orders received, and will make every effort, unless otherwise requested by the subscriber, to insure the mailing of the first issue to the subscriber within the following periods:

(a) For magazines published monthly or less frequently, the first copy will be mailed within forty-five (45) days after receipt of the order by the publisher.

(b) For magazines published weekly or biweekly, the first issue will be mailed within twenty-five (25) days after receipt of the order by the publisher.

The publisher will make every effort to see that its authorized subscription agencies transmit orders promptly to avoid delay between the time the order is given by the subscriber and the time it is received by the publisher.

2. Notice of delayed start

In the event the publisher is unable to mail the first issue within the above time limits, a written notice of the delay will be sent to the subscriber within the time limits set forth in paragraph 1 above informing him of the starting issue or expected mailing date of the first issue. If for any reason this new date cannot be met, the publisher will again notify the subscriber in writing. These written notices will continue to be sent until the first issue is mailed. The publisher will also make all reasonable effort to see that such notification is readily identifiable by the subscriber as pertaining to the subscription already ordered.

3. Gift subscriptions

The publisher will send or cause to be sent timely written notice to all recipients of gift subscriptions of the gift and the name of the donor, unless specific instructions to the contrary are received from the donor.

4. Sequence of copies

When a new subscription is started with an issue dated prior to the issue currently on sale, in the absence of specific request by the subscriber, the publisher will make all reasonable effort to adhere to the following conditions; to the extent that his fulfillment operation makes such compliance feasible.

(a) The publisher will comply with the Bylaws and Rules of the Audit Bureau of Circulation governing "back copies." [In summary, these Regulations limit the service of back copies as net paid circulation, (unless the subscriber is otherwise notified in advance of the order) to no more than two issues previous to that current at the date of the order in the case of weekly publications and not more than one such previous issue for other publications.]

(b) All copies will be sent to the subscriber in chronological sequence of issue date.

(c) If a subscription has been started with a back issue, only one issue of a magazine will be sent to the subscriber at one time.

(d) If more than one "back issue" is to be sent in servicing the order, the following schedule will be used in mailing the next copy to the subscriber:

For magazines published monthly or less frequently, the second copy will be mailed no sooner than seven (7) days after the first copy.

For magazines published weekly or biweekly, the second copy will be mailed no sooner than three (3) days after the first copy.

5. Request for specific issue

If a request is made by the subscriber or agency to start service with a particular issue, all reasonable effort will be made to comply with such request. If such request cannot be fulfilled, the publisher will notify the subscriber or agency of the reasons for his inability to comply with it and of the issue with which service is being started.

B. SUBSCRIPTION SERVICE

1. Interruption of service

The publisher will notify the subscriber in writing in the event service will be, or has been, interrupted by the publisher for any reason. This notice will inform the subscriber of the provision made to insure that he will receive the full number of copies to which he is entitled.

2. Expiration date

The mailing address labels will include the subscription expiration date in a manner which will be easily identified and readily understood by the subscriber. The publisher will take whatever steps he deems necessary to provide an explanation of how the expiration date is shown.

3. Changes of address

The publisher will include in his magazine periodically a subscriber Change of Address form and/or adequate instructions for the subscriber to effect such change, to facilitate prompt and accurate handling of such requests.

The publisher will process changes of address promptly upon receipt, and make all reasonable effort to maintain continuous service to the subscriber when the subscriber gives ample notice of the effective date of the address change. In any event, unless otherwise requested, the first copy mailed to the new address will normally be within the time limits set forth in paragraph A 1, above for the start of new subscriptions.

C. RENEWALS

1. Continuity of service

The publisher will process all renewal orders promptly as they are received, and will make every effort to avoid a break in service provided the renewal is received in reasonable time of the expiration date.

(a) On renewal orders for schools, libraries or other institutions where there is reason to believe that a complete file of the magazine may be desired, the publisher will make such special effort as is reasonable to maintain continuous service.

2. Form of renewal offer

Renewal notices will be clearly recognizable as solicitations for subscription orders and will not be of a format such as to mislead the subscriber or give appearance that it is simply a bill or invoice.

D. SUBSCRIBER INQUIRIES

1. The publisher will make all reasonable effort to answer subscriber complaints, inquiries, or requests for information concerning their subscriptions within fifteen (15) days after their receipt. (It is recognized, however, that some subscriber questions will have already been resolved by the time the inquiry reaches the publisher, and may not require an answer at that time.)

2. The use of form letters or postcards to answer or acknowledge correspondence or complaints is permissable as a means of expediting service.

E. REVIEW OF GUIDELINES

1. These Guidelines shall be reviewed by the Circulation Committee of the Magazine Publishers Association as it deems proper from time to time or upon request of three or more signatory publishers, in writing to the Chairman of the Circulation Committee.

2. Any proposed changes in the Guidelines will be effective upon approval by a majority of the Circulation Committee.

F. ACCEPTANCE OF GUIDELINES

1. Acceptance of these Guidelines by publisher-members of the Magazine Publishers Association shall be on a voluntary basis.

(a) Any publisher may now or hereafter formally accept these Guidelines by notifying in writing the President of the Magazine Publishers Association of such intent.

(b) A publisher, having formally accepted these Guidelines may withdraw from the obligations assumed thereby by similarly notifying the President, in writing of such intent.

2. A list of publishers formally accepting these Guidelines will be available for distribution at the discretion of the President of the Magazine Publishers Association.

MAGAZINE PUBLISHERS ASSOCIATION, INC.,
New York, N.Y., April 30, 1971.

Memorandum to: Principal of All Agencies Participating in the Central Registry Program.

From: Robert M. Goshorn.

Subject: Subscription expiration dates.

As a by-product of a study we recently made concerning notice of expiration dates on subscription labels, we developed the enclosed information on how various publishers show the expiration date.

We thought this information might be helpful and of interest to you, and are, therefore, forwarding it to you at this time.

If any major publication does not appear, it may be assumed it did not respond to our questionnaire.

HOW TO READ SUBSCRIPTION EXPIRATION DATES (EXPIRATION PORTION OF CODE IS ENCLOSED IN BRACKETS [ ]

[Compiled by Magazine Publishers Association]

Magazine	Label	Explanation
Abstracts and bibliography.	PA 19007 ROHROHM[NO] CDA 209	15th & 16th digits in Code line show ex date. Example: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Advertising age	AA [MAR71]	Self-evident.
Air Progress	9&2607500 571001PA420 [JAN71]	Self-evident.
American Artist	AADESPECASUUNISZO A [JUL71]	Self-evident.
American Girl	Mrs. John Doe [G71]	Ex date at end of subscriber name line: months coded A thru M, omitting I, followed by year; i.e., A71, H71, J71=January, August, September 1971.
American Heritage	B70302AAMSJ90206H4[J69]OL181H	19th, 20th & 21st digits in code line show ex date: months coded A thru L, followed by year; i.e., A71, D71, L71=January, April, December 1971.
American History Illustrated.	2A A6[F7]	Ex date shown in code line: i.e., A6 is month and year of starting date (Apr. 1966), F7 is ex date (Feb. 1967).
American Home	Label sample not furnished	Example given: "John Smith SEP"—Expire month. "E 70"—Expire year, may be reversed: 07.
American Medical Association, Journal of the	JA 16 R K E1215 [M71] D	12th, 13th & 14th digits in Code line show ex date. Months coded A thru M, omitting I, followed by year—A71, H71, M71=January, August, December 1971.
American Naturalist	PA19007 ROHROHM[NO] AN 209	15th & 16th digits in Code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
American Optometric Association, Journal of the	Label sample not furnished	Ex date may be ascertained by writing to the Journal.
American School Board Journal	0591740SLZK440J9G 3 0126 [51]	Last two digits in code line show ex date. Months shown, Jan. thru Oct. as 1 thru 0, Nov. is —, Dec. is +. I.E., 51=May 1971, —0=November 1970.
Amusement Business	BBDNGOLD121JORSZ640[011]BSC03012	20th, 21st & 22nd digits in Code line show ex date: year 0 thru 9; week 1 thru 52—i.e., 011=11th week in '70.
Analog	321100 KNI 00190093 [DEC72] 1 L	Self-evident.
Antiques	AN [12-71] RS12 OM6254	First three or four digits following title symbol (AN) show month & year of ex date.
Archives of Dermatology.	14 A 0239125015 [G71] N	14th, 15th & 16th digits in Code line show ex date. Months coded A thru M, omitting I, follow by year—A71, G71, M71—January, July, December 1971.

HOW TO READ SUBSCRIPTION EXPIRATION DATES—Continued

[Compiled by Magazine Publishers Association]

Magazine	Label	Explanation
Archives of Environmental Health	32 A 0240163028 [A71] D	14th, 15th & 16th digits in code line show ex date. Months coded A thru M, omitting I, followed by year—A71, G71, M71= January, July, December 1971.
Archives of General Psychiatry	41 A LOUIS101 W[M71] D	14th, 15th & 16th digits in code line show ex date. Months coded A thru M, omitting I, followed by year—A71, G71, M71= January, July, December 1971.
Archives of Internal Medicine	50 A ST VIBARRS [M70] D	14th, 15th & 16th digits in code line show ex date. Months coded A thru M, omitting I, followed by year—A70, G70, M70= January, July, December 1970.
Archives of Neurology	59 A CHARL811 A [G71] D	14th, 15th & 16th digits in code line show ex date. Months coded A thru M, omitting I, followed by year—A71, G71, M71= January, July, December 1971.
Archives of Opthalmology.	68 A 0050265018 [G72] D	14th, 15th & 16th digits in code line show ex date. Months coded A thru M, omitting I, followed by year—A72, G72, M72= January, July, December 1972.
Archives of Otolaryngology.	77 A 0351568035 [F71] D	14th, 15th & 16th digits in code line show ex date. Months coded A thru M, omitting I, followed by year—A71, F71, M71= January, June, December 1971.
Archives of Pathology	86 A 0110269060[E72] D	14th, 15th & 16th digits in code line show ex date. Months coded A thru M, omitting I, followed by year—A72, E72, M72= January, May, December 1972.
Archives of Surgery	95 A 0470568053 [L71] D	14th, 15th & 16th digits in code line show ex date. Months coded A thru M, omitting I, followed by year—A71, E71, L71= January, May, November 1971.
Argosy	27004 WLS 1003S093 [FEB71] A 6	Self-evident.
Astrophysical Journal	PA19007 ROHROHM [NO] AJ 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Astrophysical Supplement Series.	PA19007 ROHROHM [NO] AS 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969(?), NO=November 1970.
Atlantic Monthly	AM MRC2GE520A019 3 [1269]	Last four digits in code line show ex date: first two show month, last two show year.
Atlas	580004 118 OAAPEN94 [FEB72] 1 16	Self-evident.
Audio	A [NOV71] OK-17	Self-evident.
Baby Talk	12-70-[11-71]	Code line at top shows month and year of start, followed by month and year of expire.
Banking, Journal of the A.B.A.	51 9990012882 [0670] 017	13th thru 16th digits in code line show ex date: 0670=June 1970.
Better Homes & Gardens.	1-110400TA12—1—35991 [FEB71]	Self-evident.
Billboard	BBDNGOLD121JORSZ640[011]B9C03012	20th, 21st and 22nd digits in code line show ex date: year, 0 thru 9; week, 1 thru 52.
Black World	X3841COTHM155385683 [09/71] 2	Self-evident.
Boating	Label sample not furnished	Ex date shown in clear type two digits in from end of code line: i.e., JUL70.
Botanical Gazette	PA19007 ROHROHM[NO] BG 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Boys Life	AAC 6456 ZGLRI177JO 16B[061]	Last three digits in code line show ex date: i.e., 06=June, 1=1971.
Bride's magazine, the	00094091 55.073 FE123 1 [371]	Last three digits in code line show ex date: 1st shows month, Feb., March, May, June, Aug., Sept., Nov., Dec. numbered 1 thru 8; last two show year.
Bulletin of the Center for Children's Books.	PA19007 ROHROHM[NO] CB 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Business Management	Label sample not furnished	Ex date not shown.
Business Week	06Z0 EPE999 99DA [DEC70]	Self-evident.
Camping Journal	15 88 8260 BDR146AWW-3 [APR71]	Self-evident.
Car & Driver	Label sample not furnished	Ex date shown clearly two digits in from end of code line: i.e., JUL71.
Car Craft	7420T0M *10011111 [7912]	Ex date shown in last four digits of code line: first two show year, last two show month—Sample shows December 1979.
Cat Fancy	Label sample not furnished	Example given: "John Smith SEP"—expire month. "E 70"—expire year; may be reversed: C7.
Catholic Digest	3 206220JHN3T—981 [APR71]	Self-evident.
Chicago	Label sample not furnished	Ex date not shown.
Child Development Journal.	PA19007 ROHROHM[NO] CDJ 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Children's Digest	57B 1 AKN 15 0KL123 B[25]	Last two digits in code line show issue number of expire. Issues numbered consecutively and # shown on contents page. 25=February 1973. (Starting in 1971, ex date will be shown as FEB73.)
Christian Herald	CH HILL92*TURGZ4 [7011] 1	Last four digits but one in code line show ex date. First two show year, last two show month: 7011=November 1970.
Christian Herald	ITALYEERGAXXPO112040A12RA [031]	Last three digits in code line show ex date. Months coded 01 thru 12; years 0 thru 9.
Christian Life	ITALYEERGAXXPO112040A12RA [031]	Last three digits in code line show ex date: i.e., 031=March 1971, 121=December 1971.
Christianity Today	Juanita Sue Harper [1-74]V	Ex date shown at end of subscriber name line: i.e., 1-74=January 1974.
Cincinnati	Label sample not furnished	Ex date not shown.
Civil War Times Illustrated.	2A E6-[F7]	Ex date shown in code line: i.e., A6 is month and year of starting date (Apr. 1966), F7 is ex date (Feb. 1967).
Classical Philology	PA19007 ROHROHM[NO] CP 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Coast	Label sample not furnished	Ex date not shown.
Commonweal	=61193 [5-71]	Last digits on code line show ex date: i.e., 5-71=May 1971.
Comparative Politics	PA19007 ROHROHM[NO] COP 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Connoisseur	GH[DEC69] 10000 00 ABC005 000098	Self-evident.

Magazine	Label	Explanation
Cosmopolitan	CM[OCT72] 10001 03 RCH2HY 461195	Self-evident.
Cue	RJ995039-B[B-JAN 72] RI	11th digit in code line shows week of ex date (A thru E for 5 weeks), month and year are self-evident.
Cycle	Label sample not furnished	Ex date shown in clear type two digits from end of code line: i.e., "JUL70."
Daedalus	[3-72]	Ex date shown above subscriname: quarterly—1=winter, 2=spring, 3=summer, 4=fall, followed by year.
Diseases of Children, American Journal of.	23 A 0270164012 [H71] N	14th, 15th & 16th digits in code line show ex date. Months coded A thru M, omitting I, followed by year: i.e., A71, E71, H71=January, May, August 1971.
Dog Fancy	Label sample not furnished	Example given: "John Smith SEP"—Expire month. "E 70"—expire year, may be reversed: 07.
Ebony	X384100THM155385683 [09/71] 2	Self-evident.
Economic Development and Cultural Change.	PA19007 ROHROHM [NO] ECO 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Electronics Illustrated	57 58 6596 SLE—8TPH-1 [ITG04]	Bi-monthly, and last five digits in code line show number of subsequent issues coming: i.e., ITG04=4 issues to go.
Elementary Electronics	12 46 1590 BAR301ELT-5 [ITG12]	Last five digits in code line show number of subsequent issues to come: i.e., ITG12=12 issues to go.
Elementary School Journal.	PA19007 ROHROHM [NO] EJS 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Elks magazine, the	Label sample not furnished	Ex date not shown.
Ellery Queen	15 88 8260 CHU563MRW-0 [APR71]	Self-evident.
Episcopalian, the	PTOD110SYLM9 [JAN72] II001	Self-evident.
Esquire	460014 LNG 6750G098 [SEP71] 1 Q	Self-evident.
Eternity	BHE 52 LIVR9 11 [JAN71] 000	Self-evident.
Ethics	PA19007 ROHROHM[NO] ET 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969(?), NO=November 1970.
Exchange, the	[11]907751[69]	First two digits in code line show ex month, last two show year: i.e., 11 69=November 1969.
Family Handyman	T118 GP196897 [129]	Last three digits in code line show ex issue number, which appears on contents page.
Family Health	580004 PRI 1271A09 [DEC70] 1 D	Self-evident.
Farm Journal	1BBA 6D904202WLEME*******9 [C74]	Last three digits in code line show ex date: months coded A thru L. I.e., C74=March 1974.
Fate	BLB4377RPO 01081 121[244] 2	Digits indicated show ex issue number; issue number appears on title page; subscribers are given this info upon inquiry.
Field & Stream	64 84 6640 MEYBX140G-9 [NOV71]	Self-evident.
Financial Executive	[04/71] MG s-08769 3	Self-evident.
Financial World	FW MSS3AG 37J019 C70[0771]	Last four digits on code show ex date, month and year.
Flying	Label sample not furnished	Ex date shown in clear type two digits in from end of Code line: i.e., JUL70.
Forbes	12345678 DP1 [DEC71]	Self-evident.
Fortune	[JUN71] BOW SN400D91Y59 40 1	Self-evident.
Gentlemen's Quarterly	460014 LNG 6750G098 [SEP71] 1 Q	Self-evident.
Gift & Tableware Reporter.	BBDNGOLD121JORSZ640[011]B9C03012	20th, 21st and 22nd digits in Code line show ex date: year (0 thru 9), month (1 thru 12).
Glamour	321100KNI 0019G093 [SEP75] 1 8	Self-evident.
Golden	Label sample not furnished	Ex date appears as figures at end of addressee line: i.e., (12-68).
Golf	G126 RF726967 [149]	Last three digits in code line show ex issue number. (No explanation where it appears in magazine—not on contents page.)
Golf Digest	362228 SND 00126096 [JUN71] 7 D	Self-evident.
Good Housekeeping	GH[APR71] 10001 03 RBI2RG 862192	Self-evident.
Gourmet	Q0MC09 10 MD2BA2 69 [174]	Last three digits in code line show ex issue number. (Chart furnished showing example to be June 1971.)
Grade Teacher	EGLI 168 OCE J HEAJ9 [970] 01	Ex date shown in three figures, two digits in from end of code line: i.e., 970=September 1970.
Guns & Ammo	7420TZM *10011111 [7912]	Last four figures in code line show year and month of ex date: i.e., 7912=1979, Dec.
Hairdo	HA FRD46T538A059 01 [1071]	Last four figures in code line show ex date: i.e., 1071=October 1971.
Harpers Bazaar	HB[DEC71] 10001 03 PWE2RY 481894	Self-evident.
Harper's	HM POR2SE400R089 1 [0875]	Last four figures in code line show ex date: i.e., 0875=August 1975.
Harvard Business Review.	Label sample not furnished	Ex date not shown. (Will be changed to positive indication in 1971.)
High Fidelity	HFDALUCZ4**MCBRZO A [MAR72]	Self-evident.
Highlights for Children	2 [DEC71] SOWR2X7197 SZ	Self-evident.
His	SAMPLM34225815Q[970]AA1C1 69A	21st, 22nd & 23rd digits in code line show ex date: 1 thru 6=Jan. thru June, 7, 8, 9=Oct., Nov., Dec., plus year. i.e., 970=Dec. 1970.
History of Religions	PA19007 ROHROHM[NO] HR 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Home Garden	330004 HJK 0636H097 [NOV71] A G	Self-evident.
Home magazine	Not mailed	Single-copy sales only.
Horizon	B80302AAMSJ90206H4[J69]OLI81H	19th, 20th & 21st digits in code line show ex date: months coded A thru L: i.e., A71, D71, J71-Jan., Apr., Oct. 1971.
Hot Rod	7420TQM *10011111 [7912]	Last four figures in code line show year and month of ex date: i.e., 7912=1979, Dec.

HOW TO READ SUBSCRIPTION EXPIRATION DATES—Continued
[Compiled by Magazine Publishers Association]

Magazine	Label	Explanation
House & Garden	321100 KNI 0019GO93 [SEP75] 1 5	Self-evident.
House Beautiful	HF[SEP72] 10001 03 PTT5RG 500894	Self-evident.
Human Genetics, American Journal of.	PA19007 ROHROHM[NO] GE 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Humpty Dumpty	57B & WRT 15 OH1123 C[95]	Last two digits in code line show ex issue number. (Sometime in 1971 ex date will begin to appear clearly: i.e., JUL71.)
Income Opportunities	14 44 4880 TH0505DSJ–6 [ITG04]	Last five digits (ITG04)= "Issues To Go 4."
Industrial Arts and Vocational Education.	16428–9–51095–2–1–[100]–A	Last three numbers in code line show month and year of ex date: i.e., 100= October 1970.
Ingenue	IN KNN47H643L099 01 [0772]	Last four figures in code line show ex date: i.e., 0772=July 1972.
Jet	X3841—THM155385683 [09/71] 2	Self-evident.
Journal of Advertising Research.	Label sample not furnished	Length of subscription shown by volumes covered: i.e., 8/9/10–1–2 shows to receive all of vols. 8 and 9 and 1st 2 issues of 10.
Journal of Business	PA19007 ROHROHM[NO] JB 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Journal of College Placement.	Label sample not furnished	Ex date not shown.
Journal of Geology	PA19007 ROHROHM[NO] JG 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1959 (?); NO=November 1970.
Journal of Infectious Diseases.	PA19007 ROHROHM[NO] JID 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Journal of Modern History.	PA19007 ROHROHM[NO] MH 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Journal of Near Eastern Studies.	PA19007 ROHROHM[NO] NE 209	15th & 16th digits in code line show ex date. Examples: 13=January, 1973, 59=June 1969 (?). NO=November 1970.
Journal of Political Economy.	PA19007 ROHOHM[NO] PE 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?). NO=November 1970.
Journal of Religion	PA19007 ROHROHM[NO] RE 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Ladies' Home Journal	Label sample not furnished	Example given: "John Smith SEP"—Ex month. "E 70"—Ex year; may be reversed—07.
Library Quarterly	PA19007 ROHROHM[NO] LQ 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Life	[OC71] DGA CA018H99L50 23 55	Self Evident. (Months abbreviated as JA, FB, MR, AP, MY, JE, JL, AU, SE, OC, NO, DE.)
Look	PH61458 5 [6–75]	Self-evident.
Look—Top/Spot	58004 RGE 02107093 [AUG70] N 2	Self-evident.
Lutheran, the	969 NCN 14 11 [0110] 6	Last four digits, but one, of code line show ex date: month and last figure of year. 0110 = January 1971.
MacFadden-Bartell (all publications)	[A] O [27]	Ex date month shown at end of subscriber name line, year at end of address line. Months coded A thru M, omitting I. (Year figures reversed)
Mademoiselle	321100 KNI 0019G093 [SEP75] 3 9	Self-evident.
Marketing Communications	[1271] C	Ex date shown at end of subscriber name line. 1271 = December 1971.
Marriage	C [D–71]	Ex date shown at far right on top line; months coded 1 thru 9 for Jan. thru Sept., O, N, D for Oct., Nov., Dec. D–71 = December 1971.
McCall's	5A12G72901BAC5GEI80390M4082 [872]	Last three digits in code line show ex date; months coded 1 thru 9 for Jan. thru Sep., O, N, D for Oct., Nov., Dec. 872 = August 1972.
Mechanical Translation	PA19007 ROHROHM [NO] MT 209	15th & 16th digits in code line show ex date. Examples: 13 = January 1973, 59 = June 1969 (?), NO = November 1970.
Mechanix Illustrated	88 89 7980 BYR304MCJ–8 [APR74]	Self-evident.
Merchandising Week	BBDNGOLD121JORSZ640[011]B9C03012	20th, 21st & 22nd digits in code line show ex date: year (0 thru 9) and week (1 thru 52).
Midway	OA19007 ROHROHM[NO] MI 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Model Airplane News	Label sample not furnished	"Expires D1 (December (D) 1971 (1)."
Modern Bride	Label sample not furnished	Ex date shown clearly two digits in from end of code line: i.e., "JUL73."
Modern Manufacturing	017ZOSIT411MAJA1 [MAR72]	Self-evident.
Modern Packaging	Label sample not furnished	Ex date not shown.
Modern Photography	MPDBSCOT666THERZ2 A [FEB72]	Self-evident.
Modern Romances	MR ALE213307MO89 01 [1071]	Self-evident.
Modern Screen	MS SRI7BX421TO19 01 [0971]	Self-evident.
Monographs of the Srcd	PA19007 ROHROHM[NO] MON 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Moody Monthly	Mrs John Smith [NOV71]	Self-evident.
Motive	COUN LAY LIFE & WORK [07/71]	Self-evident.
Motor Boating & Sailing	MB[MAR72] 10001 03 PRK3MS 730198	Self-evident.
Motor Trend	7420TOM *10011111 [7912]	Last four digits in code line show ex date: first two show year, last two show month. 7912=December 1979.
Motor Cycle Sport Quarterly.	7920TOM *10011111 [7912]	Last four digits in code line show ex date: first two show year, last two show month 7912=December 1979.
NEA Journal	Label sample not furnished	Ex date not shown.
National Review	* XRP1000D 946R 26 [021]	Last three digits in code line show ex date: first two show month, last shows year. 021= February 1971
Nation's Business	Edward P. Paul [MAR71]	Self-evident.
Negro Digest	4112200CHRI 3T225994 0[07/71]	Self-evident.
New Lady magazine	Label sample not furnished	"1 Oct 70 shows a one-year sub ending Oct. 1970; 2 Oct 71 a two-year sub ending Oct. 1971," etc. Location not stated.

Magazine	Label	Explanation
New Republic, the	NR MMA4BB 32T019 1 [0571]	Self-evident.
New York	Z224063 D 369 [6-72]	Self-evident.
New Yorker, the	613592 BRB 1949K091 [50*71] 2 X	Last five digits, but two, from end of code line show week and year of ex date: 50*71=50th week, 1971.
Newsweek	DE* 4440 MDI *J 1 0H3100 [1071]	Self-evident.
Nursing, American Journal of	10Y 706F00D9JX [71SEP] 1A	Self-evident.
Nursing Outlook	NP 340EL C90A8 [71JAN] 1A	Self-evident.
Outdoor Life	586728 SAR B0002E93 [AUG70] 0 3	Self-evident.
Outdoor World	OWWZ WST2094T93306J927932[371]	Last three digits in code line show ex date: 371=March 1971. "N indicates November-December."
Pace	OKEIGE926AK 01154 [OCT73]	Self-evident.
Parents	52H WRR 60 8G5 63 [JUL73]	Self-evident. (This ex date style will start "sometime in 1971.")
Perspective in Biology & Medicine.	PA19007 ROHROHM [NO] PBM 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Phoenix	PM 008517 A 98 [7012]	Last four figures in code line show year and month of ex date: 7012=Dec 1970.
Photo Weekly	BBDNGOLD121JORSZ640[] B9C03012	20th, 21st & 22nd digits in code line show ex date: year (0 thru 9), week (1 thru 52).
Photoplatemakers Bulletin.	Label sample not furnished	Ex date not shown.
Physiological Zoology	PA19007 ROHROHM [NO] PZ 209	15 th & 16th digits in code line show ex date. Examples: 13 =January 1973, 59=June 1969 (?), NO=November 1970.
Popular Electronics	Label sample not furnished	Ex date clearly shown two digits in from end of code line: i.e. "JUL70."
Popular Mechanics	PM [SEP 71] 10001 0 PYNICL 462898	Self-evident.
Popular Photography	Label sample not furnished	Ex date clearly shown two digits in from end of code line: i.e., "JUL70."
Popular Science	386728 SAR B0002E93 [AUG 70] 0 3	Self-evident.
Presbyterian Life	PMF 95627DRS1BX877M9600729 [137]	Ex issue date shown in last three digits of code line i.e., 137=issue of 9/1/70.
Priest, Today's Family Digest, My Daily Visitor, Our Sunday Visitor.	0100BRNCU2153792 K26B [11-70]	Self-evident.
Private Pilot	Label sample not furnished	Example given: "John Smith SEP"—Ex month. "E 70"—Ex year; may be reversed—07.
Progressive Farmer, the	3MWZ IHECPO 4797301J901386[D72]	Last three digits in code line show ex date: months apparently coded 1 thru 9, Jan. thru Sep., O.N.D., Oct., Nov., Dec.
Psychology Today	OMUNAA0113AB 70344[DEC69]AM10	Self-evident.
Purchasing Week	56ZOCNLk54ADJAO [JAN71]	Self-evident.
Reader's Digest, the	B 75505 91205 PL1 [FEB72]	Self-evident.
Redbook	RA25A07424ASC4MR015397R2HM5[474]	Last three digits in code line show ex date. Months coded 1 thru 9, Jan. thru Sept.; O,N,D, Oct., Nov., Dec.
Revista Notaria	Label sample not furnished	Ex date not shown.
Rod & Custom	7420TOM *10011111 [7912]	Last four digits in code line show ex date year & month: i.e., 7912=December 1979.
Rotarian, the	Label sample not furnished	Ex date not shown.
Rudder	88 89 7980 BYR304MCJ-8 [APR74]	Self-evident.
Sales Management	Label sample not furnished	Ex date shown on renewal notice only.
San Diego	OMBOWR9335AN 04072[OCT72]	Self-evident.
San Francisco	1-2-[5-70]	Last three digits in code line show ex date: 5-80=May 1980.
Saturday Review	Label sample not furnished	Ex date shown clearly as "APR73"—location not stated
Scholastic	Label sample not furnished	Ex date not shown.
School Review	PA19007 ROHROHM[NO] SR 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1979 (?), NO=November 1970.
Science & Mechanics	15 88 0260 TEB626CAE-7 [APR73]	Self-evident.
Science Digest	SD[NOV72] 10001 03 PRR1LT 746390	Self-evident.
Scientific American	BETLILXEMO49*[471]*42470DCG	Figures between asterisks indicate ex date: months coded 1 thru 9, Jan. thru Oct., O, N, D, Oct., Nov., Dec.
Scouting	3640075 TRNDW541C9 10D[011]SA	Last three numerals in code line show ex date: 01 thru 12=months, 0 thru 9=year. I.e., 011=January 1971.
Signature	50L0-2-9269 4 [L71]	Last three digits in code line show ex date: months coded A thru M, omitting I. I.E., L71=November 71.
Ski	K81 F143828 [120]	Last three figures in code line show ex issue. 120=October 1974 issue.
Skiing	Label sample not furnished	Ex date shown clearly two digits in from end of code line: i.e., "JUL 71."
Skin Diver	7420TOM *10011111 [7912]	Last four digits of code line show ex date year and month. 7912=December 1979.
Social Biology	PA19007 ROHROHM [NO] SB 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Social Service Review	PA19007 ROHROHM [NO] SS 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Sociology, American Journal of.	PA19007 ROHROHM [NO] SOC 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Southern Living	3MWZ IHECPD 4797301J901386 [D72]	Last three digits in code line show ex date: months coded 1 thru 9, Jan. thru Sep., O, N, D, Oct., Nov., Dec.
Spining Wheel	33470S [DEC72]	Self-evident.
Sportfishing	J4 S 573819004 P21 A[C1] PCRA	17th & 18th digits in code line show ex date: months coded alphabetically, last figure of year shown. C1=March 1971.

HOW TO READ SUBSCRIPTION EXPIRATION DATES—Continued

[Compiled by Magazine Publishers Association]

Magazine	Label	Explanation
Sports Afield	SA[AUG71] 10001 03 PSC4VL 421590	Self-evident.
Sports Car Graphic	7420TOM *10011111 [7912]	Last four digits of code line show ex date year and month. 7912=December 1979.
Sports Illustrated	[MY569] BWL PRO90B92T51 42 11	First five digits in code line show ex date, month, issue and year. MY569=fifth issue, May 1969.
Standard Rate & Data (all publications)	Label sample not furnished	Ex date not shown.
Stereo Review	Labe sample not furnished	Ex date clearly shown two digits in from end of code line: i.e., "JUL71."
Successful Farming	2 609300D5C4R-1 996 [1274]	Self-evident.
Sunset	110 468662 B [JAN75]	Self-evident.
Swimming World	SCA92103RUZCC42261 [7112] A 1 M	19th thru 22nd digits in code show year and month of ex date: 7112=December 1971.
TV Guide	81702201 823 [977]61	12th, 13th & 14th digits in code line show ex issue, which appears on masthead. Ex date not shown.
TV Radio Talk	DS LBL4MN129E009 01 [0774]	Self-evident.
Tan	X3841COTHM155385683 [09/71] 2	Self-evident.
Technology & Culture	PA19007 ROHROHM[NO] TC 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.
Teen	7420TOM *10011111 [7912]	Last four digits in code line show ex date year and month. 7912=December 1979.
Time	[AU71] T1E AE224M94T56 84 67	Self-evident.
Today's Education	Label sample not furnished	Ex date not shown.
Today's Health	TH JSS3BX132V069 03 [0871]	Self-evident.
Top OP	000 6C9250 WEE*KN******0 [7008]	Last four digits in code line show ex date: year followed by month. 7008=August 1970.
Town & Country	TO[DEC71] 10001 03 PRZ2CR 451291	Self-evident.
Travel	MX0[1-31-71]-66-000124CG	Ex date shown as marked at left. No explanation given.
True	88 89 7980 BYR304MCJ-8[APR74]	Self-evident.
U.S. News & World Report	63HDA94025LNZ2ST009692UX2[DEC71]	Self-evident.
Vend	BBDNGOLD121JORSZ640[011]B9C03012	20th, 21st & 22nd digits in code line show ex date. Year (0 thru 9), month (1 thru 12). 011=November 1970.
Venture	AES4 1070 265127 VE [0871]	Self-evident.
Vogue	321100 KNI 0019G093 [SE175] 1 7	Last five (or four) digits, except two, from end of code line show ex date, month, day and year. SE175=Sep. 1, 1975, SE275=Sep. 15, 1975. Months when only one issue published shown without numeral between month and year: i.e., MAY 71.
Washingtonian	04330HASK F241 *69199 2[22]	Last two (or three) digits of code line show ex date: i.e., 22=February 1972.
Western Outdoors	WCA90016MOSLE34311 [7301] 15	Last four digits, save two, in code line show ex date, year and month. 7301=January 1973.
Wheels Afield	7420TOM *10011111 [7912]	Last four digits in code line show ex date, year and month. 7912=December 79.
Yachting	0738574R [1270] 0021L912N	Self-evident.
Yankee	XC10100639 KINSEDB#ZHL [12/71]	Self-evident.
Young Miss	32B 1 ZGR 10 OJ1260 G[74]	Last two figures in code line show ex issue number. (Sometime in 1971 will be changed clear showing of "OCT 71," etc.)
Ziff-Davis (all publications)	[MAY 74]	Self-evident.
Zygon	PA19007 ROHROHM[NO] ZY 209	15th & 16th digits in code line show ex date. Examples: 13=January 1973, 59=June 1969 (?), NO=November 1970.

TRIBUTE TO AMERICANS OF BALTIC DESCENT

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

Mr. PRICE of Illinois. Mr. Speaker, today is a day of both joy and sorrow for Americans of Baltic origin or descent and their families. For these citizens it is a day of rejoicing their distinguished spiritual, cultural, and historical background. It is, however, also a day of sadness since no Baltic-Americans can forget the suffering which their people have endured and continue to endure for the cause of freedom. At this time I ask all Americans to join with me in honoring our fellow citizens of Baltic descent.

The Balts are proud peoples who have inhabited the shores of the Baltic from time immemorial. For centuries the peace-loving Lithuanians, Latvians, and Estonians have been subjected to repeated attacks and occupations by other countries. In spite of the attacks against them, the Balts have preserved their ethnic unity. Today, these people are struggling to maintain their distinctiveness against the Soviets and to regain the right of self-determination denied them.

The Government of the United States has repeatedly confirmed our Nation's support for the cause of the Baltic peoples. Hence, we have refused to recognize the seizure and forced "incorporation" of Lithuania, Latvia, and Estonia into the Union of the Soviet Socialist Republics. A more positive action was the unanimous adoption in the 89th Congress of House Concurrent Resolution 416 which urged the President of the United States to insure that the issue of the liberation of the Baltic States would be brought to the attention of the United Nations. It is still our hope that the plight of the Baltic people will be placed on the United Nation's agenda.

FREEDOM OF COMMUNICATIONS—THE FIRST PRIORITY

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

Mr. PRICE of Illinois. Mr. Speaker, increasing attention is being directed toward the issue of freedom of communications. On May 29, Mr. Robert Hyland, vice president, CBS, and general manager, station KMOX, St. Louis, Mo., delivered the commencement address at Lindenwood College, St. Charles, Mo., in which he commented on this very important issue.

I would like to share Mr. Hyland's very timely remarks with my colleagues. Mr. Speaker, I include his speech at this point in the RECORD:

FREEDOM OF COMMUNICATIONS: THE FIRST PRIORITY

(By Robert Hyland)

President Brown, distinguished honorees, faculty members, parents, guests, members

of the graduating class of 1971. I am extremely honored to be here with you today on what is surely one of the most important days in the life of each and every person in this assemblage.

For you graduates, it is a day of elation, the culmination of years of effort and study. For you parents and close friends, a day of pride. And, you must admit it's also a day of relief that the enormous task of providing your child with a college education has at last ended. For you faculty members, it is a day of quiet satisfaction when a new group of young men and women leaves the campus . . . and takes a little bit of you with them.

Since it is such an important day, I hope that you will find my message as meaningful as the occasion. I want to begin by telling you what I'm *not* going to do. I'm *not* going to talk long. We broadcasters are disciplined along these lines. We are accustomed to thinking in minutes, seconds and fractions of seconds. And we must make each second count, or we do not, ultimately, survive in the marketplace. Perhaps this respect for time is the reason we are asked to make commencement addresses.

Secondly, I'm not going to berate the younger generation. I'm *not* going to tell you graduates that I disapprove of the style of your clothes, the screeching of your music or your generation's proclivity for demonstrations.

There's no doubt that your generation is unique, bold and often disturbing. But the rest of us must admit that the times call for unique approaches and bold solutions. And perhaps we needed to be disturbed about important issues.

The fact is evident that your generation, with all its abrasive qualities, has already made an impact on this nation unparalleled by any other generation of young people.

You have affected our clothes. Your disdain of conventional styles has inspired your mothers to bellbottoms, your fathers to peacock blue shirts, and your grandfathers to the wide ties they sported as young men.

You have affected our music. The persistent beat, the anti-sentimental lyrics, the unconventional tempos of your music have influenced virtually every contemporary art form.

You have affected our very language . . . "hangup, uptight, it's a blast, a drag, out of sight." You've got *all of us* talking this way.

But most of all, you have affected our attitudes. And you have affected them for a very simple reason: because you asked "why?" You asked "why?" early in life . . . in your grammar school years. "Why do we send rockets into space?" "Why don't black people live in our neighborhood?" "Why do you go to church?"

You asked "why?" in your high school years. "Why can't I wear jeans to school?" "Why is marijuana worse than liquor?" "Why don't you like Jews?"

And the questions you asked grew more frequent, more complex, more challenging the older you got. And we found ourselves not answering glibly, in the assured manner of parents and teachers, but introspectively, searchingly, sincerely . . . and sometimes, in all honestly . . . we answered unsurely. Because all too often we hadn't bothered to ask ourselves "why?"

Now these questions of yours were very disturbing to us for several reasons. First, because when we were young, we simply didn't question our parents in this manner. It wasn't permitted. The rules were laid down. The pattern of life was set. And we followed. Not that we didn't have our feelings of rebellion. Not that we didn't think our secret, silent thoughts about the generation in charge of things. But the authority of parent, teachers, church and government was basically unquestioned and unchallenged.

There was another reason we were a more passive generation, more given to acceptance than analysis, more willing to follow rather than innovate. We simply didn't know as many questions. We didn't know as much about scientific advancement, or racial problems, or religious controversy, or world affairs. Our world was circumscribed by home and neighborhood, church and school. Unlike you, we were not children of the communications explosion.

We did not have the world at our fingertips from the time we could toddle. We were not reared on the sights and sounds of happenings in space. The sufferings of American minorities in other sections of our own city were as remote as the agonies of the Middle Ages. We couldn't compare the words we learned in school . . . words like equality, liberty and justice . . . with the reality of life.

But you young people could . . . and you did. Because electronic journalism brought the world to you. And radio and television helped make you a generation to be reckoned with . . . long before you reached adulthood.

Because radio and television have been so important in the lives of today's young men and women I welcome this opportunity to speak to you about the survival of broadcasting. Yes, I said its survival. And I am not being overdramatic.

For we in broadcasting are now engaged in a struggle, against government control that is truly a matter of life and death. And if we lose, you lose. For it is you young people who must live with the consequences of a future without free electronic journalism.

You may be asking yourselves at this point if broadcasting, like the press, is not protected from government control by the first amendment to the constitution, the guarantee of free speech and free press.

This *should* be the case. But, unfortunately, it is not. For there is a very important distinction between our brothers in newspaper and magazine journalism, and those of us in electronic communications. Broadcasting is licensed by the Federal Government. Newspapers and magazines are not. Broadcasting stations must petition every three years to a Federal agency for renewal of individual licenses. Newspapers and magazines are free of this obligation.

The origin of government control over broadcasting has a technical basis. The number of frequencies on the broadcast spectrum is limited. So the Federal Government assumed the function of assigning dial positions to prevent overcrowding of stations on adjoining frequencies. From this limited beginning the licensing power sprung. And although it has never been used with full government muscle, it is there *to* be used.

Now, I am not saying the Federal Communications Commission acts as a supercensor, telling radio and television stations what to say and when to say it. I am not calling the FCC a bureaucratic big brother, who stands ready to pull the plug on your station if you get out of line.

But the FCC is there. The structure for putting a station off the air exists. And it could be used, if power ever fell into the hands of an administration without understanding of and respect for freedom of communications. And that is why I have chosen freedom of communications as my topic. And that is why I regard this freedom as our nation's first priority. For at the present time, the electronic half of our press is *not* free . . . despite our constitutional guarantee of free press. Government control breeds caution . . . a let's-play-it-safe attitude. It breeds the strongest and most inhibiting of human emotions . . . fear. And true freedom cannot exist in a nation where a segment of its journalists are afraid of the government.

Let's put the situation in print terms. I'm sure you are all familiar with the recent story in Life Magazine regarding the Mayor of St. Louis. This article alleged that the Mayor had connections with organized crime. I don't propose to discuss the accuracy or the validity of the Life story. But let us imagine the results if magazines were required, by law, to be licensed by city governments for distribution in that city. Don't you believe that Life Magazine would be concerned about its St. Louis distribution? And don't you also believe that Life's editors and publishers would hesitate at least for a moment, before undertaking a similar series of articles on other cities? The answers are obvious. All too obvious.

Because I bring up these very real threats to freedom I do not mean to imply to any degree that I regard broadcast journalism as perfect. I certainly believe we must work constantly to improve our creativity, accuracy and objectivity. And we must work toward these goals as individual journalists, as stations, as networks and through the self-policing efforts of our entire industry. But broadcast journalism perfection, or lack of it, is not the central point. Freedom is the central point.

You young people have shown that you understand the importance of freedom . . . of being unafraid to communicate your thoughts and opinions. You have shown on campuses across the nation that you want to express your thoughts on the war, on our environment, on higher education, on women's liberation. You name it, you young people have communicated with those in authority about it. We haven't always liked the way you communicated. At times you didn't reach us because you hadn't clearly defined your objectives. You hadn't set feasible goals. And all too frequently your tactics were so bizarre and so adolescent that they obscured the valid points you were making.

But you showed you understood the importance of being able to question policy . . . to challenge the decisions of those in authority . . . to ask "why?" You young people have also found that asking "why?" does not always get you valid answers. You have to keep asking . . . keep trying . . . keep speaking out . . . or the freedoms you have won will turn out to be mere illusions.

And for this sort of situation I fault some of the administrations of our colleges and universities. For if there is to be a true student-facility-administration communication, any give-and-take must not be a token pacifier. It must be true communication, consistent, continuing . . . an effort of substance . . . not a paper committee, with token student representation.

We in broadcasting can no longer tolerate *our* token freedom. And we can no longer live silently with a system that holds within it the potential for tyranny.

Since the beginning of government regulation, there have always been skirmishes between broadcasting and the government. When station management receives that official, government-franked letter from the FCC there is always concern. The letter may be a routine survey . . . or an inquiry on a listener complaint. But it is read with much anxiety because there is always the possibility that somehow, unknowingly, the station has done something to jeopardize its license. The language of such letters is invariably polite. But the power is there, and everyone involved knows it. We want you, the citizens of today and tomorrow's America, to be fully aware of this power, too. And we want you to be aware of its danger in a society which calls itself a democracy. Lately there have been confrontations between government and broadcasting that have spotlighted this entire problem of government control.

The most notable of these confrontations have been, of course, between Vice President Spiro Agnew and the electronic media. It is not just the executive branch of government

that poses the threat. More recently there had been a head-on clash between a House Subcommittee and our own network. I'd like to discuss each of these confrontations.

Vice President Spiro Agnew is, unquestionably, a man of great sincerity and great persuasiveness. He has conviction. He has principle, and he has power. Unfortunately, he has used this persuasiveness and power to raise questions in the public mind about whether electronic journalists should be trusted with their freedom. The Vice President started this crusade because he regards some network reports as biased against administration policies.

We question his basic premise. But more importantly, we take issue . . . head on . . . with the inevitable implication that if networks are biased . . . "something should be done about it." We believe for an elected official of this level to use his power to encourage such thinking is unfortunate at best.

Mr. Agnew's statements, without doubt, have given weight and credence to a point of view that is the complete opposite of our concept of democracy and free speech. The heart of our democratic process is diversity of opinion, individual conclusions, discussion, dissent, opposition . . . and then the ballot. But this must exist in a climate in which information is brought to the public by free media . . . and then the voter holds the power of decision.

Unfortunately, Mr. Agnew's point of view would find fertile ground with all too many Americans . . . even without the respectability he granted it. A year ago, CBS conducted a survey on the Bill of Rights in which a cross-section of persons was asked, "except in time of war, do you think newspapers, radio and television should have the right to report any story, even if the government feels it is harmful to our national interest?" A large percentage . . . 55 per cent . . . said they should *not* have any such right. In other words, a majority of the American people do not understand the first amendment, free speech and free press . . . and what's more, they are not in favor of it.

Now let me state that many sincere citizens, persons who believe they are patriotic Americans, do not see long-range dangers in the Vice President's tirades. They do not see potential tyranny in labelling free-swinging journalism as un-American.

But we urge these citizens and those in this audience to consider the alternative. Suppose our press, radio and television did *not* question government policy? Suppose they took it all at face value? Suppose the reports we read, heard and viewed were consistently favorable to those in power . . . without probing . . . without comment . . . without analysis? Suppose we heard only the good results of government programs . . . the pleasant anecdotes about those in high office?

Suppose we never learned of defeat, or corruption, or malfeasance or opposition . . . or plain inefficiency. Of course this would be more comfortable for those in power. And it would *seem* more comfortable for a time for the citizens. But the comfort would be the deadly bliss of ignorance. It would be comfortable . . . but it would not be *freedom*.

The second current challenge to freedom of communication involves our own network specifically. And it centers on a single program, "The Selling of the Pentagon." This program dealt with military public relations activities, and it has created quite a furor.

Congressman Harley Staggers, Chairman of the Investigations Subcommittee of the House Commerce Committee . . . the group that has jurisdiction over the FCC . . . has launched an investigation of the program. He wants to find out whether it is accurate or not. His committee subpoenaed CBS to provide the broadcast film . . . plus . . . all raw material, notes, unused film and so-forth.

We furnished the film of the program, but we respectfully declined to furnish the raw material from which this film was built. Because to do so would be to sanction a government agency's right to judge our journalistic accuracy, our editing ability, and our very function as members of a free press in a free society.

The committee has since modified its subpoena to call for only the film footage edited out of the broadcast. CBS is standing firm on its position not to provide material not actually used in the broadcast.

As our CBS President, Frank Stanton, stated, "We will take every step necessary and open to us to resist this unwarranted action of a congressional committee and to keep broadcast journalism free of government surveillance. Too much is at stake for us to do less."

We also believe that too much is at stake for you to do less than join us in this fight.

I therefore call on you today . . . as the young men and women who will live in our nation today . . . and govern it tomorrow . . . to join us in this crusade to extend constitutional freedoms . . . to broadcasting.

For without free radio and television . . . without uncensored, unfettered, and unafraid broadcast journalism . . . no other freedom is possible in the twentieth, twenty-first and twenty-second centuries . . . and all the centuries to come. That is why I have termed freedom of communications our number one priority. And that is why I direct my appeal to members of a generation that has demonstrated such sensitivity to challenges to freedom.

At no other time in the history of the world, and in no other society, have so many people been exposed to communications. Virtually all our people hear radio, view television. It must be our great mission and your great mission that what they hear and view shall be free of the grasp of the long arm of government control.

You are the communications generation. You owe much of your knowledge to electronic media. Broadcast journalism helped you learn how to ask "why?" It is, therefore, your responsibility to make certain that these electronic marvels never become fawning servants of *whatever* group is in power. And I mean *whatever* group . . . far left, far right . . . or moderate center. For to serve the people . . . to serve freedom, the press, both electronic and print . . . need not be perfect. That is beyond human capacity to achieve . . . or even define. But it must be free . . . to challenge . . . to question . . . to probe. It must be able to do what your generation has done so effectively . . . to ask "why?" . . . without favor . . . and without fear.

UNITED STATES BEGINS ALL-OUT FIGHT AGAINST DRUNK DRIVERS

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

Mr. HARSHA. Mr. Speaker, according to the National Safety Council, over 55,000 people died, 2 million were injured, and over $8 billion in property damages were sustained as a result of traffic accidents on the Nation's highways last year.

Throughout the decade of the 1960's, 475,000 men, women, and children were killed, over 17 million were injured, and $90 billion in economic damages were sustained.

This is an appalling squandering of lives and treasure. The gravity of the situation is illustrated by the fact that highway deaths outnumbered combat losses in Vietnam over the same period by a margin of 10 to 1.

To me, one of the most disturbing aspects of these tragic statistics is that problem drinkers were a factor in almost half of all highway mishaps in which a death resulted.

A recent article in the May 30, 1971, edition of Parade magazine entitled "United States Begins All-Out Fight Against Drunk Drivers" outlines part of the effort being taken on a community level to combat this devastating problem. The article was written by John G. Rogers and significantly indicates that the steps that are being taken by the alcohol countermeasures program of the Department of Transportation will solve the problem if given proper public and financial support.

I commend this article to my colleagues and encourage them to seek support from their district residents for strict enforcement of present laws and new programs of highway safety:

UNITED STATES BEGINS ALL-OUT FIGHT AGAINST DRUNK DRIVERS

(By John G. Rogers)

In Charlotte, N.C., the liquor stores are giving each customer a breath-testing kit that will tell him when he's too drunk to drive.

Nassau County, N.Y., has a new 24-hour telephone hot line which a drunk may call to ask for transportation when he feels he shouldn't drive his own car.

In Albuquerque, N. Mex., nine extra law officers are assigned the sole duty of patrolling high-accident areas looking for intoxicated people behind the wheel.

Ann Arbor, Mich., gives a person caught for drunken driving the option of escaping jail or fine by agreeing to swallow every day one anti-alcohol pill—then even one drink makes him unpleasantly ill.

These and many other local projects are part of an $18 million experimental drive the Federal Government has begun against the mounting toll of traffic deaths caused by problem drinkers who insist on driving.

"This is the most massive attack ever made in this field anywhere," says Willard Y. Howell, a director in the Department of Transportation. "There's been too much sloganeering in the past. Now we want action. The problem drinker who drives is a sick killer who needs help. Let's find him and help him, get him out from behind the wheel of that car that's bearing down on your kids and mine."

Of the 55,000 highway deaths in the U.S. last year, it's estimated that 20,000 involved problem drinkers.

"That," says Howell, in anger, "comes to 385 deaths a week. But do you hear any public outcry about that shocking figure? No, none at all. We just let it keep on happening. It's recorded in little items here and there in newspapers. What do you think would happen if a 747 crashed once a week killing that many people every time? Congress and the public would be screaming for investigations and action."

MANY DIFFERENT

Howell, director of the Alcohol Countermeasures Traffic Safety Program has nine local projects in action so far. Twenty more are to be added this year and 11 in 1972. Although there is some duplication in approach—nearly all, for example, lay stress on counseling and rehabilitation for the problem drinker—every project has its own variations. The aim is to find out what combinations of measures work best to combat drunken driving, then put them into effect in all 50 states.

The federally-funded experimental phase of the program is set for three years and the goal is to reduce traffic deaths by 15,000 by 1975. Other projects already at work are

centered in Madison, Wis.; Portland, Ore.; Olympia, Wash.; Waterbury, Vt., and Denver.

TEST THAT BREATH

In a few cases results already can be measured:

Says John Kelly Wall, assistant project director in Charlotte: "We've started handing out 100,000 breath-testing kits in 15 liquor stores. Eventually we hope to have them available in just about every place where people drink. I already know of a few cases of people using one after a private party—they breathe into a tube and chemical crystals turn green according to how many drinks they've had—and after seeing the result call on someone else to drive the car."

And James W. Henderson Jr., project director in Ann Arbor, reports: "We're putting 30 people a month into our anti-alcohol program. They're all people convicted of or pleading guilty to driving while intoxicated or being drunk and disorderly. The usual sentence is 30 days but the judge gives them the choice of joining our program.

"If a man can't afford the cost of a pill a day, we give it to him. So far none of them has slipped off—we know this because they come in once a week for a blood test. They would get good and sick if they took a drink. This pill is so sensitive that some men can't even use a shaving lotion with alcohol in it—the body would react even to that external exposure."

Henderson says his pill-takers are a broad slice of life—kids cocky over piling up a car, men of poor background, men with very good jobs. And many of them are problem drinkers who frequently take to the wheel while drunk. The pill is not regarded as the final solution but it holds the line while the offenders are prepared for counseling.

Nearly all the project directors report that very few of their subjects are women. Says John F. Blenn, director in New York's Nassau County: "It's well known that lots of problem drinkers are women but they don't drive cars while drunk nearly as much as men."

Some more extreme measures are being considered. Blenn says that one of them is impounding the car of a drunken driver, or making him put a special license plate on his car, perhaps bearing the letter A—for alcohol. Albuquerque is pondering inspection of drivers at road blocks, and project director Curtis T. Thatcher reports that the special antidrunk patrol cars are equipped with video-tape cameras to record erratic car operation and poor coordination by drivers.

TALK IT OUT

Dr. James Ray Adams, psychologist who operates several phases of the New York project, holds regular rehabilitation meetings for people who have mixed alcohol and gasoline. In groups of 12 or so, they sit around and talk out their misconduct. This frequently brings out that the offender was under some kind of stress that made him drink, then drive. There was the case of a steady, professional truck driver arrested for speeding at 100 mph on the New York Thruway. Probing questions brought out that he was grief-stricken over the death of a grandchild. That driver was probably not in danger of repeating, but another case was chronic—a wife and husband who simply couldn't stand each other. They would argue and fight to the point where one or both of them would storm away and drink—then drive. That, says Adams, is the kind of case that must be helped through counseling. Some of the offenders are such problem drinkers that they actually come to the rehabilitation meetings half boiled.

OFTEN TOO EASY

The anti-drunk driving program faces many difficulties. Police, admittedly, often go easy on an offender, knowing that an arrest means revocation or loss of the man's license and perhaps that deprives him of his livelihood. Also, how far should the law go in making sure that an offender doesn't drive. A California study showed that in two-thirds of all revocations, the driver went right on driving. And a tough legal question—even though police and psychologists can single out the kind of individual who's likely to cause a drunken driving accident, what can be done to stop him *before* he's done his damage?

To keep that man from behind the wheel, Howell's program would need strong cooperation by his family. And for all phases of the project, strong support of the community is needed, and that means it must be well publicized. To this end, Nassau County has made 30 copies of a seven-minute film which commercial theaters have agreed to run. Charlotte has set up a 14-man speakers bureau and it's a rare day when one or more of its members is not in action. Says J. Harry Weatherly, project director: "The idea is to make the whole community conscious of what we're trying to do and to make them keep it on their minds. This has got to be a continuing thing."

WE MUST CHANGE

And Howell adds: "Another thing we need from the community is willingness to change a national, lifetime pattern of conduct. It's part of the American social pattern to drive after drinking. Most of us have done it for years. Now, we simply have got to change. If you want a reason, look at the figures. We may soon hit 60,000 traffic deaths a year. Half of those will involve alcohol. All we're asking people to do is keep themselves alive."

AFA PRESIDENT COMMENTS ON U.S. WEAPONS PROGRAM

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

Mr. WAGGONNER. Mr. Speaker, I have obtained a copy of the recent remarks made by Mr. George Hardy, president of the Air Force Association, concerning the state of our weapons program. Because I believe Mr. Hardy has a particularly clear insight into our needs and our status vis-a-vis other nations, I would like to share these remarks with you:

AFA PRESIDENT COMMENTS ON U.S. WEAPONS PROGRAMS

(By George Hardy)

Recently, diverse political forces launched a series of well-planned attacks on a number of weapon system development programs. This was the start of a well-organized smear campaign which is lethal in intent and ingenious in its use of half-truths and no-truths at all.

The first target in this devious effort is the B–1 strategic bomber program of the United States Air Force.

The driving force behind these activities is a loosely constituted group of legislators who call themselves Members of Congress for Peace through Law. And they have tasted blood. They spearheaded the successful drive that killed the U.S. SST program earlier this spring.

At the latest count, there were 115 members in the so-called Peace through Law group—29 Senators and 86 Congressmen. Senator Mark Hatfield of Oregon is Chairman of the Steering Committee. Senator William Proxmire of Wisconsin chairs the committee concerned with Military Spending, Arms Control and Disarmament. The task force which concentrated on the B–1 was headed jointly by Senator George McGovern and Congressman John Seiberling of Ohio. Not surprisingly, this group of Congressmen is broadly and eagerly supported by the liberal news media and the New Left.

Three points stand out in this anti-B-1 campaign. They are the claims that the country no longer needs a new strategic bomber . . . that if it did, the B–1 would be the wrong airplane . . . and finally, that the financial management of the program is a failure. Let's take these points one by one.

In order to do this, we must raise a few questions. The most obvious one is "Do we need a diversified force for our strategic nuclear deterrence?"

The primary objective of our strategic forces is to deter nuclear attack upon ourselves or our allies. We seek to achieve that objective, first, by ensuring that our strategic forces always have the capability to retaliate decisively against an all-out surprise attack. This is our "Assured Destruction" capability.

Also, we incorporate into our strategic forces a variety of other capability to provide the President with a range of nuclear options for situations short of an all-out nuclear exchange.

A secondary objective of our strategic forces, in the event deterrence fails, is to limit damage to ourselves and our allies, and to exert pressure on the attacker to end hostilities promptly and on favorable terms.

Of these tasks, "Assured Destruction" is the most crucial, since it is the keystone of our entire strategic posture. It requires, obviously, that there never be any question about the ability of our forces to accomplish the "assured destruction" task—now or in the future. Uncertainties in any one element of the strategic forces, which are bound to arise from time to time as technology advances and the threat changes, must be offset by capabilities provided in other elements.

Moreover, we must not only guard against "foreseeable vulnerabilities" in our strategic forces, but also against those which may not as yet be clearly visible or understood.

For example, we know a great deal about the theoretical vulnerabilities of land-based missiles and bombers simply because we have studied them intensively and critically over a period of years. The potential vulnerabilities of the sea-based missiles, in contrast, have not been subjected to the same kind of critical and intensive analysis.

Yet, unless we believe that technological progress will come to a halt—which flies in the face of all our experience—we must assume that "potential" vulnerabilities of sea-based missiles will in time become much more visible, Dr. Foster, the Pentagon's Director of Research and Engineering, has pointed out that the Soviets "could today with their technology make the sea transparent." This, and other statements, suggest that the concern for the survivability of sea-launched missiles is just beginning.

Given the long lead times involved in the development, production and deployment of major new weapons systems, we must plan ahead for at least 10 to 15 years. By that time, new and totally unanticipated vulnerabilities may appear in one element or another of our strategic forces, just as they have in the past. The only way in which we can ensure that these unanticipated vulnerabilities will not fatally weaken our deterrent is to maintain well diversified forces and to make sure that each element has distinctly different survival and penetration characteristics.

For this reason we have created a triad of forces, consisting of bombers—of which a large proportion are maintained on continuous ground alert. . . . land-based missiles deployed in hardened underground silos that are dispersed in the central part of the U.S. . . . and sea-based missiles deployed in submarines.

Each element depends on a different mode for survival. Bombers depend upon tactical warning coupled with quick reaction. Minuteman depends upon dispersion and

hardness. Polaris/Poseidon depends upon uncertainty of location of our submarines at deploy SLBMs with depressed trajectories close to our shores, it would bring into question the survivability of some of our bombers. If the Soviets deploy many, highly accurate ICMB's then our Minuteman force in silos is threatened. If the Soviets can reduce the uncertainty of location of our submarines at sea, then our SLBMs are threatened. If the Soviets achieve a significant advance in ABM technology, the value of both our ICBMs and SLBMs is compromised.

But a diversified force has the strong redeeming feature that a breakthrough in Soviet capability in any one area affects only that area and not our overall deterrent.

Further, and this is most important, by having a diversified force temporary vulnerabilities in any one element are not fatal. We can counter the vulnerability with deliberate well thought-out actions because we have confidence that the other elements of our forces will still work. On the other hand, if we put all our eggs in one basket, then we would have to be absolutely certain that there would never be any gap in the survivability of that force, however temporary.

Further, a composite force of bombers and land-based missiles greatly complicates Soviet "first strike" attack planning. That is, if the Soviets want to attack our land-based missiles and bombers at the same time with their ICBMs and SLBMs, they have two basic choices: (1) Launch the ICBMs first, then the SLBMs, so that both arrive over target simultaneously, or (2) launch both forces simultaneously.

If the Soviets make the first choice, then our bombers would have ample time to clear their bases before the SLBM warheads arrive. Our early warning system, which is already operational, can detect Soviet ICBM launches while they are still in the boost phase. We have under development a new system which could provide increased warning.

If the Soviets make the second choice, then there would be an interval of about 18–20 minutes between the detonation of the first SLBM warheads over our bomber bases and the arrival of the first ICBM warheads over the Minuteman silos. This would give our National Command Authority time to make a final decision and launch our ICBMs before they could be attacked.

Obviously, the presence of bombers and land-based missiles in the force greatly feeds the retaliatory capability of both and thereby strengthens our overall strategic deterrent posture. It confronts the Soviets with two mutually exclusive alternatives, each of which would be highly risky from their point of view.

Second, a mixed force of bombers and missiles complicates the Soviets defensive problem. While an anti-ballistic missile defense would be equally effective against sea-based missiles and land-based missiles, it would be of little value against low-flying B–1 bombers. Conversely, a good defense against low-flying B–1's would be of little value against land or sea-based ballistic missiles. In addition, the B–1 bomber is the only weapon system that's capable of fighting its way through whatever defenses the enemy creates because it can detect and destroy the radar installations needed for any kind of defensive system. Missile defenses and bomber defenses require different sets of equipment and technologies. Moreover, it is not enough to defend some targets against bombers and others against missiles—all must be defended against both if the defenses are to be of value.

Now, what is it that the bomber allows us to do . . . or more importantly, causes the enemy to realize what we can do . . . that the other two elements of the triad can't do . . . or do as well?

First, we have the potential for limited and controlled actions, as expressed in the President's desire to ". . . insure that all potential aggressors see unacceptable risks in contemplating a nuclear attack or nuclear blackmail, or acts which could escalate to strategic nuclear war . . ." If we think in terms of limited nuclear responses, we must immediately recognize the utility of the strategic bomber. After launch, the bomber can be redirected or recalled over a period of hours, always remaining fairly noncommittal with respect to the area it is threatening. In the case of ballistic-missiles, the only way we could "show the force" is to launch the missile. But, the ballistic missile, once launched, cannot be recalled and will irrevocably detonate in a matter of minutes. In a situation which demands action with discretion, the strategic bomber offers a singular way to show our force and still provide the opponent with important time to evaluate our intent and re-consider his own.

Bombers are also very useful in third area conflicts such as Communist China, both in a nuclear and conventional bombing role. In contrast to missiles, bombers can be recycled repeatedly, and employed in sustained campaigns.

Although specifically designed for delivery of nuclear weapons against strategic targets, bombers are equally useful in a conventional role against tactical targets, much as our B–52s are being used right now in the Southeast Asia conflict.

Finally the presence of a strategic bomber in a diversified deterrent force helps our position in SALT-type negotiations. This hinges on the fact that the bomber—because of its relative slowness—is an unlikely first-strike weapon. As such, it is less destabilizing than missiles and should be less subject to critical bargaining at the SALT table. If our objectives in SALT are to achieve stability while making deterrence work, we should decidedly benefit from possessing a strategic system that minimizes the possibility for first-strike and still assures that we retain a strong second-strike capability for retaliation.

I now come to the second major point that is being raised by the members of the Peace Through Law group and many of the news media. Simply stated, the accusation is made that if the country needed a bomber at all, then the B–1 is the wrong kind of airplane. The claim is made that a subsonic strategic bomber serving exclusively as a standoff platform for a new air-to-ground missile would be better than the B–1. For this reason, the Peace Through Law group has urged cancellation of the B–1 program and allocation of limited funds for basic research on such a standoff system.

I submit this reasoning is not only illogical but also leads to a weapon system that would provide less deterrence for higher costs than the B–1. There are two ways of achieving the standoff capability. One is by using a large aircraft as a launching platform for ballistic missiles. This is not only enormously difficult in terms of guidance system and very expensive but also gets us right back at my earlier argument against putting all of our eggs in one basket. Remember that a single major advance in Soviet ABM technology would be effective against ALL long range missiles whether launched from under the sea, from silos, or from aircraft. ALL have ballistic trajectories.

So, the only alternative that makes any sense at all is to have a standoff missile that penetrates at low altitudes and over great distances. Extensive studies by the Air Force, the Department of Defense, and outside experts over a number of years have addressed this question . . . and rejected it because of higher cost, lower performance and other ill effects. I don't want to belabor the highly technical aspects of such a system.

But this much is certain as well as obvious: In order to have a range of at least 1,500 miles, such a missile would have to be subsonic and be powered by a conventional engine, two factors which virtually assure that it would be highly vulnerable to the enemy's SAMs. In addition, its minimum cost would be half a million dollars per missile . . . its size so great that the launching aircraft could carry no more than four aboard . . . its nuclear payload would be far below that of the B–1's bombs . . . and, because of inflexibility both the missile and its launching platform would be highly vulnerable. The gaggle of other accusations levelled against the B–1 is equally invalid. I am proud to say that the Air Force Association and AIR FORCE Magazine are dealing with these false claims in detail . . . refuting the range of errors from the B–1's alleged need for a special new tanker to insinuations about its inadequacy in terms of penetration speed. For reasons of time, I will single out only one other major point . . . that of costs. Cutting the DoD budget in order to fund allegedly underfunded social programs is the name of the game in the Congress and it is being played with the greatest degree of ostentation. The most cynical charges against the B–1 program are in the financial field, and suggest cost overruns and financial mismanagement. The most transparent hoax perpetrated by the Peace Through Law group is to charge the B–1 with such tangential elements as the cost of the Short Range Attack Missile (SRAM) which was developed for the B–52 and FB–111, and the eventual need of a new tanker . . . which would serve TAC as well as SAC. With the help of this kind of financial fast shuffle, the Committee arrives at the insinuation that the B–1 program will cost the taxpayer between 47 and 75 billion dollars. Actual cost forecasts by DoD and the Air Force are around $1 billion . . . and during the past year alone, frugal management techniques have reduced the cost of the current R&D phase by about half a billion dollars. To me the devious juggling of figures by opponents of the B–1 is the height of irresponsibility.

At AFA's National Convention last fall Secretary Seamans made this statement:

". . . It might be possible to undermine the effectiveness of either missiles or bombers alone, but to counter both at the same time would be a vastly more difficult problem. We must retain this stabilizing capability for the indefinite future. The B–1 gives us an improved system to do the job and represents the most economically feasible means to achieve this end . . . we must expedite the development of this aircraft."

The Air Force Association believes ardently that attainment of this goal is one of the most vital tasks this nation faces in today's troubled world. And we hope and pray that like the venerable B–36 it will provide many years of service . . . providing free men with peace without having to fire a shot in anger.

THAI FOREIGN MINISTER TELLS HOW OTHERS SEE US

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

Mr. WAGGONNER. Mr. Speaker, I have wondered, as I am sure you have, what opinion other nations of the world have of the United States these days. When I read of some of the lunacies which make up most of the copy in the average newspaper today, the thought occurs to me that we must seem, in the eyes of the world, a nation gone mad.

Murderers are glorified in song and print and in television specials. Though every life lost in Vietnam is a tragedy,

we slaughter many times more each day on the highways and in run-of-the-mill street murders. Films which, a few short years ago, were shown only in dingy back rooms of the most disreputable bars, now play to scores of thousands in our most plush theaters to million-dollar box offices. Men in high office call, virtually, for the destruction of the government. It is official policy to put as many Americans on welfare and dole as there are unemployed, regardless of the fact that jobs go begging. We send men to the moon but cannot get a letter from one side of town to the other in less than a week. Whole cities are unsafe after twilight. Our tax burden approaches 50 percent.

What must others think of us; this Nation which was so sensible, so powerful, so enviable a decade or two ago?

I think I have come across one view which is responsible and is probably representative and I would like to share it with you.

On July 15, the Honorable Thanat Khoman, Foreign Minister of Thailand, addressed the annual meeting of the American Chamber of Commerce in Bangkok. His address was titled, "The State of Thai-U.S. Relations and the Prospects of Their Future Development." In it, Minister Khoman talks about our country in a candid, open way and, as he himself puts it, in sympathy for us.

His address follows:

ADDRESS OF FOREIGN MINISTER KHOMAN

Only a few days ago the United States celebrated the 194th anniversary of American Independence. I saw in the local newspapers that the Prime Minister, Field Marshal Thanom Kittikachorn, joined in the celebrations at the American Embassy here, while I personally congratulated the Secretary of State William Rogers in Saigon on that happy occasion. As can be seen by the two events, Americans and Thais are on speaking terms, or better than that, they are working fairly well together. In fact, they are fighting shoulder to shoulder for what they believe to be a good cause: namely, to repel a predatory aggressor and to help a small nation, South Vietnam, survive as a free and independent State.

That healthy relationship has existed since 1833, only 57 years after the emergence of the United States as a sovereign State, for the past 137 years and, in all appearance, there seem to be no reasons why that state of affairs should not continue on the same course for the future.

In the olden days, things went by placidly as there probably were only a couple of communications a month, at most, between the Embassy of the United States and the Ministry of Foreign Affairs and American Ambassadors could then afford a siesta during the heat of the day. I presume that things have somewhat changed at the Wireless Road Embassy. Perhaps because of the discovery of the air-conditioning, an American Ambassador has no longer any justification for taking such a leisurely nap.

However, clouds began to gather over the horizon when circumstances forced the United States to become involved more closely in the happenings of South East Asia.

The participation of the United States in the Vietnam war created new needs for support of war efforts in the form of military bases and installations. As the United States could not possibly obtain them in Laos, Cambodia, Burma or Malaysia, she had to look to Thailand who obligingly granted her what she wanted. Thus American soldiers poured into Thailand, air based for aircrafts ranging from reconnaissance and transport planes to fighters and larger bombers like the B52's, were built and used in Thailand with the consent of this government. That was the beginning of the trouble for this country and for the long time friend. The relationship which has been up till now serene and uneventful became difficult, not so much between the two governments as between certain elements of the American Society, mass media and politicians, who began to use this country as their favorite practice targets. The situation worsened when the United States, feeling lonely in Vietnam, began to induce other countries, including Thailand, to get into the quagmire she was, to a certain extent, responsible for creating. Thailand, at the United States insistence, had to send a full division of 12,000 men to join the American GI's.

Then came the 1968 Tet offensive which cost the North Vietnamese and Vietcong very heavily in human lives and in the destruction of their war potential. But the fact that those black-pyjama clad North Vietnamese could penetrate into the tightly defended stronghold of the American Embassy in Saigon gave them an even greater victory than the one they reaped at Dienbienfu over their French masters. The American public opinion, effectively aided by a chorus of TV and radio commentators, by the self-styled liberal pundits of the press, self-seeking politicians and half-baked intellectuals in many campuses, foundered before the co-ordinated onslaughts. At that juncture, the policy of scuttle-and-run distinctly emerged.

At this stage, while official relations at government level continue to be satisfactory and even cordial as heretofore, certain quarters in the United States, the press, particularly some elements of the New York-Washington axis mass media group, certain academic and congressional elements look upon Thailand not as a loyal friend and partner which has co-operated with the United States in many important ways at serious risks to herself and her people, but practically as a scapegoat on which to revenge their frustrations and failures.

Many unexpected happenings then began to unreel, to the amazement of the nonplussed Thai people. When American gasoline is stolen by Americans, the blame fell on Thailand. Or when United States authorities claimed to be swindled by American oil companies because they failed to take into account expansion under warmer climate, Thailand, which was not party to the contract, was held responsible. But the most baffling case is that of the Thai contingent in Vietnam which was sent into the battlefield at the urging of both the United States and Vietnam. At the time the request was made, Thailand made it abundantly clear that, because of the burden she had to carry for the defense of the country against communist encroachments and activities in various parts of the Kingdom as well as the needs for economic and social developments, Thailand could not assume additional expenditures resulting from the dispatch of Thai soldiers to help in the defense of Vietnam. The United States, therefore, offered to defray certain expenses to help alleviate the burden that Thailand already had to bear. It was in reality a bona fide understanding between two sovereign governments. However, the politicians of dubious morality misrepresented this accord for the sharing of responsibilities as a decision by the United States to engage "mercenaries". They also made the ludicrous claim that the United States had to pay a "bribe" of $1 billion for persuading Thailand to send her soldiers to Vietnam. A scholarly United States Senator even gave the Thai soldiers a new nationality borrowed from a historic German landgraveate of Hesse. So by the standard of that "intellectual" and "liberal" Senator, I myself, would be more appropriately known as Hessian rather than Thai Foreign Minister. I suppose this will not sound quite right to many sane and healthy people.

During those hectic years, Thailand was also strongly urged to buy United States Treasury bonds, although our authorities did not think much of that forced investment. However, when the measure became known a hallucinated Congressman, known more for his eccentricity than his intelligence, decried the fact that the United States had to pay interest to Thailand for the bonds.

A greater surprise for the Thai people came from the accusation by congressional and press elements that this country exploited the United States for the building of the $200 million U Tapao air base. In reality, and according to the words of American architects and engineers who themselves constructed those bases, the United States recovered the money she spent on building the bases in six months' time by realizing savings on the wear and tear on those huge B52's which could fly from nearby points rather than from distant bases of Guam and Okinawa as they had to do previously. But those ill-intentioned circles, unable or unwilling to show impartiality or good faith, chose to pass over in silence considerable contributions made by Thailand in this instance and in others which, calculated in hard cash, would match or even surpass the assistance rendered to this country by the United States. In fact, one can say without hesitation that, of all the countries in Asia, and perhaps in the world, which have cooperated with the United States, few have given in return for American generosity as much as the Thai Government and people.

One may ask in bewilderment why those immature and irresponsible elements in the United States have shown persistence in persecuting and molesting such a loyal friend and partner as Thailand? The answer has been supplied by Dr. Seymour Halleck of the American Psychiatric Association who declared "the number one mental health problem in our society is the Indo-Chinese war". Then a Berkeley Political Scientist by the name of Sheldon Wolin explained further, "The political life of this country (United States) is exhibiting unmistakable signs of derangement and systematic disorder . . . The present crisis is the most profound one in our entire national history . . . In contrast to previous crises, the present one finds the country not only divided but confused, embittered, frustrated, and enraged, but lacking the one vital element of self-confidence."

For these reasons, it seems to be difficult for those working closely and loyally with the United States to expect a well-reasoned and balanced reaction from their disturbed partner. We must recognize, however, that the difficulties and disturbances through which that great country has gone, have borne the mark of "Made in U.S.A." and created not by the enemy but by the less worthy elements of the American society for their own countrymen and for the friends of their country. In times of stress and strain the scum comes to the surface. It was those unwholesome elements which poisoned the hearts and minds and adulterated the sound and solid traditions of a great people. They even aimed at bringing about decay and disintegration to an otherwise strong and healthy society. For having co-operated wholeheartedly with the United States, Thailand has had to endure and suffer at the hands of those truly ugly Americans.

I say this, not in anger, but rather in sym-

pathy and compassion. For, as a friend of the American nation who is impervious to the epithets of pro- or anti-Americans both of which have been occasionally applied to me, I feel saddened that, while the country is mighty and the great majority of the people are resourceful, ingenious and generous, certain unbalanced elements should succeed in beclouding the perception of the nation in respect of its actual power and potential. Those elements have particularly closed their eyes to the present and future role such a nation can play for itself and for the rest of the world. In actual fact, what the United States has been doing in many parts of the world, and during the past few years in Asia, should be looked upon as truly momentous deeds worthy of the highest respect and commendation. In any case, and from a strictly practical stand-point, the important services rendered by that country to the cause of freedom should allow the United States to cash in rather than cave in. We in Thailand fully realize the high significance of United States' performance. Unfortunately, some Americans themselves have debased these valuable contributions. It is high time now for the great majority of the American people, be they silent or not, to erase the deleterious and nefarious effects resulting from the actions of the few and restore a saner and healthier consciousness of the purposeful and beneficial mission of the United States in the days to come.

If any soul-searching operation were to be undertaken to find out the cause of present frustrations, one may ask why such an immense material power available to the defenders of Vietnam could not bring the little black-pyjama warriors down on their knees. Obviously, something must have been wrong. Would it be the fact that those who are in possession of and are used to work with impressive material and mechanical power and equipment lack the necessary understanding of the human hearts and minds? Especially, the motive power animating life in this part of the world is at least as much human will power as mechanical power. That applies particularly to the situation in Vietnam, which may not have been fully understood.

As to Thailand, the experience of the past few years has brought about a few conclusions which will probably guide and govern our future actions and relations with the United States.

In the first place, it seems to be the feelings of people not only in this country but elsewhere along the breadth and length of Asia that certain manifestations currently widespread in the United States are not suitable for Thailand nor for the rest of Asia and therefore must be rejected. I have in mind particularly the hippie and yippie culture as well as the Charlie Manson and the matrimonial community life experiments which are wholly repulsive to our morals and philosophy.

Secondly, while the Thai nation has been, still is and will be willing to entertain cordial relations with the traditionally generous American nation, it is not prepared to see our life and our thoughts dominated by certain segments of the American society. If, for instance, those elements of the New York-Washington mass media group which claims to have the right to shape and mould the thinking of their customers and terrorize those who resist the invidious grip on their minds, the Thai people are not ready to recognize either their paramountcy or their jurisdiction. Even though some of them may try to brow beat us into submission by blackmail or by ludicrous charge of anti-semitism, which is a phenomenon conceived and prevalent in western countries, or any other groundless accusations, the Thai people repulse their pernicious attempts at extending their thought control over them. Never will the fact that Thailand is recipient of United States assistance or at the same time a contributor to United States interests validly justify the claim of those elements to extend their ominous shadow over this country and tyranize it or for them to come to throw insults at us in our own home. Likewise, Thailand refuses to recognizes the jurisdiction and competence of the United States Foreign Relations Committee over the foreign policy of this country.

Thirdly, Thailand is not agreeable to receiving alien political systems, be they known as people's democracy or "Little Rock democracy" both of which are predicated upon the coloration of the political system or human skin and as such represent the antithesis of our casteless, classless humane philosophy of life. Buddhism, which is our guiding inspiration and perhaps the most egalitarian system, abhors dominance of some over the others. It also rejects all forms of discrimination whether on the basis of race, culture or religion.

Fourthly, while Americans are entitled to uphold and glorify the rights of dissent as the essence of their political faith, the Thai people must also be allowed to reject those forms of American "dissentery" or "dysentery" as dissent is conceived and practised over there. For we have seen how impractical and unavailing for people to express their dissenting views with opinions propagated by certain newspapers. They simply would not publish them. Worse still those who try to differ from political views forcefully thrust forward by militant organizations such as the S.D.S. or the Black Panther are likely to run into serious risks for their persons not to speak of their opinions. Terror which reigns in certain college campuses is sufficient to prove how dissent is tolerated and admitted by those circles.

Fifthly, the Thai people find it very difficult to understand why co-operation with the United States should be conditioned on Thailand, sharing the confusion and convulsions gripping certain sectors of the American national life. One export Thailand is loath to accept is the export of such destructive commodities which threaten to tear apart our society. If others find that these are appropriate expressions of their national activities, they should keep them preciously for themselves and prevent their exportation to those who have no use for them.

From all the above, it seems inescapable that relations between Thailand and the United States will evolve toward a more selective basis. While the Thai nation is always desirous to maintain, indeed to develop continuing close and cordial relations with the steady and well balanced American people, there is an understandable reluctance to have much, if anything, to do with the deviated and aberrant elements which forsake the time-honoured-traditions of their great country. Particularly, we look forward to strengthened contacts and co-operation with the sane and energetic majority of the American people for mutual interests and benefits. As the conflict in Vietnam gradually recedes into the background and the requirements of both a military and political nature lessen, normality hopefully will return to our relations. The lowering of the profile in the military and political horizons, areas which have caused much friction and irritation, will, I dare hope, open the way for increased practical and constructive co-operation in the economic, technological and cultural fields. Thailand has a great deal to offer and the United States much to contribute. I hope that all of us here who are protected from contagious viruses shall be able to join in common endeavors for the above purpose.

As to Americans living in Thailand, they will continue to enjoy many important rights and privileges as heretofore. They can practice professions such as newspaper editors, attorneys and medical doctors, which are not open to Thai citizens in the United States. American banks can do business here while their Thai counterparts are not allowed to function in certain States like California. Such lack of reciprocity is likely to exist as it existed in the past when the King or the Prime Minister of Thailand had to apply for a United States visa whereas any American citizen could walk into this country without similar requirement. As regards immigration permit difficulties which were mentioned by Ambassador Unger in his address to this body last year, they are being solved by the Foreign Office which can give extension of stay upon certification of bona fide business. Land ownership restrictions also may find appropriate solutions on the merits of the case. American GI's presence in Thailand is also welcomed while aggression in Vietnam continues for they are performing a worthy task for the peace of this region. All in all, Thailand undoubtedly represents now and in the foreseeable future the most friendly and favorable climate for cooperation the United States can find in the entire area. After the clouds which temporarily darken the sky have cleared and the asperities smoothed over or removed from the surface, the relationship between the two countries will surge forward, for the friendship between two peoples is genuine and based on natural, sound and solid ground. I have no doubt it will continue to serve and benefit our respective nations.

PRESIDENT NIXON'S GI DRUG PROPOSAL

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

Mr. MURPHY of New York. Mr. Speaker, my first reaction to the belated plan of the White House for the treatment of GI drug addicts was disappointment. On second reading, I was appalled at the simplistic approach that the President has taken. The plan is doomed to failure. It will be neither effective nor humane.

The problem of drug-addicted servicemen is an immediate one. They need help now. Not 1 or 2 years from now, for which most of the President's plan seems geared. The problem is not a simple one of detoxification of drug using or heroin using troops. Detoxification is a short term, relatively simple process. The real problem is an effective rehabilitation program designed to change the lifestyle and redirect the attitudes and motives of the young GI's involved. This takes years. That is why the Narcotic Addict Rehabilitation Act of 1966, to which GI addicts would be funneled under my proposed legislation, provides for up to 42 months of treatment including post hospitalization care. The basis of the President's plan is the detoxification program, that is, those eligible for discharge are to be preemptorily detoxified and released in the United States with instructions that they may return to a Veterans' Administration hospital if they wish.

The flaw in this plan is of course that there are only five hospitals now with 130

beds available for addicts that in reality may number 30,000. The President claims that $14 million will be released to enable the VA to expand its five addiction clinics to 30. The problem is that it will take at least a year to gear up to these 30 which is less than one per State and as I have pointed out, these addicts need help now, not a year from now.

Another problem is that the President's program is apparently aimed at heroin addiction. The problem as we have seen it develop in Vietnam during the last 5 or 6 years is that these troops are multiple drug users, they are addicted or habituated not only to heroin, but to a combination of drugs including the amphetamines, barbiturates and hallucinogens. There are no provisions in the President's plan for those troops who are addicted to different drugs.

As I said at the beginning, not only will the plan prove to be ineffective, it will be inhumane. After 3 weeks of detoxification, the GI will be referred to a civilian agency if he so desires. If not, he is simply released back into the community. This is contrary to everything we know about the treatment and rehabilitation of drug addicts. It is a rare addict who does not relapse one, two, three, or even four times before final abstinence. Yet under President Nixon's program, these junkie GI's will be released back into the community after 3 short weeks of drying out. I have seen addicts in Lexington Ky., and in rehabilitation centers in my own city of New York and I can testify that they are in no physical or psychological condition to cope with reentry into society with all the attendant residual problems of the use and abuse of opium and its derivatives after just 3 weeks.

The problem, of course, arises from the fact that the administration is, at the 11th hour, rushing in with a hurry-up stopgap program because it has completely ignored the problem for the last 6 years. Only a year ago the Defense Department claimed 100 addicts in uniform. Yet in the last 2 years, some 16,000 enlisted men have come to the attention of disciplinary authorities in the armed services for drug-related offenses. There were 10,000 of them discharged under regulations which barred them from treatment by VA hospitals even though the administration has reversed itself recently to allow VA treatment—which apparently, as of today, is relatively nonexistent.

Congressional studies indicate that there are additional tens of thousands of veterans who were released back into society undetected by the armed services and who are today saddled with a vicious drug problem unable to maintain it without resorting to crime, armed robbery or, worse, pushing drugs themselves.

Yesterday I reintroduced a bill I originally introduced on March 16, 1971, with 24 cosponsors which is based on extensive studies and interviews with combat commanders, military doctors, and psychiatrists, and GI's themselves.

I feel it is a more realistic solution to this problem and I urge my colleagues in the House to support it and to seek hearings by the House Armed Services Committee on it as soon as possible.

This is much too serious a problem to play with. We are dealing with the lives and deaths of tens of thousands of our sons and it is not time to be lulled into a false sense of security by the President's hastily thrown together program that can only have disastrous results.

It is a disservice to our men in arms, many who have fought valiantly for their country, to be subjected to the humiliation and degradation inherent in the President's plan.

For example, the forced ingestion of nalline which makes someone who has recently taken heroin acutely ill can only cause resentment and a feeling of humiliation on the part of troops who have been in forward combat areas for the previous 12 months.

I recommend that the Congress reject the President's plan and move forward with its own legislative program to handle the drug addicted veteran. The Nation should not be deluded into accepting what is put forth as a solution when it is really no solution at all.

TAKE PRIDE IN AMERICA

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

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation.

The country which has the largest mail service in the world is the United States. U.S. citizens posted 78,368 million letters and packages in 1967. The U.S. postal system employs 715,970 people.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. PRICE of Texas (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. HORTON (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. ESHLEMAN (at the request of Mr. GERALD R. FORD), for today and Monday, June 21, 1971, on account of the death of his wife's father.

Mr. CORMAN, on account of official business.

Mr. FOUNTAIN (at the request of Mr. MIKVA), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MITCHELL) and to revise and extend their remarks and include extraneous matter:)

Mr. REUSS, for 30 minutes, today.

Mr. TEAGUE of Texas, for 20 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. YOUNG of Florida) and to include extraneous matter:)

Mr. WARE.
Mr. SAYLOR.
Mr. THOMSON of Wisconsin.
Mr. SCHWENGEL in two instances.
Mr. BRAY in three instances.
Mr. SCOTT.
Mr. QUILLEN.
Mr. WHALEN.
Mr. WYMAN in two instances.
Mr. MILLER of Ohio.
Mr. BOB WILSON.
Mr. HOSMER.
Mr. COUGHLIN.
Mr. BIESTER.
Mr. SPENCE.

(The following Members (at the request of Mr. MITCHELL) and to include extraneous matter:)

Mr. MANN in 10 instances.
Mr. JACOBS in two instances.
Mr. ABOUREZK in five instances.
Mr. SISK in two instances.
Mr. ABBITT in two instances.
Mr. GARMATZ in three instances.
Mr. FRASER in three instances.
Mr. BARRETT.
Mr. ECKHARDT.
Mr. DELANEY in three instances.
Mr. RARICK in three instances.
Mr. RYAN in four instances.
Mr. ROE.
Mr. ANDERSON of California in three instances.
Mr. DONOHUE in two instances.
Mr. GONZALEZ in two instances.
Mr. BINGHAM in two instances.
Mrs. GREEN of Oregon in five instances.
Mr. MURPHY of New York.

ENROLLED JOINT RESOLUTION SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled Joint Resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 617. Joint resolution to authorize an ex gratia contribution to certain inhabitants of the Trust Territory of the Pacific Islands who suffered damages arising out of the hostilities of the Second World War, to provide for the payment of noncombat claims occurring prior to July 1, 1951, and to establish a Micronesian Claims Commission.

ADJOURNMENT

Mr. MITCHELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 34 minutes p.m.), under its previous order, the House adjourned until Monday, June 21, 1971, 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:

871. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing) transmitting notification of facilities projects proposed to be undertaken for the Air Force Reserve, together with cancellation of certain previous notifications, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

872. A letter from the Commissioner, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Unemployment Compensation Act in order to conform to Federal law, and for other purposes; to the Committee on the District of Columbia.

873. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting copies of Presidential Determination 71–14 relative the Government of Jordan, pursuant to section 504(a) of the Foreign Assistance Act of 1961, as amended, and section 4 of the Foreign Military Sales Act, as amended; to the Committee on Foreign Affairs.

874. A letter from the Acting Administrator, General Services Administration, transmitting a prospectus for proposed lease of space in a building to be constructed under a lease arrangement to house the Social Security Administration Payment Center in Birmingham, Ala., pursuant to the Independent Offices and Department of Housing and Urban Development Appropriation Act, 1971 (Public Law 91–556); to the Committee on Public Works.

875. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report on a proposed transfer of "research and development" funds, pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act, 1971; to the Committee on Science and Astronautics.

876. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on a proposed transfer of "construction facilities" funds, pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act, 1970; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Texas: Committee on Rules. House Resolution 487. A resolution providing for the consideration of H.R. 1. A bill to amend the Social Security Act to provide increases in benefits, improve computation methods, and raise the earnings base under the OASDI program, to make improvements in the medicare, medicaid, and maternal and child health programs with emphasis on improvements in their operating effectiveness, to authorize a family assistance plan providing basic benefits to low-income families with children with incentives for employment and training to improve the capacity for employment of members of such families, to achieve more uniform treatment of recipients under the Federal-State public assistance programs and otherwise improve such programs, and for other purposes (Rept. No. 92–288). Referred to the House Calendar.

Mr. WHITTEN: Committee on Appropriations. H.R. 9270. A bill making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1972, and for other purposes (Rept. No. 92–289). Referred to the Committee of the Whole House on the State of the Union.

Mr. STEED: Committee on Appropriations. H.R. 9271. A bill making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1972, and for other purposes (Rept. No. 92–290). Referred to the Committee of the Whole House on the State of the Union.

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. RODINO: Committee on the Judiciary. S. 145. An act for the relief of Esther Catherine Milner (Rept. No. 92–284). Referred to the Committee of the Whole House.

Mr. RODINO. Committee on the Judiciary. S. 566, An act for the relief of Maria Grazia Iaccarino (Rept. No. 92–285). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. S. 672. An act for the relief of Nicholaos Demitrios Apostolakis (Rept. No. 92–286). Referred to the Committee of the Whole House.

Mr. DENNIS: Committee on the Judiciary. H.R. 1962. A bill for the relief of Dah Mi Kim; with an amendment (Rept. No. 92–287). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of the rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BIESTER:

H.R. 9257. A bill to provide that Flag Day shall be a legal public holiday; to the Committee on the Judiciary.

By Mrs. HICKS of Massachusetts:

H.R. 9258. A bill to authorize a 2-year program of financial assistance for all elementary and secondary school children in all of the States; to the Committee on Education and Labor.

H.R. 9259. A bill to provide for the issuance of a commemorative postage stamp in honor of the 100th anniversary of the Arnold Arboretum of Harvard University; to the Committee on Post Office and Civil Service.

By Mr. KOCH:

H.R. 9260. A bill to amend title II of the National Housing Act to limit the amount of any mortgage insured under section 235 or 236 of such act to not more than 10 percent above the amount established as the prototype cost of the property for the area where such property is located; to the Committee on Banking and Currency.

By Mr. MACDONALD of Massachusetts:

H.R. 9261. A bill to amend the Communications Act of 1934 to provide that certain aliens admitted to the United States for permanent residence shall be eligible to operate amateur radio stations in the United States and to hold licenses for their stations; to the Committee on Interstate and Foreign Commerce.

By Mr. MINISH:

H.R. 9262. A bill to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. PEPPER (for himself, Mrs. CHISHOLM, Mr. GUDE, Mr. BURKE of Massachusetts, and Mr. HALPERN):

H.R. 9263. A bill to amend the Controlled Substances Act to move amphetamines and certain other stimulant substances from schedule III of such act to schedule II; to the Committee on Interstate and Foreign Commerce.

By Mr. STAGGERS (for himself and Mr. SPRINGER):

H.R. 9264. A bill to establish a Special Action Office for Drug Abuse Prevention to concentrate the resources of the Nation in a crusade against drug abuse; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas (for himself Mr. BARING, Mr. CARNEY, Mr. DANIELSON, Mr. DORN, Mr. DULSKI, Mr. EDWARDS of California, Mrs. GRASSO, Mr. HALEY, Mr. HAMMERSCHMIDT, Mr. HELSTOSKI, Mrs. HICKS of Massachusetts, Mr. HILLIS, Mr. MONTGOMERY, Mr. PUCINSKI, Mr. ROBERTS, Mr. RUTH, Mr. SATTERFIELD, Mr. SAYLOR, Mr. TEAGUE of California, Mr. WINN, Mr. WOLFF, Mr. WYLIE, and Mr. ZWACH):

H.R. 9265. A bill to amend title 38, United States Code, to authorize a treatment and rehabilitation program in the Veterans' Administration for servicemen, veterans, and ex-servicemen suffering from drug abuse or drug dependency; to the Committee on Veterans' Affairs.

By Mr. WYATT:

H.R. 9266. A bill to provide for regulation of public exposure to sonic booms, and for other purposes; to the Commitee on Interstate and Foreign Commerce.

By Mr. YOUNG of Florida:

H.R. 9267. A bill to make Flag Day a legal public holiday; to the Committee on the Judiciary.

By Mr. CABELL:

H.R. 9268. A bill to authorize the District of Columbia Council to change the amount of certain fees, taxes, and other charges; to the Committee on the District of Columbia.

By Mr. WHITTEN:

H.R. 9270. A bill making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1972, and for other purposes.

By Mr. STEED:

H.R. 9271. A bill making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1972, and for other purposes.

By Mr. COUGHLIN:

H.J. Res. 728. Joint resolution; Stable Purchasing Power Resolution of 1971; to the Committee on Government Operations.

By Mr. HALPERN:

H. Res. 488. Resolution expressing the sense of the House with respect to the negotiation of an American-Israeli Treaty of Friendship; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. McDONALD of Michigan introduced a bill (H.R. 9269) for the relief of Betty A. Glassford, which was referred to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

87. The SPEAKER presented a petition of the mayor and the Council of the City of Palo Alto, Calif., relative to the withdrawal of U.S. Armed Forces from Southeast Asia, which was referred to the Committee on Foreign Affairs.