place choice and, perhaps, induce manufacturers to turn out quieter products.

There is no question at all about the need and value of the antinoise legislation sought by the President. Congress should approve Mr. Nixon's request, quickly and—let us hope—quietly.

FASCELL INTRODUCES EQUAL RIGHTS AMENDMENT

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. FASCELL. Mr. Speaker, on August 10 of last year this body overwhelmingly approved a proposed amendment to the Constitution of the United States. Simply but eloquently it affirmed that "equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex."

I am proud to introduce this resolution again today, with two minor changes proposed by its chief sponsor, our distinguished colleague, the gentlewoman from Michigan (Mrs. GRIFFITHS). The first of these changes imposes a 7-year time limit for ratification by the States, and the second extends the effective date from 1 to 2 years after ratification.

The reasons for favorable action on this proposed amendment were convincing last year, and they are even stronger today. Women are heading households and businesses, pursuing professions, and entering public service to a degree never envisioned by the Founding Fathers. They need and deserve effective protection under the Constitution of the United States. We have come a long way from the first days of the Republic when, under common law definition, women were not legally considered to be persons.

A great effort has been made in this last decade to erase all inequalities under the law. Progress has been realized with such landmark legislation as the Civil Rights Act of 1964.

But a constitutional amendment guaranteeing equality for women would be an important affirmation of the egalitarian principles which nourish a vital democracy.

HOUSE OF REPRESENTATIVES—*Monday, March 1, 1971*

The House met at 12 o'clock noon.

Rabbi Samuel Cooper, B'nai Jacob Synagogue, Charleston, W. Va., offered the following prayer:

טוב להודות לה' ולזמר לשמך עליו

It is good to give thanks unto the Lord, and to sing praises unto Thy name, O Most High.—Psalm 92:1.

Eternal God, we offer unto Thee this day the homage of our gratitude. We thank Thee for this good land and for its institutions of freedom and justice. To our thanks, we link our prayers. Humbly and reverently, we ask that Thou bless the Members of this august body upon whose shoulders we have placed the burdensome and demanding affairs of State. Difficult, indeed, are the decisions they are called upon to make and the problems they must resolve. Grant them health and vigor, quicken them with Thy spirit and impart to them of Thy wisdom.

In these days large with challenge and perplexity, we ask not for ease or comfort. We ask, rather, that Thou endow us with those qualities of heart and mind that will help us make real that just and peaceful world envisioned by the Hebrew prophets, the unfulfilled hope and dream of all mankind. 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 PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

EXPLOSION AT THE U.S. CAPITOL

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

Mr. BOGGS. Mr. Speaker, I have been advised by Mr. Mario Campioli, Assistant Architect of the Capitol, that he received a telephone call from one of the local newspapers at approximately 2:30 a.m. today that an explosion had taken place in the Capitol.

Mr. Campioli immediately called Chief Powell of the Capitol Police, who had already arrived at the Capitol and was on the scene. The Chief advised that the explosion had occurred in the toilet room near the Senate barbershop in the Senate wing of the old section of the Capitol and near the first meeting place of the U.S. Senate.

Mr. Campioli arrived at the Capitol at approximately 3:15 a.m. and, after inspecting the damage, called the supervising engineer of the building and asked him to report immediately to the Capitol and to assemble his operating crew at the Capitol as soon as possible.

The amount of explosives still has not been disclosed, but I am able to say it was a very large amount of a very powerful explosive. If any Members will take the time to take a look at the damage, he will be immediately convinced that this was the case.

The damage consists primarily of cracked and otherwise damaged walls, blown-out doors and windows, destruction of trim, paneled jambs, weakened and damaged masonry floor arch construction, and damage to chandeliers. Some of the weakened arch construction will undoubtedly require shoring, and that work is going ahead.

Representatives of the FBI, the District of Columbia Fire Department, the police, the Senate Sergeant at Arms, and the Architect of the Capitol have been on the scene since early in the day and are investigating the matter.

As of this time no overall estimate of the cost of repairing the damage and of time for repair has been made.

As indicated, the explosion occurred in the men's toilet room immediately outside of the Senate barber shop. Substantial damage was caused in the following areas on the first floor: Adjoining halls and vestibule, rooms S140, S142, S143, S144, and S146, and other damage such as broken glass, cracked plaster, broken windows, and other glassed areas occurred in room S141, the old Supreme Court chamber, the small rotunda on the first floor, in the crypt, the windows on the corridor of the main Senate dining room and the opposite windows in the corridor.

The effect of the blast was indicated by broken glass as far away as the transom over the elevator near the northwest corner of the building.

Some damage also occurred on the second floor in the area immediately above the blast location.

The Architect is proceeding with all possible emergency measures and with cleaning up the area and with ordering the material necessary for permanent repairs.

Mr. Speaker, I think this points up the necessity for additional security measures here in the Capitol of the United States. Many times I have sat here, as the Speaker and other Members of this Chamber have at the joint sessions, when the entire Government is gathered here under one roof, and realized the inadequacy of our security.

I have been terribly concerned that a disaster of monumental consequence could occur here.

I know that in the closing days of the 91st Congress the Congress authorized additional security for the galleries. I hope that work will go forward as quickly as possible.

The gentleman from Michigan (Mr. GERALD R. FORD) and I served on the Warren Commission which investigated the assassination of President Kennedy. There was one overriding fact brought out, and that was that the security for the President was inadequate. That was not meant as criticism of anyone, because we live in an open society and an open country and a democracy, and it is often difficult to make a distinction between suppression of the rights of our citizens and personal danger to the people who make up this Government.

The facts are that one can come into the Capitol Building with little or no

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trouble or, one can get into the House or Senate Office Buildings at any time. There is not even a requirement that one sign in or sign out during off hours or on holidays.

Mr. Speaker, I am genuinely concerned that unless we increase security here a disaster could happen at any time.

I include herewith a fine editorial from the Washington Evening Star for March 1, 1971.

The editorial follows:

BOMBING THE CAPITOL

No one has bothered for a long time to articulate on what the United States Capitol means to the American people. It has seemed too dependable a national fixture, perhaps, akin to Pike's Peak and the Mississippi River, so we give it little thought from day to day. But today we are thinking about it, because it has been desecrated in a mindless and cowardly act.

No doubt the person or persons who set off a bomb in the Capitol early this morning intended to provoke an avalanche of outrage. There has been some of that, but mostly the feeling is sorrow, that anyone would think of blasting this repository of national memories and, even in its antiquity, this symbol of our finest aspirations.

The power of that symbolism occurs to us today. The Capitol has weathered all the hurricanes since Mr. Lincoln's time; indeed his black-draped catafalque once rested in the rotunda, where the nearby explosion shattered the stillness this morning. Whoever did it was protesting something he referred to as "the Laos decision." But in bombing the Capitol he struck at the Emancipator, and at the whole line of public people of all persuasions who have given themselves for the nation. Some have lain under that dome in this generation, too, and the memory of them is treasured.

This is in fact a hallowed place. The building is not accountable for the wisdom or foolishness of these times. It stands for the best that we have been, and the best that we hope to become. So the citizen in Peoria has a feeling, largely unspoken except at a moment like this one, that when the sun gilds that dome in the morning there is still hope for the Republic.

The dome, of course, is still there and the building is not critically shaken. But this is a bad day for the person from the inlands who is here today for his first look at his Capitol. Perhaps there will be stiff restrictions on touring of the building now—no more leisurely meandering. Extremists exact their penalties in diverse ways.

This one, or these, must be caught and punished. The full resources of the federal investigative agencies must be brought to bear. This madness cannot be allowed to flourish where the processes of freedom are still in full vigor.

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

Mr. BOGGS. I am happy to yield to the distinguished gentleman.

Mr. GERALD R. FORD. I share the deep concern expressed by the gentleman from Louisiana. Obviously security must be improved.

Second, those who did commit the crime must be sought out and prosecuted as quickly as possible.

The lack of adequate security is evident. About 17 years ago, as I recall, we had an unfortunate incident in this Chamber when three individuals, as I recall——

Mr. BOGGS. Five.

Mr. GERALD R. FORD. Stood in that gallery and fired at random a number of shots. Three or four of the Members who were on the floor at that time were injured, one rather seriously.

As a consequence, some additional security was devised, although I am sure a comparable incident, unfortunately, might happen again despite the actions which have been taken.

We do need to have the Capitol of the United States as open as possible, but at the same time we must take the necessary measures to protect the Capitol and the visitors as well as the Members and the employees. I hope that such action will materialize in the near future as rapidly as possible.

Mr. BOGGS. I thank the gentleman for his very helpful statement.

MEMBERS OF HOUSE WILL HAVE OPPORTUNITY TO BACK UP PROMISES FOR LOW-INTEREST POLICIES

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

Mr. PATMAN. Mr. Speaker, last year the majority of the 435 Members of the House of Representatives were elected on platforms calling for low interest rates. Campaign statements correctly pointed to the relationship between low interest rates and a stable economy.

On Wednesday, the Members of the House will have an opportunity to turn their campaign promises into action.

We will have a separate vote on a motion to strike section 3 of H.R. 4690. This section would allow the Treasury Department to market $10 billion of long-term Government obligations without regard to the statutory ceiling of 4¼ percent on such bonds.

A vote in favor of a motion to strike the section will be a vote for low interest rates and a clear statement from the Congress that it will not tolerate anything which will reverse the trend toward lower interest charges. A vote against the motion to strike section 3 will be a vote for higher interest rates and an end to the trend for lower rates.

In the next few days, Members of the House will hear a lot of folderol about debt management concerning this 4¼-percent ceiling. All of this smokescreen—much of which will be emanating from the White House and the Treasury Department and the financial institutions—will not obscure the fact that the vote Wednesday is a vote on low interest rates versus high interest rates. The American public will so interpret the record vote.

Mr. Speaker, I am firmly convinced that the House of Representatives will support retention of the 4¼-percent ceiling. I urge my colleagues who want to be recorded for low interest rates to be on hand for the record teller vote Wednesday afternoon.

ELECTION TO COMMITTEE ON HOUSE ADMINISTRATION

Mr. MILLS. Mr. Speaker, I offer a privileged resolution (H. Res. 260) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 260

Resolved, That Robert H. (Bob) Mollohan, of West Virginia, be, and he is hereby, elected to the standing committee of the House of Representatives on House Administration.

The resolution was agreed to.

A motion to reconsider was laid on the table.

BOMBING OF THE CAPITOL

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

Mr. ABERNETHY. Mr. Speaker, on receiving the news that President John F. Kennedy had been assassinated, the Chief Justice of the Supreme Court prejudged who was guilty, ran into the street looking for the press and made an off-the-cuff statement blaming the act on "intemperate-minded" white southerners as their means of getting even with President Kennedy for pressing them so hard on the integration issue. We all know it turned out that this had nothing whatever to do with the vicious and unconscionable act. The assassination grieved us all, southerners as well as northerners.

I trust I am not pulling a bonehead error such as was made by the former Chief Justice. But Mr. Speaker, it is my conviction that the tender, soft glove, and encouraging treatment often accorded the radical leftists and criminals by the courts and many in our society, is largely responsible for the violence in our Nation today, including the bombing of the Capitol Building last night.

I could be wrong. This might have been the act of an insane person. However, I do not think so.

For a number of years now the trend and practice has been to coddle those of the radical and riotous view. Riots have occurred in our streets, buildings and property laid waste and blood shed with nothing being done to those that perpetrate the riots.

In numbers of instances a mockery has been made of our courts by defendants who shout obscenities at the presiding judge and whose conduct in general has turned the courts into a scene of bedlam. Yet, the High Court strains itself to reverse judgments of contempt against these revolutionaries.

The news media of this and other areas is now headlining tremendous concern over the shortcomings of the treatment of these prisoners but one seldom reads an editorial or an expression of concern over the loss of property and the loss of life visited upon our citizens as a result of vicious acts which were committed by these prisoners, or by the many who go unpunished.

No man or woman loyal to our flag and to our great country would deposit a bomb in the very heart of this Nation—its National Capitol. But when one is required to express absolute loyalty to his country before being allowed to serve as a teacher, as a public official, or in any other official capacity, the leftists cry out that their constitutional rights are being trespassed upon and the high courts inevitably side with them.

Radicals and numerous radical leftists object to prayer in our schools, they object to saluting our flag, they object to loyalty oaths, they object to defending our positions abroad to which our flag is committed, they object to law and order, they object to courtroom decorum, they object to laws requiring them to signify whether or not they are Communists, they object to oaths signifying that they do not favor the overthrow of our Government by force or violence, they march in the streets, they burn flags, copies of the Constitution, draft cards, and the President in effigy, they encourage campus unrest in our universities and colleges—they do all of these things and more, all of which are in contravention of the sane and safe society, and the type of government which our forebears established and handed down to this generation.

I repeat, Mr. Speaker, that unfortunately the high courts usually take care of them by some twisted sort of decision when they are prosecuted for what are patent violations of our laws.

I may be wrong, Mr. Speaker, but I am confident that the bombing of this Capitol Building was planned and done by someone associated with the radical left. The time has passed for all Americans to take a stand for this Nation, for its Constitution, for its flag, and for law and order. Instead of so much concern being expressed for those who are in jail or those who ought to be in jail, we should be concerned that the jails are not filled with more of the radical leftists who riot, bomb, preach and teach anarchy, and who are actually guilty of treason.

PROPOSAL BEFORE THE CONGRESS FOR REMOVAL OF THE 4¼-PERCENT CEILING ON LONG-TERM GOVERNMENT OBLIGATIONS

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

Mrs. SULLIVAN. Mr. Speaker, as a Member who is directly concerned with consumer legislation, I am shocked that there is a serious proposal before the Congress for removal of the 4¼-percent ceiling on long-term Government obligations. The consumer is just beginning to get some relief from the extended period of high interest rates and now we have an administration which says, "Let the Federal Government enter the long-term market—without regard to interest rate ceilings—in competition with the home buyer and local and State governments."

The proponents of this new raid on the taxpayers have asked for proof that removal of the 4¼-percent ceiling would increase the interest charges. The proof is available to anyone who can read the bond listings in the Wall Street Journal and the Treasury bulletins.

Today, the Treasury Department is able to finance short-term debt at 3.5 percent—in some cases, even less. Yields on long-term Government obligations are running between 6 and 6½ percent, and if anyone doubts this, I refer them to Secretary of the Treasury John Connally's testimony before the Ways and Means Committee on February 17. I do not know what kind of proof the proponents want, but in Missouri 6 percent is still more than 3½ percent.

Mr. Speaker, I am happy that we will have a record teller vote on Wednesday on this issue. The low interest and high interest forces in the House of Representatives will be plainly revealed for the American public.

The House should reject by a 435-to-0 vote any attempt to reimpose high interest rates.

DESTRUCTION IN THE CAPITOL IS DASTARDLY

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

Mr. DOW. Mr. Speaker, it seems to me that no terms are strong enough to condemn the cruel, outrageous and mindless act of bombing in this Nation's beloved Capitol Building. Whether the perpetrator was fired by political leanings of the right, of the left, or by some perverse anarchism, any meaning for the destruction is beyond our powers of assumption. But one conclusion can be surely drawn from last night's tragic event. Our Capitol has suffered a painful hurt. A hurt has been done to American history, including our fathers who built the Capitol, to the great Americans who walked these Halls, and to all the American people who revere this building as a symbol of the Nation.

Mr. Speaker, even in Communist Russia they preserve the edifices and relics of their czarist past, for it is part of their ancestry and part of them as a people.

The perpetrator of the desecration to this Capitol, whatever his purpose, was sowing fear in this country. From fear hatred arises, and after that repression. No social reform or progress can be born or grown in the atmosphere created by this dastardly destruction visited on our U.S. Capitol.

LONG-TERM BOND INTEREST RATE

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

Mr. VANIK. Mr. Speaker, on Wednesday, the Members of this body will have the opportunity to strike from the $430 billion debt ceiling bill an unrelated provision to exempt $10 billion in long-term bonds from the statutory 4¼ percent interest rate.

If this provision is permitted to remain in the bill, it will create a special advantage to those taxpayers who have an estate tax liability. These taxpayers can acquire these bonds of guaranteed high interest at par or at discount with the objective of using them to pay estate taxes.

A statutory provision adopted in 1917—section 765 of title 31—reads as follows:

BONDS RECEIVABLE IN PAYMENT OF ESTATE OR INHERITANCE TAXES

Any bonds of the United States bearing interest at a higher rate than 4 per centum per annum (whether issued under section 752 of this title or upon conversion of bonds issued under that section or under the Act of April 24, 1917, chapter 4, Fortieth Statutes, page 35), which have been owned by any person continuously for at least six months prior to the date of his death, and which upon such date constitute part of his estate, shall under rules and regulations prescribed by the Secretary of the Treasury, be receivable by the United States at par and accrued interest in payment of any estate or inheritance taxes imposed by the United States, under or by virtue of any present or future law upon such estate or the inheritance thereof.

Under this provision, a person with estate tax liability can purchase these bonds at a discount and suffer no downside risk in their value since they can be credited at face value for estate tax purposes.

The interest rate exemption on $10 billion in long-term bonds is ill timed and contrary to the public interest. It should be defeated on this first utilization of a recorded teller vote provided by recent legislative reforms.

THE BOMBING OF OUR NATION'S CAPITOL

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

Mr. PUCINSKI. Mr. Speaker, the bombing of our Nation's Capitol early this morning marks a bizarre anniversary for it was precisely 17 years ago today, March 1, 1954, that another assault on this institution was made when three visitors in the gallery shot up the Chamber here, and seriously wounded five of our Members.

It occurs to me that we have learned very little in the ensuing 17 years. As late as last Friday, I am told, there was a similar call made to the Capitol, occurring at precisely the same hour the call was made this morning, warning that there was going to be a bomb detonated in the Capitol, and warning that the Capitol would be destroyed in retaliation for the President's involvement in Laos. A routine search was made of the building, as such searches are made when such calls are received and, so far as I am able to determine no further precautionary measures were taken until the damage was done this morning.

It occurs to me that the growing recurrence of terrosim in this country ought to alert us to the fact that we have a most serious problem. I agree with the distinguished majority leader, the gentleman from Louisiana (Mr. BOGGS), who urges a greater degree of security in the Capitol building, but I think that the problem goes deeper than that.

I believe the nature of this assault indicates it was committed by someone close to the Capitol. A thorough investigation must be made to determine if indeed this was the work of someone close to Government who has ready access to the Capitol.

CONGRATULATIONS TO JOE BARTLETT

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

Mr. HECHLER of West Virginia. Mr. Speaker, those of us on both sides of the aisle have noted with great pleasure the return of my fellow West Virginian, Joe Bartlett, who suffered a very serious automobile accident several months ago and who is back with us for the first time today.

Joe Bartlett formerly served in the House of Representatives as reading clerk for a period of years, and now his title is Minority Clerk of the House of Representatives. We are all very pleased in the House of Representatives to see Joe looking so fine and fit, and back in our midst.

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

Mr. HECHLER of West Virginia. I am happy to yield to the gentleman from Ohio.

Mr. MINSHALL. Mr. Speaker, I know that Joe Bartlett originally comes from the great State of West Virginia, but I have the distinct pleasure of claiming Joe as my constituent.

Joe was as we all know seriously injured last January when involved in an automobile collision during bad and inclement weather in Cleveland. To have returned so quickly to his duties here in the House is a tribute to Joe Bartlett's great courage and devotion to duty. We all welcome him back.

Mr. HECHLER of West Virginia. I thank my friend from Ohio. The mere fact that two States are vying for the honor of claiming Joe Bartlett indicates that he is a man who represents the Nation.

GENERAL LEAVE

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of Joe Bartlett's return to the House of Representatives.

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

There was no objection.

BERNADETTE DEVLIN

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

Mr. HUNT. Mr. Speaker, early in February 1971, it was announced that Bernadette Devlin, the well-known militant from a foreign country, would come to these United States once more in an effort to obtain money for some purposes of overthrowing governments.

On February 8, 1971, I wrote to the Honorable William P. Rogers, Secretary of State, protesting her entry in this country and asking that she be deported and that her passport be revoked. I received no answer and on February 22, 1971, I sent a telegram to the Honorable William P. Rogers reiterating my stand and again asking that she be deported. Again I have been ignored and have not to date, received any answer to my inquiry nor to my request.

Let me tell you just a little bit about the lady Bernadette Devlin. She has recently completed a jail sentence for throwing rocks at the police in the Bogside of Derry, Ireland.

Quoted in Irish Times of Dublin as saying that she was "too far left to be a Communist, if you speak of it in the Soviet sense—we are true Communists."

Belfast Telegraph reported some of the "charity" money collected last time she was here had gone for gunrunning.

Belfast Telegraph also quoted her as saying:

> We are happy to receive capitalist money in our attempts to destroy the capitalist system. If they are stupid enough to give it to us, we are glad to take it—it is our money anyway.

Mr. Speaker, I want to again today say to Mr. Rogers: Why do we admit this radical to our country when we have so many kookey bomb tossers here already? Why should we entertain somebody who wants to overthrow our form of government and makes no bones about her intentions. I say to you again, we should be firm in our convictions in this respect. Mr. Secretary we should deport Miss Devlin forthwith.

ANNOUNCEMENT OF HEARINGS ON EQUAL RIGHTS FOR MEN AND WOMEN

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

Mr. EDWARDS of California. Mr. Speaker, I would like to announce that Subcommittee No. 4 of the Committee on the Judiciary has scheduled 4 days of public hearings on proposed constitutional amendments and statutes to provide equal rights for men and women. These hearings will begin on March 24, 1971, at 10 a.m., room 2141, Rayburn House Office Building.

Those wishing to testify or to submit statements for the record should address their requests to the Committee on the Judiciary, House of Representatives, room 2137, Rayburn House Office Building.

APPOINTMENT AS MEMBERS OF THE COMMISSION ON THE BANKRUPTCY LAWS OF THE UNITED STATES

The SPEAKER. Pursuant to the provisions of section 2(a), Public Law 91–354, the Chair appoints as members of the Commission on the Bankruptcy Laws of the United States the following Members on the part of the House: Mr. EDWARDS of California, and Mr. WIGGINS of California.

CONSENT CALENDAR

The SPEAKER. This is the day for the call of the Consent Calendar. The Clerk will call the first bill on the Consent Calendar.

CONCURRENT JURISDICTION (FEDERAL GOVERNMENT AND INDIVIDUAL STATES) OVER CERTAIN LANDS OWNED BY THE FEDERAL GOVERNMENT

The Clerk called the bill (H.R. 481) to provide for the adjustment by the Administrator of Veterans' Affairs, of the legislative jurisdiction over lands belonging to the United States which are under his supervision and control.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, do I understand correctly that this legislation, H.R. 481, is identical to a similar House-passed bill of the last Congress?

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am delighted to yield to the gentleman from Texas.

Mr. TEAGUE of Texas. It is the same, and this is the same legislation that the military departments use and it is the same legislation that the administration has requested.

Mr. HALL. Mr. Speaker, I thank the chairman, and, as I understand the situation, those statements are exactly correct, and it would result in an actual reduction of cost because of granting the authority—providing both the State and the Secretary agree to it—to the patrolling of the roads that traverse Government land, and in this particular instance makes them synonymous with the military reservations as far as Veterans' Administration facilities are concerned. Is that correct?

Mr. TEAGUE of Texas. That is correct.

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

Mr. HALL. I am delighted to yield to my friend the gentleman from Iowa.

Mr. GROSS. I should like to ask the gentleman from Texas whether this authority is limited exclusively to police jurisdiction and has no other administrative effect with regard to Federal lands?

Mr. TEAGUE of Texas. That is correct. Mr. Speaker, if the gentleman will yield further, the bill would authorize the Administrator of Veterans' Affairs, with respect to Federal lands under his jurisdiction, to relinquish to a State in which the land is situated such measure of legislative jurisdiction as he deems desirable. The relinquishment of jurisdiction would be subject to acceptance by the State. It is identical in purpose with Public Law 91–551, which extended to the Secretaries of the military departments authority to relinquish to a State all, or such portion of, the legislative jurisdiction previously acquired by the United States over lands or interests therein under his custody and control, as he may deem desirable. This bill would extend the same authority to the Administrator of Veterans' Affairs. This legislation would bar a piecemeal approach to this problem which arises because the United States has exclusive legislative jurisdic-

tion over a substantial portion of the Federal lands under the jurisdiction and control of the Veterans' Administration. It is identical in purpose to Public Law 91–45 enacted through the Committee on Veterans' Affairs in 1969.

For some time there have been increasing problems of both minor incidents and serious crimes at VA field stations and in getting appropriate and prompt action concerning these from law enforcement agencies.

Many VA facilities, particularly in metropolitan areas, are located in communities of increasing tensions where demonstrations and rioting present problems of insuring the safety of VA patients and employees and the protection of VA buildings and equipment from damage. In connection with the general trend in the increase in assaults, thefts, and robberies throughout the Nation, there is concern regarding these matters at VA installations. Also, there is continuing concern over the possibility of bodily harm to VA patients and employees by present and former mental patients, or disgruntled veterans and beneficiaries. In fact, recently a former mental patient returned to a VA hospital and went on a shooting spree that left three employees dead and a fourth seriously wounded before the veteran left the station unhindered. Also, with the increasing use of drugs throughout the country, especially on the part of returning Vietnam veterans, illicit drug traffic in VA hospitals could become a serious problem.

The Veterans' Administration estimates that this proposal would entail little, if any, cost.

An identical bill, H.R. 13301, passed the House in the 91st Congress.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from California. Mr. Speaker, reserving the right to object and I shall not object I want to express my support of H.R. 481. This bill will authorize the Veterans' Administrator to relinquish to a State such measure of legislative jurisdiction as he deems desirable over Federal lands under his jurisdiction located within a State.

Specifically, Mr. Speaker, this bill will permit many Veterans' Administration hospitals to avail themselves of local police services when necessary, instead of waiting for Federal authorities, sometimes located many miles away from the hospital, to quell disturbances and investigate crimes committed within the boundaries of Federal jurisdiction.

At hospitals in which the Federal Government has exclusive Federal jurisdiction, there have been instances when difficulties have been encountered in getting Federal law enforcement personnel to respond promptly. This bill will alleviate such problems.

The Veterans' Administration has recommended its enactment and has advised the committee that its enactment will entail little, if any, cost to the Government.

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

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

H.R. 481

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subchapter I of chapter 81 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 5007. Relinquishment of legislative jurisdiction

"The Administrator, on behalf of the United States, may relinquish to the State in which any lands or interests therein under his supervision or control are situated, such measure of legislative jurisdiction over such lands or interests as he deems necessary or desirable. Such relinquishment of legislative jurisdiction shall be initiated by filing a notice thereof with the Governor of the State concerned, or in such other manner as may be prescribed by the laws of such State, and shall take effect upon acceptance by such State."

(b) The table of sections at the beginning of chapter 81 of title 38, United States Code, is amended by adding after

"5006. Property formerly owned by National Home for Disabled Volunteer Soldiers."

the following:

"5007. Relinquishment of legislative jurisdiction."

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

FIRST ANNUAL REPORT ON GOVERNMENT SERVICES TO RURAL AMERICA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. No. 92–55)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Agriculture and ordered to be printed:

To the Congress of the United States:

I am transmitting today the first annual report on government services to rural America, as required by the Agricultural Act of 1970.

Much of the information is about fiscal year 1970, since we do not have all the information in yet on the 1971 fiscal year. However, even the changes over our first full fiscal year in office showed important gains in the Federal Government's concern for the well-being of rural areas.

As examples, in fiscal 1970, we increased Federal support for waste treatment grants in rural areas by 174% over the previous year, and increased manpower development grants in such areas more than 50%.

We have long recognized that much of the housing in rural America is substandard—in fact about half of all substandard housing is in rural America. We have made real gains in this area. While our 1970 rural housing loan efforts increased 56% over 1969, in 1971 we will have increased these loans another 88%, to an annual amount of over one and a quarter billion dollars.

The report documents other major strides toward improving services to those millions of our people who live outside metropolitan areas.

It is my hope that our next report will show far greater progress. This is because I earnestly hope it will follow passage of some of the initiatives I urged in my State of the Union Message. These new initiatives include:

—Revenue sharing which, in the upcoming budget, can provide $16.1 billion in funds to flow from Washington in such a way that much real decision-making would be moved back to the States, cities and rural communities of America.

I have proposed not only $5 billion in unrestricted, general revenue sharing, but over $11 billion in various "special revenue sharing" grants. Among these is special revenue sharing for "rural community development." Originally budgeted at a level of $1 billion, I can announce today that we have found it possible to make available $100 million more for this important purpose. Furthermore, nearly all the other special revenue sharing funds, for manpower development, for education, for transportation, for law enforcement, and even in some cases for urban community development, will have significant benefits for rural America.

A major reorganization of the civilian agencies of the Federal Government. The purpose is to make Federal program operations work better for the individual citizen and his community. The complaints most frequently heard about Government are that it is too costly; that it fails to match performance to promise; that it is too far from people; that there is nothing the individual person can do about it. We intend to reduce the cost of Government in Washington; to organize it for performance; to return government to the people; to give the people the opportunity to do something about it, by bringing government back to where the people are.

Under our reorganization, economic and community development would be accorded high priority—the objective being to maintain and develop viable communities of all sizes.

My proposed welfare reform. In this needed change of our welfare system, many Americans in rural areas would benefit immediately, while strong incentives would be created to move those able to work into productive employment.

Not only would this reform assist many families operating on small farms and working in the rural communities of this country, but we know it would also help revitalize the economy of rural areas.

—My proposed comprehensive health strategy. My recent special message on health sets forth proposals to provide minimum national health insurance standards for all Americans, regardless of where they live, or what their income. At the same time, my proposals recognize that even with these improvements in the power to *purchase* medical care for all, they would be frustrated without assuring that care can be *supplied* where it is needed.

There is a shortage of doctors and medical personnel in this Nation; but there is also a problem of distribution of medical services. Those in remote rural areas often feel this lack more acutely than those in inner cities. We mean to provide Federal assistance to guarantee that the sick and injured in the rural sectors of America have the opportunity for the same high quality care that is available to Americans in other places. To help bring such services to rural areas, we propose to establish new area health education centers in medically underserved areas, and expand programs to encourage doctors, nurses, and physicians' assistants to serve in scarcity areas.

It is gratifying to be able to report to you that this administration is demonstrating its commitment to the restoration and enhancement of the vitality of rural America.

RICHARD NIXON.

THE WHITE HOUSE, *March 1, 1971.*

CARE IN COMMUNITY NURSING HOMES

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 460) to amend section 620 of title 38, United States Code, to extend the length of time community nursing home care may be provided at the expense of the United States.

The Clerk read as follows:

H.R. 460

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 620 of title 38, United States Code, is amended by striking "six" in the last sentence and inserting in lieu thereof "nine".

The SPEAKER. Is a second demanded?

Mr. TEAGUE of California. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, Public Law 88-450 authorized the Veterans' Administration to operate within its own medical system 4,000 nursing care beds, at the same time it provided in section 620 of title 38 authority for the Veterans' Administration to transfer a hospitalized veteran patient who has reached the nursing home care stage to a public or private institution for nursing care at Federal expense for a period generally not to exceed 6 months. Both of these provisions have had the desired effect of removing from active hospital beds operated by the Veterans' Administration those patients who no longer need hospital care but truly need nursing care. It also had an effect on reducing the hospital load throughout the entire Veterans' Administration medical system. The program, both that administered by the Veterans' Administration, as well as that operated in community nursing homes under VA auspices, has worked extremely well. The latest statistics on the operation of this program are shown in the tables which follow:

TABLE 1.—COMMUNITY NURSING HOME CARE PROVIDED AT EXPENSE OF VETERANS' ADMINISTRATION AND OTHER SELECTED NURSING HOME CARE DATA

State	Fiscal year 1970					Fiscal year 1971 (July–December 1970)							Patients requiring nursing home care not placed, October 1970		
							Patients placed—								
								July–October							
	Average daily census	Patients placed	Discharges	Patients treated	Budgeted cost (thousands)	Average daily census	July–December	Number	Service connected	Discharges	Patient treated	Budgeted cost (thousands)	Total	Discharged from hospital	Remaining in hospital
Total	3,581	10,322	10,639	14,575	$19,515	3,477	4,200	2,933	249	4,763	7,947	$9,996	2,540	202	2,338
Alabama	38	95	119	156	190	39	50	38	2	53	87	98	79	6	73
Alaska	3	14	10	14	21	3	2	(1)	(1)	5	9	13			
Arizona	101	312	289	397	544	97	140	96	12	130	229	263	13	1	12
Arkansas	65	169	187	255	284	47	52	31	1	64	107	106	18	4	14
California	276	918	956	1,294	1,640	293	364	273	27	453	695	911	275	14	261
Colorado	58	180	167	241	291	50	66	40	2	93	137	138	56	1	55
Connecticut	49	152	144	192	292	43	69	44	1	59	111	137	4		4
Delaware	32	132	70	117	195	35	40	27		41	73	111	15	1	4
District of Columbia	54	174	131	195	325	58	66	59	6	56	117	176	13	3	10
Florida	235	652	667	962	1,334	253	204	162	21	308	495	763	71	10	61
Georgia	104	249	310	414	586	82	82	54	5	92	168	246	39	8	31
Hawaii	1	7	4	5	6	3	9	(1)	(1)	4	9	9			
Idaho	9	28	31	39	40	11	23	12		16	31	25	7		7
Illinois	275	788	894	1,178	1,558	293	330	264	5	372	613	882	124		124
Indiana	51	158	149	212	295	43	37	21	1	65	99	133	19	3	16
Iowa	71	195	215	288	386	55	72	43	1	96	147	156	7		7
Kansas	43	112	95	167	218	67	61	45	6	73	133	178	105	17	88
Kentucky	65	186	221	278	331	51	76	41	3	77	133	138	26	12	14
Louisiana	59	206	204	258	298	62	103	78	3	90	151	154	4		4
Maine	17	51	57	72	97	16	28	16	1	23	43	48	15		15
Maryland	33	88	106	142	188	35	45	33	5	53	81	106	85		85
Massachusetts	156	390	405	452	823	124	117	92	24	127	218	356	48	7	41
Michigan	26	58	51	88	155	27	38	16	8	48	74	83	48	7	41
Minnesota	99	258	318	412	508	90	125	79	11	124	217	247	46		46
Mississippi	30	116	102	151	150	31	34	25	12	58	79	81	13	4	9
Missouri	93	268	285	391	522	102	143	96	3	149	250	304	28	9	19
Montana	18	63	57	78	92	17	21	20		33	42	48	12	3	6
Nebraska	46	145	164	201	246	35	66	48		69	104	100	16	5	11
Nevada							1				1	1			
New Hampshire	9	18	28	35	49	6	11	6		12	18	16	4	1	3
New Jersey	40	55	93	128	243	38	47	36	1	39	82	121	42	4	38
New Mexico	38	104	94	147	194	38	26	19	2	55	75	101	20	2	18
New York	42	129	127	168	244	42	44	31	6	49	89	122	349	14	335
North Carolina	58	129	154	211	299	47	52	37	2	65	109	122	41		41
North Dakota	15	40	45	63	74	21	23	17	6	21	41	50	10		10
Ohio	152	393	396	569	858	145	199	128	7	221	371	422	77		77
Oklahoma	88	290	258	349	375	76	125	78	10	128	207	164	2		2
Oregon	43	153	127	182	210	44	58	31	1	67	108	113	48	1	47
Pennsylvania	171	436	389	600	1,003	189	176	112		185	380	575	52		52
Rhode Island	26	91	89	120	144	22	31	14		42	61	68	17		17
South Carolina	31	99	102	135	167	25	32	27	1	41	61	74	33	8	25
South Dakota	17	35	52	64	81	16	32	20		24	43	41	10	1	9
Tennessee	166	430	483	659	841	136	135	75	3	182	311	376	146	26	120
Texas	230	694	700	963	1,198	230	280	208	17	350	536	621	227	12	215
Utah	4	14	15	18	15	6	11	7	2	5	14	12	3		3
Vermont	3	9	10	11	14	1				1	1	1			
Virginia	81	202	204	289	450	63	48	41	8	65	122	182	52	7	45
Washington	107	381	369	487	598	107	168	101	4	169	282	313	49		49
West Virginia	42	149	125	178	202	39	44	26		66	106	104	33	5	28
Wisconsin	90	245	301	372	515	109	155	135	8	114	225	335	75	5	70
Wyoming	1	7	7	9	6	5	6	6	3	4	8	11	60		60
Puerto Rico	19	59	63	79	89	17	33	27	2	27	44	38	4	1	3

[1] Data not available.

TABLE 2.—VA PATIENTS PLACED IN COMMUNITY NURSING HOMES AT VA EXPENSE—CARE EXTENDED BEYOND 6 MONTHS DURING FISCAL YEAR 1970 BY NUMBER OF MONTHS EXTENDED

State	Total	1 month	2 months	3 months	4 months	5 months	6 months
Total	176	6	12	29	4		125
Alabama	2						2
Alaska							
Arizona	4				1		3
Arkansas							
California	7		2		1		4
Colorado							
Connecticut	3	1		2			
Delaware	2		1				1
District of Columbia	9	3	2	4			2
Florida	49		1	7			41
Georgia	1						1
Hawaii							
Idaho							
Illinois	3	1		1			1
Indiana	5	1		4			
Iowa	1						1
Kansas	3						3
Kentucky	1						1
Louisiana							
Maine							
Maryland							
Massachusetts	1			1			
Michigan	1		1				
Minnesota							
Mississippi							
Missouri	3						3
Montana							
Nebraska							
Nevada							
New Hanpshire							
New Jersey	31						31
New Mexico	3						3
New York	5			3			2
North Carolina	1						1
North Dakota							
Ohio	6		1	3			2
Oklahoma							
Oregon							
Pennsylvania	18		1	1	1		15
Rhode Island							
South Carolina	1				1		
South Dakota							
Tennessee	5			1			4
Texas	5		1	2			2
Utah							
Vermont							
Virginia	1		1				1
Washington	3		1	1			
West Virginia							
Wisconsin	1			1			
Wyoming							
Puerto Rico	1						1

TABLE 2A.—VA PATIENTS PLACED IN COMMUNITY NURSING HOMES AT VA EXPENSE—CARE EXTENDED BEYOND 6 MONTHS DURING FISCAL YEAR 1971 (JULY–DECEMBER) BY NUMBER OF MONTHS EXTENDED

State	Total	1 month	2 months	3 months	4 months	5 months	6 months
Total	172	5	11	19	3		134
Alabama							
Alaska							
Arizona	12			1			11
Arkansas							
California	4						4
Colorado							
Connecticut							
Delaware	4			1	3		
District of Columbia	4	2		1			1
Florida	43		2				41
Georgia	3						3
Hawaii							
Idaho	2		1				1
Illinois	9		2	1			6
Indiana	1			1			
Iowa							
Kansas	3		1				2
Kentucky							
Louisiana	1						1
Maine							
Maryland							
Massachusetts	2		1				1
Michigan							
Minnesota							
Mississippi							
Missouri	2						2
Montana							
Nebraska	1						1
Nevada							
New Hampshire							
New Jersey	6						6
New Mexico	1						1
New York	8						8
North Carolina							
North Dakota							
Ohio	4		1	2			1
Oklahoma	2		1				1
Oregon							
Pennsylvania	13			8			5
Rhode Island							
South Carolina	1						1
South Dakota							
Tennessee	30						30
Texas	8	1	1	1			5
Utah							
Vermont							
Virginia	8	2	1	3			2
Washington							
West Virginia							
Wisconsin							
Wyoming							

TABLE 3.—PLACEMENTS IN COMMUNITY NURSING HOMES AT VA EXPENSE AND NOT AT VA EXPENSE BY COMPENSATION STATUS OCTOBER 1970

State	Total	VA expense			Not at VA expense		
		Total	Service connected	Non-service connected	Total	Service connected	Non-service connected
Total	1,202	764	66	698	438	29	409
Alabama	7	4		4	3		3
Alaska [1]							
Arizona	27	23	4	19	4		4
Arkansas	21	10		10	11	1	10
California	90	29	2	27	61		61
Colorado	13	10		10	3		3
Connecticut	10	10		10			
Delaware	15	14		14	1		1
District of Columbia	29	23	3	20	6		6
Florida	29	13	2	11	16		16
Georgia	25	12		12	13	1	12
Hawaii [1]							
Idaho	1	1		1			
Illinois	63	54	2	52	9		9
Indiana	12	10	1	9	2		2
Iowa	40	25		25	15		15
Kansas	25	7		7	18	5	13
Kentucky	12	6	1	5	6	1	5
Louisiana	22	17	1	16	5		5
Maine	5	3		3	2	2	
Maryland	8	6	2	4	2		2
Massachusetts	26	20	2	18	6		6
Michigan	7	3	1	2	4	2	2
Minnesota	26	14	2	12	12	1	11
Mississippi	15	1		1	14		14
Missouri	44	26	3	23	18		18
Montana	5	2		2	3	1	2
Nebraska	26	19		19	7		7
Nevada							
New Hampshire	4	2		2	2	1	1
New Jersey	14	12	1	11	2		
New Mexico	21	3	2	1	18		18
New York	21	10	1	9	11		11
North Carolina	16	10	2	8	6		6
North Dakota	9	6		6	3		3
Ohio	46	39	2	37	7		7
Oklahoma	40	23	1	22	17		17
Oregon	26	18	1	17	8		8
Pennsylvania	81	72	5	67	9	2	7
Rhode Island	3	2		2	1		1
South Carolina	14	7		7	7	1	6
South Dakota	4	3		3	1		1
Tennessee	34	23	2	21	11	1	10
Texas	116	87	6	81	29	2	27
Utah	26	1		1	25	5	20
Vermont	4				4		4
Virginia	17	12	5	7	5	1	4
Washington	35	21	2	19	14	2	12
West Virginia	15	5		5	10		10
Wisconsin	44	41	8	33	3		3
Wyoming	4	1		1	3		3
Puerto Rico	5	4	2	2	1		1

[1] Data not available.

Particular attention should be given to the figures indicating that for a 6-month period only 176 patients had to be extended beyond the basic 6-month period. It thus seems that the purpose of this bill; namely, to extend the period in which a veteran may be treated in a nursing home at Veterans' Administration expense from 6 to 9 months, is a most desirable measure which would cost a minimal amount in view of the benefit received. The experience and statistics quoted above support this extension of 3 months.

The Veterans' Administration estimates that the cost for the first year would be approximately $6,900,000.

An identical bill (H.R. 692) passed the House in the 91st Congress.

In 1952, after much discussion among the organizations concerned with high standards in the health care field, an independent, voluntary, nonprofit organization, the Joint Commission on Accreditation of Hospitals, was created to take over the responsibility for accreditation of hospitals from the program of hospital standardization, which had been inaugurated in 1918 by the American College of Surgeons.

The Joint Commission on Accreditation of Hospitals is cosponsored by the following member organizations of the Commission: The American College of Physicians, the American College of Surgeons, the American Hospital Association, and the American Medical Association. In 1966, the Joint Commission on Accreditation of Hospitals undertook the additional responsibility for accreditation of health care facilities other than hospitals. Two additional groups, the American Association of Homes for the Aging and the American Nursing Home Association, were added as participating organizations.

The Joint Commission on Accreditation of Hospitals has established standards for the operation of health care facilities as they relate to an acceptable level of patient care. Facilities meeting these standards are accredited by the Joint Commission. Accreditation is voluntary. Special teams of nursing home inspectors have been developed.

INSPECTION OF NURSING HOMES

Our controlled process of inspecting and providing care to veterans through community nursing homes involves:

First. Approval of facility.

Second. Referral of patient information.

Third. Monthly progress report.

Fourth. VA planning and followup of veterans by social work service. Nursing homes desiring to furnish skilled nursing care to patients of the VA make application to local VA hospitals for approval. Unless accredited by the Joint Commission on Accreditation of Hospitals, the facility is inspected by a VA team composed of a physician and other appropriate personnel; that is, social worker, public health nurse, engineer, and medical administration, who have firsthand knowledge of nursing homes and patients' needs. The minimum standards used to inspect a facility are listed on attached VA Form 10–1170, application and contract for furnishing nursing home care to patients of the Veterans' Administration. Special attention is given to compliance regarding discrimination because of race, creed, color or national origin. Our inspection includes standards of management, licensing, level of care, physican supervision, laboratory X-ray and diagnostic services, medical record, nursing service supervision, medications and narcotics, patients' dietary needs, fire and safety practices, and homelike atmosphere of the facility. A formal report of each inspection is prepared and the nursing home is advised of any unsatisfactory conditions found. An opportunity is given to reply in writing as to corrective action to be taken and estimated time necessary to do so.

Patients are given the privilege of choosing a nursing home from VA's approved listing, if feasible. VA Form 10–1204, referral of community nursing home care containing VA information from the physician, nurse, social worker, dietitian, and others, accompanies the patient to the nursing home.

Nursing homes submit monthly invoices to VA accompanied by the completed VA Form 10–1204b, report of nursing home care, for each veteran furnished care which gives the VA appropriate patient oriented information on a monthly basis.

Prior to the patient's discharge from the hospital and during the period he is receiving care, VA social workers actively assist the veteran and his family in planning future needs of the veteran. If they observe any unsatisfactory conditions during followup visits to a nursing home, a report is made to the approving station. These followup visits serve not only to check on the patient's progress, but also as a frequent reinspection of the facility itself.

VA regulations stipulate that where prior accreditation of a nursing home facility has been accomplished the VA may accept such accreditation in lieu of its own inspection at the direction of the local VA hospital or clinic director.

Nursing homes accredited by the joint commission and those inspected by the VA:

Approved homes, 3,284.

Accredited by joint commission, 16 percent.

Inspected by VA personnel, 84 percent.

Nursing home contracts terminated since VA program began in 1965:

Not paying minimum wages, 67.

Failure to meet fire safety requirements, 14.

Failure to comply with title VI, Civil Rights Act of 1964, 2.

Low per diem rates, 80.

Additional material follows:

[VA form 10–1170]

APPLICATION AND CONTRACT FOR FURNISHING NURSING HOME CARE TO PATIENTS OF THE VETERANS ADMINISTRATION

PART I—APPLICATION

Not reproduced in the RECORD.

PART II—CONTRACT

To: The Administrator of Veterans Affairs.

1.

(Official name and address of nursing home) duly licensed or approved by the State of ----------, and hereinafter referred to as the nursing home, agrees to make available its facilities for nursing home care of Veterans Administration patients, effective ----------, 19----, at the all-inclusive rate of $------ per day.

2. Nursing home care will be furnished to veterans for whom such care is specifically authorized by the Veterans Administration. It is understood that the type of patient to be cared for under this contract will normally not require more than occasional visits by physicians or more than minimal laboratory, X-ray and other special services. The care provided will include room, meals, nursing care and any other services or supplies normally provided other patients in the nursing home without extra charge. In addition, the per diem rate established in this contract will include the cost of medical care, emergency dental care, drugs, laboratory, X-ray and other necessary services, unless specifically excepted in paragraph 9 of this contract. It is further agreed that patients receiving care under this contract who begin to require more than occasional visits by physicians or more than minimal laboratory, X-ray and other special services will be promptly readmitted to an appropriate Veterans Administration facility.

3. When a veteran receiving nursing home care under this contract is absent from the nursing home for a period longer than forty-eight (48) hours, no charge will be made for his care during such absence.

4. In the event a veteran receiving nursing home care under this contract dies, the nursing home will promptly notify the Veterans Administration office authorizing admission and immediately assemble, inventory, and safeguard the patient's personal effects. The funds, deposits and effects left by Veterans Administration patients upon the premises of the nursing home shall be delivered by the nursing home to the person or persons entitled thereto under the laws currently governing the nursing home for making disposition of funds and effects left by patients, unless the veteran died without leaving a will, heirs or next of kin capable of inheriting. When disposition has been made, the itemized inventory with a notation as to the disposition of the funds and effects will be immediately forwarded to the Veterans Administration office. Should a deceased patient leave no will, heirs, or next of kin, his personal property and funds wherever located vests in and becomes the property of the United States in trust. In these cases the nursing home will forward an inventory of any such property and funds in its possession to the appropriate Veterans Administration office and will hold them (except articles of clothing necessary for proper burial) under safeguard until instructions are received from the Veterans Administration concerning disposition.

5. The nursing home agrees and warrants that it does not maintain nor provide dual or segregated patient facilities which are segregated on the basis of race, creed, color, or national origin. The nursing home may neither require such segregated use by written or oral policies nor tolerate such use by local custom. The term facilities shall include but not be limited to rooms, wards, sections, eating areas, drinking fountains, entrances, etc. It is agreed that the Veterans' Administration will have the right to inspection of the nursing home and all appurtances by an authorized representative(s) designated by the Veterans Administration, to determine whether acceptable standards are maintained and that adequate care is being rendered. Minimum standards for nursing home care are listed in Appendix "A" hereof, and become part of this contract.

6. It is impossible to determine the exact or estimated amount which will be expended under this contract. It is understood that no obligation will be incurred by the Veterans Administration under this contract until authorizations are issued for nursing home care

of specific veterans. The Veterans Administration agrees to make payment on a timely basis for services rendered in accordance with such authorizations upon receipt of billings submitted by the nursing home at the completion of each month's service. If a veteran is admitted to and discharged from the nursing home on the same calendar day, payment will be made for one day.

7. It is agreed that the Veterans Administration may readily have access to all medical records concerning the veteran's care in the nursing home.

8. It is understood that the veteran may be provided nursing home care at the expense of the Veterans Administration for a period not in excess of that stated in the nursing care and treatment plan received from the Veterans Administration, unless an extension of the authorization is provided in writing by the appropriate Veterans Administration station.

9. It is agreed that the nursing home will submit VA Form 10–1204b, Report of Nursing Home Care, to the Veterans Administration monthly for veterans receiving care under this contract.

10. *Exceptions:* The following services and/or supplies will not be included under the inclusive per diem rate established by this Contract: (*If these are no exceptions state "None."*)

The Veterans Administration will honor billings for these excepted items subject to a maximum average of per day.

11. It is understood that payments made by the Veterans Administration under this contract will constitute the total cost of nursing home care. The nursing home agrees that no additional charges will be billed to the veteran or his family, either by the nursing home or any third party furnishing services or supplies required for such care.

12. The nursing home warrants that all applicable fire laws are being complied with and there are no recommendations of fire officials which have not been resolved.

13. The nursing home further warrants that no person or selling agency has been employed or retained to solicit or secure this contract for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees maintained by this nursing home for the purpose of securing business. For breach or violation of this warranty the Government shall have the right to annul this contract without liability or in its discretion to deduct from the agreed price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

14. The nursing home agrees to accept referral of and to provide all services specified in this contract for any person determined eligible by the Chief Medical Director or his designee, regardless of the race, color, religion, sex (unless otherwise indicated in Item 10, Block A or B, Part I, Application) or national origin of the person for whom such services are ordered. In addition the nursing home warrants that subcontracting will not be resorted to as a means of circumventing this provision.

15. Equal Opportunity in Employment. The nursing home will comply with the Equal Opportunity Clause, VA Form 07–2135, attached as a part of this contract. The nursing home represents that it ( ) has, ( ) has not, participated in a previous contract or subcontract subject to the Equal Opportunity Clause, attached, or the clause originally contained in section 301 of Executive Order No. 10925, or the clause contained in section 201 of Executive Order No. 11114; that it ( ) has, ( ) has not, filed all required compliance reports; and that representations indicating submission of required compliance reports, signed by proposed subcontractors, will be obtained prior to subcontract awards.

16. The nursing home is cautioned as follows: By signing its offer, the nursing home will be deemed to have signed and agreed to the provisions of the "Certification of Nonsegregated Facilities" in this contract. The certification provides that the nursing home does not maintain or provide for its employees facilities which are segregated on a basis of race, creed, color or national origin, whether such facilities are segregated by directive or on a de facto basis. The certification also provides that it will not maintain such segregated facilities. Failure of a nursing home to agree to the Certification of Nonsegregated Facilities will render its offer nonresponsive to the terms of solicitations involving awards of contracts exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity Clause.

17. (Applicable to (1) contracts, (2) subcontracts, and (3) agreements with applicants who are themselves performing Federally assisted construction contracts exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity Clause.) By the submission of this offer, the nursing home certifies that it does not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not permit its employees to perform their services at any location, under its control, where segregated facilities are maintained. It certifies further that it will not maintain or provide for its employees any segregated facilities at any of its establishments, and that it will not permit the employees to perform their services at any location, under its control, where segregated facilities are maintained. The nursing home agrees that a breach of this certification is a violation of the Equal Opportunity Clause of this contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise. It further agrees that (except where it has obtained identical certifications from proposed subcontractors for specific time periods) it will obtain identical certificates from proposed subcontractors prior to the award of subcontracts exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity Clause; that it will retain such certifications in its files; and that it will forward the following notice to such proposed subcontractors (except where the proposed subcontractors have submitted identical certifications for specific time periods):

NOTICE TO PROSPECTIVE SUBCONTRACTOR OF REQUIREMENT FOR CERTIFICATION OF NONSEGREGATED FACILITIES

(A Certificate of Nonsegregated Facilities must be submitted prior to the award of a subcontract exceeding $10,000 which is not exempt from the provisions of the Equal Opportunity Clause. The certification may be submitted either for each subcontract or for all subcontracts during the period (i.e. quarterly, semiannually, or annually).)

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

18. The nursing home agrees that the Comptroller General of the United States or any of his duly authorized representatives shall, until the expiration of three years after final payment under this contract, have access to and the right to examine any directly pertinent books, documents, papers, and records of the nursing home involving transactions related to this contract. The nursing home further agrees to include in all its subcontracts hereunder a provision to the effect that the subcontractor agrees that the Comptroller General of the United States or any of his duly authorized representatives shall, until the expiration of three years after final payment under the subcontract, have access to and the right to examine any directly pertinent books, documents, papers, and records of such subcontractors, involving transactions related to the subcontract. The term "subcontract" as used in this clause excludes (a) purchase orders not exceeding $2,500 and (b) subcontracts or purchase orders for public utility services at rates established for uniform applicability to the general public.

19. This contract is subject to the provisions of the Service Contract Act of 1965. The nursing home agrees it will comply with the Clause for Federal Service Contracts in excess of $2,500, VA Form 10–1312, attached as a part of this contract. In the absence of a minimum wage attachment for this contract (paragraphs (a), (b), and (c), VA Form 10–1312), the payment of wages not less than those specified in section 6(b) of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201–219)—$1.30 per hour beginning February 1, 1969; $1.45 per hour beginning February 1, 1970; and $1.60 per hour beginning February 1, 1971—shall be deemed to constitute compliance with section 2(b)(1) of the Service Contract Act of 1965. (38 U.S.C. 620(c)).

20. This contract shall continue in effect until terminated by mutual consent or until terminated by either party by giving written notice 30 days in advance of the proposed termination. In the event of such termination, the nursing home agrees to continue furnishing nursing home care to the VA patients remaining in the nursing home on the termination date at the same rates and under the same conditions provided in this contract for a reasonable additional period of time necessary for arrangements to be made for their discharge or transfer.

21. Except as otherwise provided in this contract, any dispute concerning a question of fact arising under this contract which is not disposed of by agreement shall be decided by the Contracting Officer, who shall reduce his decision to writing and mail or otherwise furnish a copy thereof to the nursing home. The decision of the Contracting Officer shall be final and conclusive unless, within 30 days from the date of receipt of such copy, the nursing home mails or otherwise furnishes to the Contracting Officer a written appeal addressed to the Administrator of Veterans Affairs. The decision of the Administrator or his duly authorized representative for the determination of such appeals shall be final and conclusive unless determined by a court of competent jurisdiction to have been fraudulent, or capricious, or arbitrary, or so grossly erroneous as necessarily to imply bad faith, or not supported by substantial evidence. In connection with any appeal proceeding under this clause, the nursing home shall be afforded an opportunity to be heard and to offer evidence in support of its appeal. Pending final decision of a dispute hereunder, the nursing home shall proceed diligently with the performance of the contract and in accordance with the Contracting Officer's decision.

This "Disputes" clause does not preclude consideration of law questions in connection with decisions provided for in the paragraph above: Provided, that nothing in this contract shall be construed as making final the decision of any administrative official, representative, or board on a question of law.

22. This contract, to the extent that it is of a character specified in the Contract Work Hours Standards Act (40 U.S.C. 327–330), is subject to the following provisions and to all other applicable provisions and exceptions of such Act and the regulations of the Secretary of Labor thereunder:

(a) Overtime requirements. No Contractor or subcontractor contracting for any part of the contract work which may require or

involve the employment of laborers or mechanics shall require or permit any laborer or mechanic in any workweek in which he is employed on such work to work in excess of eight hours in any calendar day or in excess of forty hours in such workweek on work subject to the provisions of the Contract Work Hours Standards Act unless such laborer or mechanic receives compensation at a rate not less than one and one-half times his basic rate of pay for all such hours worked in excess of eight hours in any calendar day or in excess of forty hours in such workweek, whichever is the greater number of overtime hours.

(b) Violation: liability for unpaid wages; liquidated damages. In the event of any violation of the provisions of paragraph (a), the Contractor and any subcontractor responsible therefor shall be liable to any affected employee for his unpaid wages. In addition, such Contractor and subcontractor shall be liable to the United States for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic employed in violation of the provisions of paragraph (a) in the sum of $10 for each calendar day on which such employee was required or permitted to be employed on such work in excess of eight hours or in excess of his standard workweek of forty fours without payment of the overtime wages required by paragraph (a).

(c) Withholding for unpaid wages and liquidated damages. The Contracting Officer may withhold from the Government Prime Contractor, from any moneys payable on account of work performed by the Contractor or subcontractor, such sums as may administratively be determined to be necessary to satisfy any liabilities of such Contractor or subcontractor for unpaid wages and liquidated damages as provided in the provisions of paragraph (b).

(d) Subcontracts. The Contractor shall insert paragraphs (a) through (d) of this clause in all subcontracts, and shall require their inclusion in all subcontracts of any tier.

(e) Records. The Contractor shall maintain payroll records containing the information specified in 29 CFR 516.2(a). Such records shall be preserved for three years from the completion of the contract.

23. No member of or delegate to Congress, or resident Commissioner, shall be admitted to any share or part of this contract, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this contract if made with a corporation for its general benefit.

APPENDIX A. MINIMUM STANDARDS FOR NURSING HOME CARE FOR VETERANS ADMINISTRATION PATIENTS

1. A nursing home is defined as a facility or unit operated for the accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care but who require skilled nursing care and related medical services, if such nursing care and medical services are prescribed by, or are performed under the general direction of, persons duly licensed to provide such care.

2. Accreditation as a skilled nursing home by the Joint Commission on Accreditation of Hospitals shall be prima facie evidence of compliance with VA standards. Other nursing homes utilized for VA patients shall meet the following standards:

a. The facility shall be licensed or approved by the State in which located and must comply with local governmental regulations.

b. One level of care for VA beneficiaries shall be provided. That will include: (1) skilled nursing home care and related medical services; (2) supportive personal care; and (3) individual adjustment services including social, diversional, recreational and spiritual opportunities.

c. There shall be provision for care of each patient by a duly licensed physician. Such care shall require visitation by the physician as the need indicates for both routine and emergent care. In addition, a physician shall advise the facility on general matters of care and administration where pertinent and there shall be evidence of general supervision of clinical work by a physician.

d. Laboratory, X-ray and other diagnostic services shall be available when needed, either on the premises or nearby.

e. A medical record must be maintained for each patient which includes at least:

(1) Admission-identification record.

(2) VA Form 10–1204, Referral for Community Nursing Home Care.

(3) Admitting evaluation (including diagnosis).

(4) Physician's orders.

(5) Progress notes. (The notes of all professional services may be written chronologically on the same sheet. Physician's notes are written as the case warrants, but no less than once every two months.)

(6) Special reports (laboratory, X-ray, activity, etc.).

(7) Medications and treatments given.

f. The nursing service shall be under the direct supervision of a registered professional nurse, currently licensed to practice in the State. This requirement will be considered to be met if a registered professional nurse is on duty 40 hours or more a week and there is evidence of adequate supervision by her of the overall nursing service. There shall be such other personnel as are necessary to provide adequate care of patients 24 hours a day.

g. Medications and narcotics shall be properly stored and controlled and proper issuance upon orders from physicians shall be provided for and recorded.

h. Patients' dietary needs shall be met in accordance with sound medical practice and records of planned menus shall be kept for one month.

i. Acceptable safety and sanitation practices shall be observed throughout the facility. Exterior walls of one story buildings without basements shall be constructed either entirely of noncombustible materials or of a combination of materials (exterior surfacing must be noncombustible material) listed by local or state codes or the national building code as having a fire resistance rating of at least one hour. Exterior walls, stairs and stair enclosures of buildings of more than one story shall be constructed entirely of noncombustible materials. A concrete slab shall separate all stories and the upper story and attic of buildings of more than one story. (For this purpose a basement is considered a separate story.) Buildings which do not meet the above construction standards may be approved if completely protected by an automatic fire sprinkler system approved by the authority having jurisdiction. In the absence of such an authority, a certificate by the installer that the system protects the entire structure and was designed and installed in accordance with National Fire Protection Association Standard No. 13, Standard for the Installation of Sprinkler Systems, may be substituted for such approval.

j. There shall be a cheerful, homelike atmosphere in which full attention is paid to diversional and social needs. Every effort shall be made to keep patients ambulatory.

Note—VA forms 10–1024 and 10–1024B not reproduced in RECORD.

VA REGULATIONS

6050.4 (§ 17.50d). NECESSITY FOR PRIOR AUTHORIZATION.—The admission of a veteran to a non-VA hospital at VA expense must be authorized in advance. In the case of an emergency which existed at the time of admission, an authorization may be deemed a prior authorization if an application, whether formal or informal, by telephone, telegraph or other communication, is dispatched to the Veterans Administration within 72 hours after the hour of admission, including in the computation of time Saturdays, Sundays and holidays. When an application for admission has been made more than 72 hours after admission, authorization for continued care at VA expense shall be effective as of the postmark or dispatch date of the application, or the date of any telephone call constituting an informal application. (Dec. 16, 1968)

6050.5 (§ 17.50e). USE OF PUBLIC OR PRIVATE HOSPITALS UNDER SHARING AGREEMENTS.—Hospital care in a State or local, public or private hospital facility may be authorized for any veterans entitled to hospital care under VA Regulation 6047 when such care is incidental to, or necessary for, the use of a specialized medical resource made available pursuant to an agreement for sharing specialized medical resources. (Dec. 16, 1968)

6050.6 (§ 17.50f). PAYMENT FOR AUTHORIZED PUBLIC OR PRIVATE HOSPITAL CARE.—Payment for public or private hospital care authorized under VA Regulation 6050.2 shall not be in excess of the rates the hospital customarily charges the general public for similar services in the community. Payment for ancillary services, supplies, or equipment will be made only to the extent the charges are reasonable and necessary. In the case of services which are out of the ordinary or of an unusual nature, payment will only be made upon a determination by the Veterans Administration that the services were, in fact, necessary and the charges reasonable. In the case of a hospital under contract with the Veterans Administration, all services and supplies will be paid at rates in accordance with the terms of the contract. (Dec. 16, 1968)

USE OF COMMUNITY NURSING HOME CARE FACILITIES

6051 (§ 17.51). TRANSFERS TO COMMUNITY NURSING HOMES FROM VA FACILITIES.—Nursing home care in a contract public or private nursing home care facility may be authorized [ ] for any veteran eligible for hospital care under VA Regulation 6047 (A), (B), (C) or (D), who has attained the maximum hospital benefit and for whom a protracted period of nursing home care will be required, provided: (Oct. 30, 1969)

(A) Transfer to the nursing home care facility will be from a hospital under the direct and exclusive jurisdiction of the VA (except in Alaska and Hawaii, as provided for in VA Regulation 6051.2), and (Oct. 21, 1968)

(B) The nursing home care facility is determined to meet the physical and professional standards prescribed by the Chief Medical Director, and (Oct. 21, 1968)

(C) The cost of the nursing home care does not exceed 40 percent of the cost of care furnished by the VA in a GM&S hospital as determined from time to time, [and] Oct. 30, 1969)

[(D) The nursing home care will not be for more than 6 months in the aggregate in connection with any one transfer, except in the case of a veteran whose hospitalization was primarily for a service-connected disability. In such case entitlement to nursing home care under this paragraph is not subject to any time limitation.] (Oct. 30, 1969)

6051.1 (§ 17.51a). EXTENSIONS OF COMMUNITY NURSING HOME CARE BEYOND 6 MONTHS.—The Chief Medical Director, his Deputy or the Regional Medical Director may authorize [, for any veteran whose hospitalization was not primarily for service-connected disability,] an extension of nursing care in a public or private nursing home care facility at VA expense beyond 6 months for circumstances of a most unusual nature such as when additional time is needed to complete imminent arrangements for other care. (Oct. 30, 1969)

6051.2 (§17.51b). TRANSFERS FROM FACILITIES FOR NURSING HOME CARE IN ALASKA AND

HAWAII.—Transfer of any veteran hospitalized in a non-VA hospital facility at VA expense to a community nursing home facility in Alaska or Hawaii may be authorized subject to the provisions of VA Regulation 6051, except subparagraph (A). (Oct. 21, 1968)

MEDICAL AND ANCILLARY SERVICES ON A CONTRACT OR FEE BASIS

6052 (§ 17:52). MEDICAL AND ANCILLARY SERVICES ON A CONTRACT OR FEE BASIS

(A) Directors of VA hospitals, domiciliaries and outpatient clinics are authorized to consummate agreements with professional associations, private or public (non-Federal) organizations, or persons to provide medical and ancillary services of acceptable standards on a fee basis. Such agreements will be entered into solely under conditions prescribed by the Chief Medical Director. (Nov. 28, 1961)

(B) Agreements covering the furnishing of medical and ancillary services by other Federal agencies on a fee basis will be executed by the Chief Medical Director. (Jan. 19, 1961)

(C) Subject to such terms and conditions as the Chief Medical Director shall prescribe, Directors of VA hospitals, domiciliaries, and out-patient clinics may enter into contracts with medical schools or clinics to provide scarce medical specialist services (including, but not limited to, services of radiologists, pathologists, psychiatrists, etc.) in facilities under the direct and exclusive jurisdiction of the VA. (Mar. 17, 1967)

VA REGULATIONS, DECEMBER 5, 1969

Remove pages: 5–22R and 6–22R [6–21Ra, 6–21Rb].

Insert pages: 5–23R and 6–23R.

Paragraphs revised: 6051 Introduction, (C); 6051.1.

Paragraph added: 6051(D).

Paragraphs canceled: None.

EXPLANATION

The purpose of the following comment concerning the change included in this amendment is to inform all concerned why this change is being made.

Paragraph 6051. This paragraph is amended, including the addition of subparagraph (D), to exempt any veteran whose hospitalization was primarily for service-connected disability from the 6-month limitation on community nursing home care. This change was authorized by Public Law 91–101 enacted October 30, 1969.

Paragraph 6051.1. An editorial change necessitated by the above has been made in this paragraph.

By the direction of the Administrator:

FRED B. RHODES,
Deputy Administrator.

DEPARTMENT OF MEDICINE AND SURGERY, VETERANS' ADMINISTRATION, NOVEMBER 30, 1967

M–1, PART I, CHANGE 103

Part I, "Medical Administrative Activities," VA Department of Medicine and Surgery Manual M–1, "Operations," is changed as indicated below:

NOTE: In addition to editorial and other minor changes in text, specific changes include:

a. *Paragraph 12.07b:* Revised to incorporate the provisions of Interim Issue 10–67–48 which modified references to VA regulations recently updated.

b. *Paragraph 12.09a:* Revised to provide for transfer to VA Nursing Home Care Units of veterans hospitalized at VA expense in non-VA hospitals.

c. *Paragraph 12.10d:* Revised to authorize Regional Medical Directors to establish controls to insure equal availability of beds for veterans within a reasonable distance of each Nursing Home Care Unit.

d. *Paragraph 12.24c:* Revised to incorporate the provisions of Interim Issue 10–67–11 which increased the maximum amount authorized for cost of services and supplies not included in the per diem rate.

e. *Paragraph 12.26d:* Revised to incorporate the provision of Interim Issue 10–67–24 which amended the interpretation of the term "protracted period of time" to mean a minimum of 1 month of nursing home care.

f. *Paragraph 12.26e:* Revised to incorporate the provisions of Interim Issues 10–C7–11 and 10–67–24 which informed field stations that patients placed in the community nursing home care program who are also eligible for extended care benefits under Medicare may use the Medicare entitlement after VA authorization is terminated.

g. *Paragraph 12.29:* Revised to explain that the services of a Contact Representative are available to VA patients when necessary during a period of community nursing home care.

Page 12-ii, paragraph 1a: Add: "II 10–67–11, II 10–67–24, II 10–67–48".

Pages 12–1 through 12–6: Remove these pages and substitute pages 12–1 through 12–6 attached.

Page 12–8

Paragraph 12.24c, lines 8 and 9: Delete "$1.25. (Example: Drugs . . . X-ray 0.35, etc.)" and insert "$1.50. (Example: Drugs $0.50; medical and dental care $0.60; laboratory and/or X-ray $0.40, etc.)"

Paragraph 12.25

Subparagraph c(2), line 2: Delete "Chief, Medical Administration Division," and insert "Chief of Medical Administration".

Subpargaraph e, lines 2 and 3: Delete "Chief, Medical Administration Division," and insert "Chief of Medical Administration,".

Pages 12–9 and 12–10: Remove these pages and substitute pages 12–9 through 12–10a attached.

Page 12–11

Paragraph 12.28c, line 3: Delete "in paragraph 12.24c." and insert "on the VA Form 10–7078."

Paragraph 12.29, line 4: After "explored." insert "Appropriate assistance is available from the Contact Division when necessary."

Paragraph 12.30c, line 3: Delete "11G" and insert "126".

Paragraph 12.31b(1), line 1: After "each" insert "case".

H. M. ENGLE, M.D.,
Chief Medical Director.

DEPARTMENT OF MEDICINE AND SURGERY, VETERANS' ADMINISTRATION, WASHINGTON, D.C., JULY 1, 1969

M–1, PART I. CHANGE 125

Part I, "Medical Administration Activities," VA Department of Medicine and Surgery Manual M–1, "Operations," is changed as indicated below:

NOTE: The purpose of this change is to:

a. *Paragraph 12.02d:* Revised to define the word hospital as used in this chapter.

b. *Paragraph 12.04:* Revised to reflect terminology of change in chapter 10, not yet published.

c. *Paragraph 12.06:* Revised to provide that the hospital that places the veteran in the community nursing home will pay indicated beneficiary travel costs.

d. *Paragraph 12.08:* Revised to reflect terminology of changes in chapters 10 and 13, not yet published, and to provide for a change in AMIS reporting of patients placed on authorized absence (formerly trial visit).

e. *Paragraph 12.09:* Revised to add restoration centers (Interim Issue 10–68–30).

f. *Paragraph 12.16:* Revised to reflect terminology or change in chapter 13, not yet published.

g. *Paragraph 12.22:* Revised to provide for a change in responsibility for issuing authorizations and processing invoices.

h. *Paragraph 12.25c(3):* Deleted.

i. *Paragraph 12.27:* Revised to make certain editorial changes and deletions.

j. *Paragraph 12.27.1:* Added to provide for placement of veterans in Alaska and Hawaii (Interim Issue 10–68–48).

k. *Paragraph 12.28:* Revised to provide that hospitals will issue authorizations for nursing home care.

l. *Paragraph 12.30c:* Editorial change.

m. *Paragraph 12.33:* Revised to provide for maintenance of treatment files. *Page 12–ii,* add:

"2. LIMITED RESCISSIONS

a. *Interim Issues:* II 10–68–30, II 10–68–48".

Pages 12–1 through 12–6: Remove these pages and substitute pages 12–1 through 12–6a attached.

Page 12–8, paragraph 12.25c: Delete subparagrah (3).

Page 12–10, paragraph 12.27.

Subparagraph a, lines 3 through 6: Delete "The decision of the Chief of Staff . . . for payment of his care".

Subparagraph d

Subparagraph (1)

Line 1: Delete "If the nursing home is located conveniently to the hospital, the" and insert "The".

Lines 4 through 9: Delete "Tentative arrangements may be made . . . will be made by telephone."

Subparagraph (2): Delete this subparagraph.

Pages 12–10a through 12–13: Remove these pages and substitute pages 12–11 through 12–13 attached.

H. M. ENGLE, M.D.
Chief Medical Director.

DEPARTMENT OF MEDICINE AND SURGERY, VETERANS' ADMINISTRATION, WASHINGTON, D.C., DECEMBER 26, 1969

M–1, PART I, CHANGE 135

Part I, "Medical Administration Activities," VA Department of Medicine and Surgery Manual M–1, "Operations," is changed as indicated below:

NOTE: The purpose of this change is to provide that veterans whose hospitalization was primarily for treatment of service-connected disabilities may be furnished community nursing home care without time limitations.

Page 12–8, paragraph 12.26a, lines 4 and 5: After "mind" insert a period and delete "if they require more than 6 months of nursing home care."

Page 12–9, paragraph 12.26b

Line 4: Delete "temporarily".

Lines 7 through 9: Delete "through f below . . . further nursing home care." and insert "and d below, and, as appropriate, subparagraphs g and i below."

Page 12–10, paragraph 12.26f, line 2: After "months" delete the period and insert "for a veteran whose hospitalization was primarily for treatment of non-service-connected disabilities."

Page 12–11

Paragraph 12.28a, lines 3 and 4: Delete "date to . . . However, funds" and insert "date to 'disposition.' For those veterans whose hospitalization was primarily for the treatment of non-service-connected disabilities, add 'but not later than (*insert date—not to exceed 6 months*).' Funds".

Paragraph 12.29, line 10: After "authorizations" insert "for veterans whose hospitalization was primarily for treatment of non-service-connected disabilities".

Page 12–12, paragraph 12.30a, line 2: After "program" delete the period and insert "for veterans whose hospitalization was primarily for treatment of non-service-connected disabilities."

H. M. ENGLE, M.D.,
Chief Medical Director.

CHAPTER 12. NURSING HOME CARE

SECTION I. GENERAL

12.01 Basic Authority

a. *VA Nursing Home Care.* VA Regulation 6047(E).

b. *Community Nursing Home Care.* VA [Regulations 6051, 6051.1 and 6051.2.]

12.02 Definitions

a. *Nursing Home Care.* See VA Regulation [6030(P).]

b. *Clinic of Jurisdiction.* This term refers to the VA field station having fee-basis outpatient jurisdiction over the geographical area where a community nursing home is located.

c. *Clinic Director.* This term when used in this chapter also refers to the Chief, Outpatient Service, of a hospital or center with fee-basis outpatient authority.

d. [*Hospital.* This word, when used in this chapter, applies also to VA regional office outpatient clinics in Honolulu, Hawaii, and Juneau, Alaska.]

e. (Deleted by change 103.)

f. *Community Care Placement.* This refers to a placement for continued care in the community of a patient who no longer needs hospitalization. It does not necessarily mean that the veteran will return to his home. In many instances he could remain in a community nursing home either at his own expense or with financial assistance from his family, the community, other resources, or a combination thereof. Other types of community care placements could be in foster homes, halfway houses, or special placement homes.

12.03 Nursing home care in State homes

See DM&S Manual M–1, part III, chapter 15.

12.04 Institutional awards

a. An institutional award being paid to a VA Hospital or Center Director may be continued when the patient for whom it is being paid is discharged for admission to either a VA Nursing Home Care Unit or to a community nursing home at VA expense. An appropriate statement will be made in the "Remarks" space of VA Form 10–7132 in such a case and a hospital report will be forwarded to the Adjudication Division. Cases in which the institutional award has been discontinued because the estate of the veteran equals or exceeds $1,500 will be similarly reported. The hospital will administer funds of such a patient in a community nursing home in the same manner as the funds of a patient on [authorized absence.]

b. Timely appointment of a fiduciary when indicated in such a case is imperative. The Chief of Medical Administration of the referring hospital is responsible for requesting, coordinating, and forwarding information required for this purpose by the Adjudication Officer and the Chief Attorney. Adequate controls will be established to insure that the need for this information is promptly anticipated.

c. If such a patient is ready for discharge from a VA Nursing Home Care Unit or VA authorization for community nursing home care is to be terminated, and necessary adjudicative action has not been completed, the institutional award will be continued until payment is authorized either directly to the veteran or to a fiduciary.

12.05 Admission of women veterans

a. Each VA Nursing Home Care Unit will accept women veterans who meet the requirements for admission.

b. Women patients will be assigned to rooms containing one or two beds whenever possible. If private or semiprivate bathing and toilet facilities are not available, local controls will be established to the extent required to provide these services.

c. The community nursing home care program may also be used for women veterans who meet its requirements.

12.06 Transportation

Beneficiary travel necessary in the nursing home care program will be paid [by the hospital which authorizes the nursing home care] subject to the same limitations applicable to hospital [admissions,] transfers and discharges. Transportation may be paid to a suitable community nursing home in the area of the veteran's legal residence in cases where his physical presence there is a prerequisite to qualify him for needed community assistance. Transfer to a VA hospital in the vicinity of a nursing home will be considered, if necessary to facilitate admission to the nursing home. If the veteran requests admission to a more distant nursing home, payment of transportation will be allowed not in excess of the costs which would have been incurred if he had selected a nursing home in an area to which travel could properly be paid. [ ]

12.07 Prosthetic and similar appliances

a. Artificial limbs, braces, orthopedic shoes, hearing aids, eyeglasses, artificial eyes, wheelchairs, medical accessories, similar appliances, and special clothing made necessary by the wearing of such appliances, may be purchased, made or repaired, when determined medically necessary for patients receiving care in VA Nursing Home Care Units.

b. Such items may *not* be furnished to VA patients in community nursing homes unless the patients are eligible for them on an outpatient basis under the provisions of VA Regulations 6060(A) through (D) and 6060(G), or the patients meet the basic eligibility requirements described in VA Regulation 6115.3, pertaining to therapeutic and rehabilitative devices being authorized for pensioners who are entitled to aid and attendance.

12.08 [Non-service-connected outpatient care and authorized absences]

a. Patients will not be placed on [non-service-connected outpatient care of authorized absence] status at the same time they are receiving nursing home care as a VA beneficiary, except that patients approved for admission to *VA* Nursing Home Care Units may be placed on [authorized absence,] when necessary for legal purposes under the same conditions prescribed for domiciliary care in paragraph 10.18, this part.

b. Upon termination of nursing home care as a VA beneficiary, a patient may be furnished [non-service-connected outpatient care or authorized leave] if a VA physician determines such additional care is necessary and appropriate. Unless the physician responsible for followup care examines such a patient at the time of placement on [NSC OPT] or TV, a followup visit will be scheduled so that the patient will be seen for reevaluation within 30 days.

(1) *Procedure for Placement on PHC Status.* Discharge from the nursing home will be classified statistically in accordance with the circumstances. The patient will then be picked up on the PHC rolls of the appropriate VA station without recording a readmission to the hospital. Applicable procedures outlined in chapter 17, section III, this part, will be followed.

(2) *Procedure for Placement on TV Status*

(a) *From Community Nursing Homes.* The patient will be shown as a loss to "other absent bed occupant status" on [AMIS segment 349,] field 19, and remain in that status on the rolls of the [VA hospital] for period of [authorized absence.] Followup care and final disposition of the case will be the responsibility of the [ ] hospital [which will report such final disposition of the case] in AMIS segment 349, field 23 or 25. [This fact will in no way preclude followup care of the patient by a VA station other than the one placing him on authorized absence.]

(b) *From VA Nursing Home Care Units.* The patient will be shown as a loss to "other absent bed occupant status" on [AMIS segment 345,] field 18, and remain in that status for the period of [unauthorized absence]. Followup care and final disposition of the case will be the responsibility of the outpatient service of the hospital of which the Nursing Home Care Unit is a part unless he is properly referred to another VA station. Final disposition will be reported in AMIS segment 345, field 23 or 25.

(c) *General.* Applicable procedures outlined in chapter 10, section IV, this part, will be followed.

SECTION II. VA NURSING HOME CARE UNITS

12.09 Admission requirements

a. Admissions to VA Nursing Home Care Units will be effected only from inpatient or member status in a VA hospital, [ ] domiciliary, [restoration center] or from inpatient status at VA expense in a non-VA hospital. Movement from a hospital, [ ] domiciliary, [or restoration center] bed to a nursing home care bed on the same station will be accomplished by discharge from the hospital, [ ] domiciliary, [or restoration center] and admission to Nursing Home Care Unit. Veterans will not be admitted to VA hospitals, [ ] domiciliaries [or restoration centers] for the sole purpose of subsequent admission to a Nursing Home Care Unit.

b. Only veterans who have been hospitalized under VA Regulation 6047 (A), (B), (C) or (D) and attained maximum hospital benefit or domiciled under VA Regulation 6047 (C) or (D) and require a period of nursing home care will be eligible.

c. In addition, a patient must meet all of the following conditions:

(1) Requires skilled nursing services, supportive health services and intermittent services of physicians.

(2) No longer needs hospitalization.

(3) Has no current possibility for a community care placement. (Patients being treated for service-connected conditions are not required to meet this condition.)

(4) Cannot meet self-care criteria for admission to or continued care in a VA domiciliary as specified in VA Regulations 6047(C) (3) and 6047(D).

(5) Is not terminally ill (life expectancy of less than 3 months) or does not otherwise require intensive medical care.

12.10 Screening committee

a. A Screening Committee will be appointed consisting of the physician responsible for the direct medical care of nursing home care patients, the Supervisor, Nursing Home Care Unit, and other appropriate personnel which will make recommendations to the Chief of Staff on proposed admissions. Personal discussion with the staff of the hospital requesting the admission may be desirable in certain cases before arriving at a final decision. Final acceptance will be the decision of the Chief of Staff having professional supervision over the Nursing Home Care Unit.

b. The Screening Committee will meet as often as necessary to avoid undue delay in considering requests for care.

c. Medical considerations will be the basis for establishing priority for admission, but preference will be given to patients being treated for service-connected conditions and to Spanish-American War veterans.

d. Applicants who are currently hospitalized or domiciled at the same station where the Nursing Home Care Unit is located will not be given preference over applicants from other stations. Regional Medical Directors [should] insure equal availability of beds for veterans within a reasonable distance of each Nursing Home Care Unit. This may includes establishment of primary service areas with bed allocations.

12.11 Admission procedures

a. *Referring Hospital or Domiciliary*

(1) Request for admission to a Nursing Home Care Unit will be initiated by the patient's or member's physician and will be supported by sufficient medical findings to show that the veteran meets the requirements of paragraph 12.09c. The request will be forwarded to the Medical Administration Division in the same manner and through

the same channels as a request for interhospital transfer.

(2) The Chief of Medical Administration will be responsible for review to assure that all necessary requirements have been sufficiently documented.

(3) If the referring station has a Nursing Home Care Unit, the request will be forwarded by the Medical Administration Division to the Screening Committee unless it has been determined that the patient should be admitted to a Nursing Home Care Unit at another station.

(4) If the referring station does not have a Nursing Home Care Unit, or if it has been determined that the patient should be admitted to a Nursing Home Care Unit at another station, the request will be processed in the same manner as an interhospital transfer as prescribed in chapter 11, this part.

b. *Receiving Hospital.* The Chief of Medical Administration is responsible for prompt referral of all requests for nursing home care to the Screening Committee and for prompt action and notification to all concerned after a decision is made. All necessary arrangements will be coordinated with the Chief of Medical Administration of the referring station.

12.12 Medical records and [administrative records] folders

The complete hospital medical record will be transferred and will accompany the veteran to the Nursing Home Care Unit. A strip of light cardstock or other appropriate material will be fastened in the folder to separate records of the period of hospitalization from the period of nursing home care. Similarly, a new [adminstrative records] folder will not be established. [Administrative records] folders will be maintained by the Medical Administration Division and integrated with the file of hospital [administrative records] folders. Plastic tabs or other markers may be used to designate the [administrative records] folders of veterans receiving nursing home care, if desired. Plates used during the period of hospitalization with appropriate corrections (such as source of admission, etc.), or new plates embossed if necessary, will be used to prepare medical records required.

12.13 Clothing

The provisions of chapter 9, this part, are applicable. Veterans receiving nursing home care will be permitted, insofar as possible, to retain custody and care of their clothing in lockers or wardrobes at bedside. Excess clothing, luggage, valuables, etc., should be stored in the central clothing storeroom, or other appropriate place.

12.14 Issues to indigent veterans

Issues for indigent veterans receiving nursing home care will be processed by the Medical Administration Division in the same manner as for hospital patients. Clothing will be issued to the extent required to meet the actual need of the individual veteran and will not be limited to the quantities established in paragraph 9.31, this part.

12.15 Other administrative procedures

Wherever feasible, the procedures prescribed elsewhere in this part for hospital patients and domiciliary members will be used for nursing home care patients unless inapplicable or otherwise provided for in this chapter.

12.16 Dispositions

The following types of disposition may be used for nursing home care cases:

a. Maximum benefit discharge.

b. Readmission to hospital or domiciliary.

c. Death.

d. [(Deleted by change 125.)]

e. [(Deleted by change 125.)]

f. Transfer to a Nursing Home Care Unit at another VA station.

g. Discharge for admission to a community nursing home. (This provides for those veterans who develop potential for a community care placement after admission. It is not intended that an intensive program of outplacement to community nursing homes from VA Nursing Home Care Units be carried on.)

12.17 Deaths

a. The provisions of chapter 14, this part, apply to patients who die while receiving nursing home care.

b. Transportation of the remains of a veteran who dies while receiving nursing home care from the VA, after being properly admitted, may be furnished on the same basis as if he had died while hospitalized by the VA.

12.18 Summaries

VA Form 10–1000 will be prepared for each patient at time of disposition from a Nursing Home Care Unit. This summary will contain only information necessary to show any changes in condition since discharge from the hospital or domiciliary.

12.19 Gains and loses sheet—Bed census

A separate G&L sheet is not required to report gains and losses of nursing home care cases, but this information will be reported on the regular G&L sheet of the hospital under appropriate headings. The same headings will be used in the bed census report, but separate totals of hospital, domiciliary, and nursing home care patients will be shown.

12.20 forms

Existing VA and standard forms will be used to the maximum extent for nursing home care cases, the same as for hospital patients and domiciliary members. Requests for local forms will not be submitted in any case where it is possible to use existing VA or standards forms.

SECTION III. COMMUNITY NURSING HOME CARE

12.21 general

a. Nursing home care may be provided in public or private community nursing homes at VA expense under the conditions and subject to the limitations prescribed in this section.

b. [The term "VA hospital," as used in this section (except par. 12.27 a through f), also means a non-VA hospital in Alaska or Hawaii.]

[c.] VA Regulation [6051] provides for *transfer* from VA hospitals to such nursing homes of eligible veterans who have attained maximum hospitalization benefits. For statistical reporting purposes these transfers will be referred to throughout this chapter as *"discharges MHB"* from the VA hospital and *"admissions"* to the nursing home. They will be reported in AMIS inpatient care reports as *"Discharged to Nursing Home"* and *"Admissions"* to nursing homes. When coding VA Form 10–1004, Code 34, "Discharged to a non-VA nursing home," will be used.

12.22 responsibilities

a. [Hospital Directors will be responsible for selecting and placing patients, issuing authorizations and processing invoices, and coordinating the followup of patients. They will also participate in the inspections of nursing homes.]

b. [Appropriate Clinic Directors will be responsible for negotiating agreements and coordinating inspections.]

c. [Referrals for followup may be made to the clinics when the distance between the hospital and the nursing home or other compelling circumstances would make followup by the authorizing hospital impracticable. When two or more VA hospitals place patients in the same nursing home, followup services may be exchanged by mutual agreement.]

d. [The implementation of the community nursing home care program is a joint responsibility of Hospital and Clinic Directors. A high degree of cooperative team effort will be evidenced between hospital personnel and their clinic counterparts.]

12.23 Minimum Standards for Nursing Homes

Accreditation as a skilled nursing home by the Joint Commission on Accreditation of Hospitals shall be prima facie evidence of compliance with VA standards. Other nursing homes utilized for VA patients shall meet the following standards:

a. The facility shall be licensed or approved by the State in which located and must comply with local governmental regulations.

b. One level of care for VA beneficiaries shall be provided. That will include: (1) skilled nursing home care and related medical services; (2) supportive personal care; and (3) individual adjustment services including social, diversional, recreational, and spiritual opportunities.

c. There shall be provision for care of each patient by a duly licensed physician. Such care shall require visitation by the physician as the need indicates for both routine and emergent care. In addition, a physician shall advise the facility on general matters of care and administration where pertinent and there shall be evidence of general supervision of clinical work by a physician.

d. Laboratory, X-ray, and other diagnostic services shall be available when needed, either on the premises or nearby.

e. A medical record must be maintained for each patient which includes at least:

(1) Admission—identification record.

(2) VA Form 10–1204, Referral for Community Nursing Home Care.

(3) Admitting evaluation (including diagnosis).

(4) Physician's orders.

(5) Progress notes. (The notes of professional services may be written chronologically on the same sheet. Physicians notes are written as the case warrants, but no less than once every 2 months.)

(6) Special reports (laboratory, X-ray, activity, etc.).

(7) Medications and treatments given.

f. The nursing service shall be under the direct supervision of a registered professional nurse, currently licensed to practice in the State. This requirement will be considered to be met if a registered professional nurse is on duty 40 hours or more a week and there is evidence of adequate supervision by her of the overall nursing service. There shall be such other personnel as are necessary to provide adequate care of patients 24 hours a day.

g. Medications and narcotics shall be properly stored and controlled and proper issuance upon orders from physicians shall be provided for and recorded.

h. Patient's dietary needs shall be met in accordance with sound medical practice and records of planned menus shall be kept for 1 month.

i. [Acceptable safety and sanitation practices shall be observed throughout the facility. Exterior walls of one-story buildings without basements shall be constructed either entirely of noncombustible materials or of a combination of materials (exterior surfacing must be noncombustible material) listed by local or State codes or the National Building Code as having a fire resistance rating of at least 1 hour. Exterior walls, stairs, and stair enclosures of buildings of more than one story shall be constructed entirely of noncombustible materials. A concrete slab shall separate all stories and the upper story and attic of buildings of more than one story. (For this purpose a basement is considered a separate story.) Buildings which do not meet the above construction

standards may be approved if completely protected by an automatic fire sprinkler system approved by the authority having jurisdiction. In the absence of such an authority, a certificate by the installer that the system protects the entire structure and was designed and installed in accordance with National Fire Protection Association Standard No. 13, Standard for the Installation of Sprinkler Systems, may be substituted for such approval.]

NOTE: A nursing home with which an agreement, based on the previous standard, was already in effect at the time of publication of this standard, will be given until March 1, 1967, to comply with this revised standard.

j. There shall be a cheerful, homelike atmosphere in which full attention is paid to diversional and social needs. Every effort shall be made to keep patients ambulatory.

12.24 Agreements

a. *Negotiation.* Agreements will be negotiated with nursing homes which meet the minimum standards and desire to furnish care to VA patients. Appropriate hospital personnel (usually Social Work Service) will advise the Clinic Director of suitable nursing homes known to them. Every effort will be made to secure an agreement to include within the per diem rate, in addition to room, meals and nursing care, the cost of routine medical care, emergency dental care, drugs, laboratory, X-ray and other necessary services. If this is not possible, the nursing home will specify in the agreement, those services and supplies which are not included under the per diem rate.

b. *Format.* Agreements will be executed on VA Form 10–1170, Agreement for Furnishing Nursing Home Care to Patients of the Veterans Administration. VA Form 07–2135, ["Equal Opportunity"] Clause for Government Contracts, will be marked "Appendix B" and attached to the agreement. No changes will be made in the wording of the agreement unless authorized by Central Office.

c. *Maximum Per Diem Rate.* The all-inclusive per diem rate may not exceed one-third of the agencywide general medical and surgical hospital per diem rate. The exact rate, as published in current directives, will be adjusted by Central Office as necessary. It is emphasized that this is a maximum and, whenever possible, agreements should be negotiated at lower rates, and in no event should the rate exceed that charged the general public for similar care. In instances where the negotiated agreement lists services and supplies not included under the per diem rate, the maximum per diem rate will be decreased by the estimated average cost of these items, not to exceed $1.25. (Example: Drugs $0.40; medical and dental care $0.50; laboratory and/or X-ray $0.35, etc.)

12.25 Inspection of nursing homes

a. Nursing homes will be inspected prior to approval unless accredited as a skilled nursing home by [the Joint Commission on Accreditation of Hospitals.] Subsequent inspections will be scheduled as often as the Clinic Director deems it necessary, or whenever recommended by the Director of a VA hospital which places patients in the nursing home.

b. The Clinic Director, with the concurrence of Hosptial Directors concerned, will designate the inspection team which will consist of a physicain and other appropriate professional and administrative personnel from the clinic and/or hospitals in the vicinity of the nursing home. Full use will be made of hospital personnel who have firsthand knowledge of nursing homes and patients' needs.

c. Preliminary to making each inspection of facility and survey of care of patients, the team leader will:

(1) Contact the person in charge of the nursing home to arrange date and time of inspection.

(2) Review report of most recent previous inspection, if any, and discuss with the Chief, Medical Administration Division, and the Chief, Social Work Service, any problems or irregularities which they may have encountered in dealing with the nursing home.

(3) Secure a list of veterans who are presently patients at the nursing home. This list should indicate the date of admission, diagnosis, and authorization period.

(4) Review terms of existing agreement.

d. A formal report of each inspection will be prepared. The appropriate official of the nursing home will be advised of any unsatisfactory conditions found and will be given an opportunity to reply in writing stating corrective action to be taken and estimated time necessary to do so. If satisfactory corrections are not made in a reasonable time, the agreement with the nursing home will be terminated as soon as suitable arrangements can be made to discharge or transfer patients. The original report and pertinent correspondence will be filed in the clinic and disposed of in accordance with provisions of DM & S Records Control Schedule 10–1. A copy will be furnished to each VA hospital in the geographical area usually served by the nursing home.

e. If social workers observe any unsatisfactory conditions during a followup visit to a nursing home, they will be reported in writing to the Clinic Director or Chief, Medical Administration Division, as appropriate.

f. As part of each inspection, special attention will be given to evaluating compliance by the nursing home with the requirements of paragraph 13 of VA Form 10–1170 which prohibits discrimination because of race, creed, color or national origin.

12.26 Eligibility

a. The primary purpose of the community nursing home care program is to aid the veteran, his family and the community in making the transition from a hospital to a community care placement. It provides time at VA expense, if needed, for them to marshal their resources for his continued care. Patients will be selected with this objective in mind if they require more than 6 months of nursing home care.

b. Veterans who require more than 6 months of nursing home care for treatment of a service-connected condition, following hospitalization, will be offered a bed in a VA Nursing Home Care Unit. If such a bed is not immediately available, the veteran may be temporarily placed in a community nursing home at VA expense. If he declines the offer of a bed in a VA Nursing Home Care Unit because he prefers a nursing home in his own community, care may be authorized at VA expense, provided he meets the requirements of subparagraphs, c through f below, and, as applicable, subparagraphs g through i below. At the expiration of the VA authorization, he will be expected to assume responsibility for the cost of further nursing home care.

c. Veterans must have been hospitalized in a VA hospital under VA Regulation 6047 and received an MHB discharge.

d. Only veterans needing skilled nursing home care for convalesence, rehabilitation or continued care for a protracted period of time will be eligible. Normally, this will be interpreted to mean a minimum of [1 month.] Veterans who require more than occasional visits by physicians or more than minimal laboratory, X-ray, and other services will not be placed or continued in this program.

e. [(1)] No specific criteria relating to ability to pay has been established, but economic need for community nursing home care at VA expense must exist. This will be judged individually in each case. The needs of veteran's family and other obligations will be fully considered. Extreme care will be exercised to avoid forcing a veteran to seek a lower level of care at his own expense than would be provided at VA expense. Any doubt will be resolved in favor of placement at VA expense.

[(2) Persons covered under title XVIII, Public Law 89–97 (Medicare), who are discharged from VA hospitals following a stay of 3 days or more, are entitled to care in an extended care facility approved by the Social Security Administration for participation in the Medicare program, if admitted within 14 days after discharge from the hospital. A transfer agreement between the VA hospital and the extended care facility is not required.

(3) Medicare entitlement will be considered as an additional resource. Before a determination is made, that a patient will not be placed at VA expense because of such entitlement, full consideration will be given to the following:

(a) Coverage under Medicare, part A, is limited to 100 days and is subject to payment by the patient of $5 per day for the 21st through 100th day.

(b) Unless a Medicare patient subscribes to the voluntary supplemental medical insurance program (Medicare, part B), he is responsible for paying for physicians' services, laboratory, X-rays, drugs, etc.

(c) The patient pays 20 percent coinsurance for all Medicare, part B benefits, plus an annual deductible of $50.

(d) The need by the patient to use Medicare entitlement following termination of authorization for nursing home care at VA expense.

(4) Although the decision to place a patient at VA expense is made by the VA, the ultimate decision to use Medicare entitlement is made by the veteran or his authorized representative. The role of VA personnel is to advise, assist and focus attention on the pertinent factors. The VA social worker active in planning the placement will be responsible for assuring that the veteran, and/or his family or representative, fully understand the implications of this decision.]

f. The requirements of paragraph 12.30 must be met if care is extended beyond a period of 6 months. Periods of absence from the nursing home for which no VA payment is made will not be counted as part of the 6-month period.

g. Patients held in VA hospitals under commitment will not be placed in this program unless their behavior and prognosis justify termination of the commitment. In those States where termination of a commitment is not accomplished automatically when the patient is discharged MHB, the necessary action will be initiated prior to admission to the community nursing home.

h. Short-term rehospitalization in a VA hospital (15 days or less) for diagnostic workup or brief intercurrent illness will not be considered justification for beginning a new 6-month period of eligibility for community nursing home care.

i. Patients will not be admitted to hospitals for the sole purpose of transferring them to a community nursing home. However, [ ] beneficiaries [hospitalized at VA expense] in a non-VA hospital may be transferred to a nearby VA hospital for this purpose.

12.27 Selection and movement of patients

a. Selection of patients for placement in community nursing homes will normally be made at ward level by the patient's physician, nurse, and social worker, subject to approval by the Chief of Staff of the hospital. The decision of the Chief of Staff is not subject to review by the clinic of jurisdiction. No patient will be moved to a community nursing home under this program, however, until the clinic of jurisdiction has advised that funds are available for payment of his care.

b. If feasible, patients will be given the privilege of choosing a nursing home from a

selected group of suitable facilities approved by and available to the VA. Listings of local nursing homes will be maintained by each VA hospital and kept current on the basis of information provided by the clinic of jurisdiction as agreements are negotiated or terminated. Admission to the nursing home will be accomplished promptly following completion of hospitalization.

c. VA Form 10–1204, Referral for Community Nursing Home Care, will be prepared in triplicate by the ward clerk or secretary who will be responsible for securing the necessary information from the physician, nurse, social worker, dietitian or other source. The form will be filled out as completely as possible. If additional space is needed for any item, the "Remarks" space may be used or additional information may be furnished separately and attached to the form. When appropriate, forms required by local public assistance agencies will also be completed.

d. If the proposed placement is approved by the Chief of Staff, the following action will be taken:

(1) If the nursing home is located conveniently to the hospital, the [Chief of Medical Administration] or his designee, will contact its officials to ascertain availability of a bed unless the social worker has already done so and it is so indicated on VA Form 10–1204. The tentative arrangements may be made to reserve the bed. The [Chief of Medical Administration] or his designee, will promptly contact the clinic of jurisdiction to arrange for issuance of necessary authorization. When necessary to expedite movement of a patient to a nursing home, these arrangements will be made by telephone. The hospital will be responsible for complying with any requirements of local governments or regulatory bodies prior to movement of the patient to the nursing home.

(2) If the nursing home is *not* located conveniently to the hospital, there usually will have already been contact with the clinic of jurisdiction to locate a suitable nursing home. The [Chief of Medical Administration of the referring hospital,] or his designee, will contact the [Chief of Medical Administration] of the clinic of jurisdiction to make necessary arrangements for placement of the patient and issuance of necessary authorizations. The clinic of jurisdiction will notify the hospital of any requirements of local governments or regulatory bodies so that they may be complied with prior to departure from the hospital, if possible.

e. The original VA Form 10–1204 will be forwarded to the nursing home so that it is available when the patient arrives there. A copy, signed by the Chief of Staff, will be promptly forwarded to the clinic of jurisdiction and the remaining copy will be filed in the veteran's correspondence folder at the hospital. An additional copy will be reproduced and forwarded to the station which is to conduct the followup, if the station is other than the referring hospital or clinic of jurisdiction.

f. VA Form 572, Request for Change of Address, will be completed if necessary by [Medical Administration] personnel prior to departure of the veteran from the hospital. If there are any unresolved questions about other VA benefits, the veteran will be referred to the Contact Division for interview.

g. The need for any dental care or prosthetic or similar appliances will be fully considered prior to discharge from the VA hospital. Prosthetic or similar appliances may not be ordered and dental care, other than emergency, may not be furnished, while a veteran is receiving care at VA expense in a community nursing home except as provided in paragraph 12.07b or VA Regulations 6120 (A) through (C), (E) through (H) and 6123.

12.28 Authorizations

a. VA Form 10–7078, Authorization and Invoice for Medical and Hospital Services, will be used by clinics of jurisdiction to issue authorizations for nursing home care. The authorization validity period will be from the initial effective date to "disposition, but not later than (*Insert date—not to exceed 6 months*)." However, funds will be obligated on VA Form 4–1358, Estimated Miscellaneous Obligation or Change in Obligation, [ ] as prescribed [ ] in DM&S Supplement, MP–4, part V, paragraph [3.04.]

b. The VA Form 10–1078 will be further annotated to authorize additional payment by the VA for items of medical care, emergency dental care, drugs, laboratory, X-ray, or other necessary services not included within the per diem rate. The maximum average amount payable per day for such services will be stated, and along with the cost of any services to be furnished by the VA clinic of jurisdiction as provided in subparagraph c below, will not exceed [$1.50.] In no instance will the total cost of care exceed the maximum allowable per diem rate, as published in current directives.

e. The original VA Form 10–1204 will be forwarded to the nursing home to that it is available when the patient arrives there A copy [ ] will be filed in the veteran's [administrative records] folder at the hospital. An additional copy with be reproduced and forwarded to the station which is to conduct the followup, if the station is other than the [authorizing] hospital [ ].

f. VA Form 572, Request for Change of Address, will be completed if necessary by Medical Administration personnel prior to departure of the veteran from the hospital. If there are any unresolved questions about other VA benefits, the veteran will be referred to the Contact Division for interview.

g. The need for any dental care of prosthetic or similar appliances will be fully considered prior to discharge from the VA hospital. Prosthetic or similar appliances may not be ordered and dental care, other than emergency, may not be furnished, while a veteran is receiving care at VA expense in a community nursing home except as provided in paragraph 12.07b or VA Regulations 6120 (A) through (C), (E) through (H) and 6123.

[*12.27.1 Procedures in Alaska and Hawaii*

The procedures in paragraph 12.27 a through f will be used in Alaska and Hawaii to the extent feasible and appropriate. When applicable, the procedures prescribed for non-VA hospitalization in chapter 21 will be followed.]

12.28 Authorizations

a. VA Form 10–7078, Authorization and Invoice for Medical and Hospital Services, will be used [by hospitals] to issue authorizations for nursing home care. The authorization validity period will be from the initial effective date to "disposition, but not later than (*Insert date—not to exceed 6 months*)." However, funds will be obligated on VA Form 4–1358, Estimated Miscellaneous Obligation or Change in Obligation, as prescribed in DM&S Supplement, MP–4, part V, paragraph 3.04.

b. The VA Form 10–1078 will be further annotated to authorize additional payment by the VA for items of medical care, emergency dental care, drugs, laboratory, X-ray, or other necessary services not included within the per diem rate. The maximum average amount payable per day for such services will be stated, and with the cost of any services to be furnished by the VA [ ] as provided in subparagraph c below, will not exceed [the amount indicated in paragraph 12.24c.] In no instance will the total cost of care exceed the maximum allowable per diem rate, as published in current directives.

c. Items not included in the per diem rate may be furnished by the authorizing VA [hospital;] however, the cost thereof must be included in and may not exceed the maximum allowable cost of such items as shown [on VA Form 10–7078.] Example: In most instances, it will probably be feasible to require that prescriptions be sent to the VA [hospital] pharmacy for filling.

12.29 Planning and followup

Prior to the patient's discharge from the hosptial and during the period he is receiving nursing home care, Social Work Service will actively assist him and his family in planning to assume responsibility for his future needs. Entitlement to monetary benefits, both VA and other, as well as available community resources will be fully explored. [Appropriate assistance is available from the Contact Division when necessary.] To avoid unnecessary occupancy of hospital beds, discharge from the hospital to a community nursing home will not be delayed because of any incomplete phase of such planning. If the veteran and/or his family decline to cooperate, they, the nursing home and, when appropriate, community agencies will be notified in writing by the authorizing [hospital] not later than the end of the 5th month of nursing home care, that VA authorizations will be discontinued in 30 days. Social Work Service will continue to offer assistance in planning, and appropriate information will be made available to community agencies when requested and proper consents are received. Readmission to a VA hospital will be considered when appropriate.

12.30 Extensions beyond 6 months

a. In almost all cases, 6 months should provide sufficient time to accomplish the primary purpose of this program. Extensions beyond 6 months will be held to a *minimum* and must meet *all* of the following conditions:

(1) Both medical and economic need exist.

(2) Circumstances of a most unusual nature have prevented discharge from the nursing home or assumption of financial responsibility by the family or community within the 6-month period. (An impasse in planning for community care will not be considered unusual circumstances for this purpose.)

(3) There is evidence of adequate planning for community care with reasonable expectation that VA authorization for nursing home care can be discontinued on or before the expiration of the extended period.

(4) Extension is approved by the Chief Medical Director.

b. Extensions must be for a specific period of time, not to exceed 6 months.

c. Cases which meet the requirements of subparagraph a (1), (2) and (3) above will be fully developed and documented, including recommendations of the physician and social worker. [Using the appropriate region number, cases will be forwarded to the Regional Medical Director, Region No. ——— (126) at least 30 days prior to expiration of the current authorization.]

12.31 Readmission to hospitals or domiciliaries

a. Cases requiring emergency rehospitalization will be admitted to the appropriate VA hospital under emergency priority, unless this is not feasible because of distance or urgency. If nonemergency rehospitalization is required or the veteran begins to require more than occasional visits by physicians or more than minimal laboratory, X-ray and other services, readmission to the VA hospital will be accomplished promptly without regard to priorities established in VA Regulation 6049(A)(3). When appropriate, these cases will also be given consideration for admission to a domiciliary without regard to the priorities established in VA Regulation 6049(B)(2).

b. Payment may be made by the VA [hospital under VA Regulation 6050.2(H)] for hospitalization in a medical emergency in a non-Federal hospital if all of the following conditions are met:

(1) VA authorization in each [case] has been obtained. (This condition will be con-

sidered to be met if the request for authorization was received by the VA within 72 hours after the date and hour of admission.)

(2) Prompt readmission to a VA or other Federal hospital is not feasible.

(3) Authorization is limited to the period of care required to meet the *emergency* need until the veteran can be safely moved to a VA facility.

12.32 Billing and Reporting Procedures

a. Nursing homes will be requested to submit invoice to the [*authorizing hospital*] on their own letterhead at the completion of each month's service. A completed VA Form 10–1204b, Report of Nursing Home Care, for each veteran, will accompany the bill. The [hospital] will furnish a reproduction of the report to the VA station conducting following up of the case.

b. Billings received from the nursing home, veteran's physician, or other third parties for supplemental services or supplies authorized under paragraph 12.28b may be approved and processed for payment if otherwise in order. *Supplemental authorizations will not be issued.* The maximum amount allowed for such services may be computed prospectively, based on a period of not to exceed 30 days. Care will be exercised, however, to insure that the maximum will not have been exceeded when nursing home care is terminated. Appropriate cases will be reviewed periodically so that those which will require more than an average of the allowable maximum may be promptly readmitted to a VA hospital.

c. Payment may be made for either the first or last day of nursing home care, but not both. If the patient is admitted and discharged on the same day, payment will be made for 1 day.

12.33 Treatment files

[A strip of light cardstock or other appropriate material will be fastened in the folder to separate records of the period of hospitalization from the period of nursing home care. Similarly, a new administrative records folder will not be established. Administrative records folders will be maintained by the Medical Administration Division and integrated with the file of hospital administrative records folders. Plastic tabs or other markers may be used to designate the administrative records folders of veterans receiving nursing home care, if desired. Plates used during the period of hospitalization with appropriate corrections (such as source of admission, etc.), or new plates embossed if necessary, will be used to prepare medical records required.]

12.34 Deaths

a. Upon the death of a VA patient in a community nursing home, the utmost assistance will be afforded relatives in arranging a dignified funeral and burial. The provisions of chapter 14, section VII, this part, concerning patients authorized care in non-VA hospitals will apply to patients in community nursing homes.

b. The nursing home will immediately assemble, inventory, and safeguard the deceased patient's personal effects. The funds, deposits, and effects left by VA patients upon the premises of the nursing home shall be delivered by the nursing home to the person or persons entitled thereto under the laws currently governing the nursing home for making disposition of funds and effects left by patients, unless the veteran died without leaving a will, heirs, or next of kin capable of inheriting. When disposition has been made, the itemized inventory with a notation of the disposition will be immediately forwarded to the VA [hospital] authorizing admission. Should a deceased patient leave no will, heirs, or next of kin, his personal property and funds wherever located vests in and becomes the property of the United States in trust. In these cases the nursing home will forward an inventory of any such property and funds in its possession to the VA [hospital] and will hold them (except articles of clothing necessary for proper burial) under safeguard until instructions are received from the VA.

c. Transportation of the remains of a veteran who dies while receiving care as a properly authorized VA patient in a community nursing home may be furnished on the same basis as if he had died while hospitalized by the VA. The remains of such veterans may also be interred in VA cemeteries.

12.35 Notification to Adjudication Division

a. VA Form 10–7132, Patient or Member Status Change [will be] furnished to the Adjudication Division in compliance with item 1, part III of VA form 10–7131, Exchange of Beneficiary Information, to report the discharge of a veteran to a community nursing home. [VA Form 10–7132 will include the name and address of the nursing home.]

b. The [hospital] will furnish an additional completed VA Form 10–7132 to the Adjudication Division to report disposition from the nursing home of each patient for whom a copy of VA Form 10–7132 was [submitted by] the hospital as prescribed in subparagraph a above. Periods of absence from the nursing home for which no VA payment is made will be reported as prescribed in paragraphs 6.25 through 6.27, this part. The Adjudication Division will request any other needed information by submitting VA Form 10–7131 to the [authorizing hospital.]

(Mr. TEAGUE of California asked and was given permission to revise and extend his remarks.)

Mr. TEAGUE of California. Mr. Speaker, I rise in support of H.R. 460. This bill will extend the length of time community nursing home care may be generally provided for veterans from its present 6 months to 9 months. A similar bill, Mr. Speaker, passed the House of Representatives in the 91st Congress, but was not passed by the other body.

Under existing law, Mr. Speaker, the Veterans' Administration is authorized to transfer a hospitalized veteran-patient who has received maximum hospital care but is still in need of nursing care to a public or private nursing home for a period generally not to exceed 6 months. This community nursing care program, which was enacted in the 88th Congress, has had the desired effect of freeing beds devoted to active hospital care much sooner than would otherwise be possible were it not for the nursing care program.

While it is true that existing law vests in the Administrator the authority to extend this community nursing care at Government expense beyond the authorized 6 months, this authority is used only in unusual circumstances. In actual practice, a hospitalized veteran who is ready for nursing care will not be transferred to a community nursing home, unless it is generally indicated that he will require not more than 6 months nursing care. Then, should his progress toward recovery or rehabilitation be less than expected, the Administrator's authority to extend the time may be exercised.

Those veterans who obviously will require more than 6 months of nursing care are not even considered for transfer to a community nursing home. Instead, they must remain in a more expensive hospital bed awaiting transfer to one of the Veterans' Administration operated nursing care units, or other disposition of his case.

This bill authorizing 9 months of care instead of 6 months will permit many of these veterans to qualify for the community nursing care program.

This has been a good program, Mr. Speaker. It has saved the Government's money and it has served to fill a long-standing void in the program of care and treatment for veterans. Experience has dictated that this program can be more effectively administered if the 6-month time limit is extended to 9 months. Therefore, I support the bill and urge my colleagues to do the same.

Mr. ZABLOCKI. Mr. Speaker, I would like to commend the honorable gentleman from Texas (Mr. TEAGUE), for again initiating action to improve the medical benefits which are available to our Nation's veterans. I certainly share the support of the Veterans Affairs Committee for this important program. However, information has come to my attention which raises serious questions about whether this is a viable program as it is presently being operated by the Veterans' Administration. It seems to me that these questions must be answered by Veterans' Administration officials before we act favorably on H.R. 460.

The report from Administrator Johnson on H.R. 460 expresses opposition to this legislation on the grounds that he does not believe that an extension of the time period for eligibility under the community nursing home program authorized by Public Law 88–450 is warranted. Administrator Johnson further notes that the medicare and medicaid programs can be used to extend the period of community nursing home care for an eligible veteran.

Further, Administrator Johnson makes no mention of the fact that sufficient funds are not presently being made available to VA hospitals to allow the community nursing home program to operate even on the basis on which it was authorized by Congress in Public Law 88–450. In this situation, local VA medical officers are being forced to make use of the medicare and medicaid programs not to supplement community nursing home care, but to supplant it. I strongly question the legality and/or propriety of such action.

If I may provide a specific example: The fiscal 1971 funds allocated by VA officials to the VA hospital at Wood, Wis., for the community nursing home care program have already been depleted. To their credit, the medical officers at Wood have tried to make use of other resources to care for veterans eligible for this program. Namely, they have kept them in VA hospital beds when they could have been placed in community nursing homes or they have tried to obtain medicare or medicaid coverage for the veterans' nursing care needs.

Needless to say, these alternatives are not consistent with the intent of Congress in enacting Public Law 88–450 and in providing an extra $105 million in fiscal 1971 for veterans medical care. The result at the Wood VA hospital has been that, during the first 6 months of the fiscal year, veterans eligible for the community nursing home care authorized by Public Law 88–450 have received that care. However, despite the efforts of the medical officers at Wood, veterans who

are now becoming eligible for community nursing home care may have to pay for it themselves—and often at a much higher price that it could have been obtained for them through the VA. Another result has been an unnecessary use of needed VA hospital beds or of the already overburdened medicare and medicaid programs.

Administrator Johnson of the VA has informed me that he does not intend to seek a supplemental appropriation to adequately fund the community nursing home care program. Little wonder, therefore, that he has expressed his opposition to the enactment of H.R. 460 which would extend the statutory period during which a veterans would be eligible for this care.

Mr. Speaker, I submit as we take favorable action today on H.R. 460, we must also serve notice on the VA that we except that this program be adequately funded and operated. By our very action today in extending it, it should be indelibly clear to Administrator Johnson that the Congress intends to take action to see that the policy and the will of the Congress will be fulfilled.

Mr. MINISH. Mr. Speaker, I rise in support of H.R. 460, to extend the time community home care may be provided for veterans. This legislation, which I cosponsored, passed the House unanimously on June 2, 1969, but died when the Senate failed to act on it during the 91st Congress.

Under present law, the Veterans' Administration may transfer a hospitalized veteran patient who has reached the nursing home care stage to a public or private institution for up to 6 months. However, studies of the operation of this program have demonstrated that a number of veterans need nursing home care for longer than 6 months. In most cases, a 3-month extension is sufficient.

Mr. Speaker, the cost of enacting H.R. 460 will be minimal, but its benefit to individual veterans will be great.

Mr. PEPPER. Mr. Speaker, Chairman TEAGUE and the members of the Committee on Veterans' Affairs are to be commended for their efforts to provide this Nation's veterans with a more adequate program of health service.

The extension of the Veterans' Administration program to include up to 9 months of nursing home care for those who no longer require hospitalization will be an effective improvement, first, in providing more comprehensive service responsive to the needs of patients requiring a period of convalescence following hospitalization, and, second, in releasing hospital beds and reducing hospital load throughout the entire Veterans' Administration. The extension of VA services through the program already in operation, providing 6 months of nursing home care after periods of hospitalization, has proved both practical economically and beneficial in improving health service.

At the same time, however, I believe the services provided by nursing homes might be utilized still more effectively. I recommend further extension of the VA health program and provision of nursing home care not solely for former hospital patients, but, in addition, for those veterans with service-connected and nonservice-connected disabilities in need of nursing home care on a permanent basis.

We cannot afford to overlook the welfare of those elderly and permanently disabled veterans who are ineligible for hospital treatment, yet in obvious need of health service. The utilization of nursing home facilities to meet this pressing demand on the part of those who fought to protect this country merits our attention and careful consideration.

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise in support of H.R. 460. This bill will extend the time limit during which veterans with non-service-connected disabilities can receive community nursing home care at Veterans' Administration expense from its present 6 months to 9 months.

Experience has dictated that the 6-month limitation on community nursing care is inadequate in the case of many veterans. Despite the fact that the Administrator has the authority under existing law to extend this time limit, he has exercised this authority in only 176 cases during the last 6 months. This bill will permit such nursing care for such time as is needed up to a maximum of 9 months, without the necessity of administrative action after 6 months. I urge that the bill be passed.

The SPEAKER. The question is on the motion offered by the gentleman from Texas that the House suspend the rules and pass the bill H.R. 460.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GROUP MORTGAGE INSURANCE FOR SERVICE-CONNECTED PARAPLEGIC AND QUADRIPLEGIC VETERANS

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 943) to provide mortgage protection life insurance for service-connected disabled veterans who have received grants for specially adapted housing.

The Clerk read as follows:

H.R. 943

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 21 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 806. Mortgage Protection Life Insurance

"(a) The Administrator is authorized, without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), to purchase from one or more life insurance companies a policy or policies of mortgage protection life insurance on a group basis to provide the benefits specified in this section.

"(b) Any policy of insurance purchased by the Administrator under this section shall be placed in effect on a date determined by the Administrator and shall automatically insure any eligible veteran who is or has been granted assistance in securing a suitable housing unit under this chapter against the death of the veteran, unless the veteran elects in writing not to be insured under this section or fails to timely respond to a request from the Administrator for information on which his premium can be based.

"(c) The initial amount of insurance provided hereunder shall not exceed the lesser of the following amounts: (1) $30,000, (2) the amount of the loan outstanding on such housing unit on the date insurance under this section is placed in effect, or (3) in the case of a veteran granted assistance in securing a housing unit on or after such date the amount of the original loan. The amount of such insurance shall be reduced according to the amortization schedule of the loan and at no time shall exceed the amount of the outstanding loan with interest. If there is no outstanding loan on the housing unit no insurance shall be payable hereunder. If any eligible veteran elects not to be insured under this section, he may thereafter be insured hereunder only upon application, payment of required premiums, and compliance with such health requirements and other terms and conditions as may be prescribed by the Administrator.

"(d) The premium rates charged a veteran for insurance under this section shall be paid at such times and in such manner as the Administrator shall prescribe and shall be based on such mortality data as the Administrator deems appropriate to cover only the mortality cost of insuring standard lives. The Administrator is authorized and directed to deduct the premiums charged veterans for life insurance under this section from any compensation or other cash benefits payable to them by the Veterans' Administration and to pay such premiums to the insurer or insurers for such insurance. Any veterans insured hereunder not eligible for cash benefits from the Veterans' Administration may pay the amount of his premiums directly to the insurer or insurers for insurance hereunder.

"(e) The United States shall bear all of the cost of the insurance provided under this section except the amount of the premium rates established for eligible veterans under subsection (d) as the mortality cost of insuring standard lives. For each month for which any eligible veteran is insured under a policy purchased under this section there shall be contributed to the insurer or insurers issuing the policy or policies from the appropriation 'Compensation and Pensions, Veterans' Administration' an amount necessary to cover the cost of the insurance in excess of the premiums established for eligible veterans, including the cost of administration and the cost of the excess mortality attributable to the veterans' disabilities. Appropriations to carry out the purposes of this section are hereby authorized.

"(f) Any amount of insurance in force under this section on the date of death of an eligible veteran insured hereunder shall be paid only to the holder of the mortgage loan, the payment of which such insurance was granted, for credit on the loan indebtedness and the liability of the insurer under such insurance shall be satisfied when such payment is made. If the Administrator is the holder of the mortgage loan, the insurance proceeds shall be credited to the loan indebtedness and, as appropriate, deposited in either the direct loan or loan guaranty revolving fund established by section 1823 or 1824 of this title, respectively.

"(g) Each policy purchased under this section shall also provide, in terms approved by the Administrator, for the following:

"(1) reinsurance, to the extent and in a manner to be determined by the Administrator to be in the best interest of the veterans or the Government, with other insurers which meet qualifying criteria established by the Administrator as may elect to participate in such reinsurance.

"(2) that at any time the Administrator determines such action to be in the best

interest of veterans or the Government he may (A) discontinue the entire policy, or (B) at his option, exclude from coverage under such policy loans made after a date fixed by him for such purpose; however, any insurance previously issued to a veteran under such policy may not be canceled by the insurer solely because of termination of the policy by the Administrator with respect to new loans. If the policy is wholly discontinued, the Administrator shall have the right to require the transfer, to the extent and in a manner to be determined by him, to any new company or companies with which he has negotiated a new policy or policies, the amounts, as determined by the existing insurer or insurers with the concurrence of the Administrator of any policy or contingency reserves with respect to insurance previously in force.

"(3) issuance to each veteran insured under this section of a uniform type of certificate setting forth the benefits to which he is entitled under the insurance;

"(4) any other provisions which are reasonably necessary or appropriate to carry out the provisions of this section; and

"(5) an accounting to the Administrator not later than ninety days after the end of each policy year which shall set forth, in a form approved by the Administrator, (A) the amount of premiums paid by veterans and contributions made by the Veterans Administration accrued under the contract or agreement from its date of issue to the end of such contract year; (B) the total of all mortality and other claim charges incurred for that period; and (C) the amount of the insurer's expense and risk charges, if any, for that period. Any excess of the total of item (A) over the sum of items (B) and (C) shall be held by the insurer as a contingency reserve to be used by such insured for charges under the contract or agreement only. The contingency reserve shall bear interest at a rate to be determined in advance of each contract year by the insurer, which rate shall be approved by the Administrator if consistent with the rates generally used by the insurer for similar funds held under other plans of group life insurance. If and when the Administrator determines that such contingency reserve has attained an amount estimated by him to make satisfactory provision for adverse fluctuations in future charges under the contract, the Administrator shall require the insurer to adjust the premium rates and contributions so as to prevent any further substantial accretions to the contingency reserve. If and when the contract or agreement is discontinued and if after all charges have been made there is any positive balance remaining in the contingency reserve, such balance shall be payable to the Administrator and by him deposited to the appropriation 'Compensation and Pensions, Veterans' Administration,' subject to the right of the insurer to make such payment in equal monthly installments over a period of not more than two years.

"(h) With respect to insurance contracted for under this section, the Administrator is authorized to adopt such regulations relating to eligibility of the veteran for insurance, maximum amount of insurance, maximum duration of insurance, and other pertinent factors not specifically provided for in this section, which in his judgment are in the best interest of veterans or the Government. Insurance contracted for under this section shall take effect as to eligible veterans heretofore granted assistance under this chapter on a date determined by the Administrator, and as to eligible veterans hereafter granted assistance under this chapter at the time of the closing of his loan. The amount of the insurance at any time shall be the amount necessary to pay the mortgage indebtedness in full, except as otherwise limited by the policy.

"(i) Insurance contracted for under this section shall terminate upon whichever of the following events first occurs:

"(1) satisfaction of the veteran's indebtedness under the loan upon which the insurance is based;

"(2) the veteran's seventieth birthday;

"(3) termination of the veteran's ownership of the property securing the loan;

"(4) discontinuance of payment of premiums by the veteran; or

"(5) discontinuance of the entire contract or agreement.

"(j) Termination of the mortgage protection life insurance will in no way affect the guaranty or insurance of the loan by the Administrator."

SEC. 2. The analysis of chapter 21, title 38, United States Code, is amended by adding at the end thereof the following:

"806. Mortgage Protection Life Insurance."

The SPEAKER. Is a second demanded?

Mr. TEAGUE of California. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, sections 801–805 of title 38, United States Code, provide a $12,500 grant for specially adapted housing for veterans who—

are entitled to compensation under chapter 11 of this title, based on service after April 20, 1898, for permanent and total service-connected disability:

First, due to the loss, or loss of use, of both lower extremities, such as to preclude locomotion without the aid of braces, crutches, canes, or a wheelchair;

Second, which includes blindness in both eyes, having only light perception, plus loss, or loss of use, of one lower extremity; or

Third, due to the loss, or loss of use, of one lower extremity together with residuals of organic disease or injury which so affect the functions of balance or propulsion as to preclude locomotion without resort to a wheelchair.

In acquiring a suitable housing unit with special fixtures of movable facilities made necessary by the nature of the veteran's disability, and necessary land therefor, the regulations of the administrator shall include, but not be limited to, provisions requiring findings that it is medically feasible for such veteran to reside in the proposed housing unit and in the proposed locality; the proposed housing unit bears a proper relation to the veteran's present and anticipated income and expenses; and the nature and condition of the proposed housing unit are such as to be suitable to the veteran's needs for dwelling purposes.

This bill would authorize the administrator of Veterans' Affairs to purchase a policy from a commercial insurer to provide mortgage protection life insurance for seriously disabled veterans who have been granted assistance as described above.

The initial amount of the insurance could not exceed $30,000 or the amount of the mortgage loan, whichever is the lesser amount. The amount of the insurance would be reduced as the mortgage is amortized. The insurance would be payable only to the holder of the mortgage loan and no insurance would be payable if the mortgage was paid off prior to the death of the veteran. No insurance protection would extend beyond age 70.

Eligible veterans would be automatically insured unless they elect in writing not to be insured or fail to furnish the administrator information on which their premiums can be based. Veterans who elected not to be insured could later elect to be insured under certain conditions.

The premiums charged eligible veterans would only cover the cost of insuring standard lives. The Government would bear the administrative cost of the insurance and the cost of the excess mortality attributable to the veterans' disabilities. In general, the veteran's premiums would be deducted from their compensation, and the Government's contributions to the cost of the insurance would be made from the appropriation for compensation and pensions, Veterans' Administration.

The rates which veterans would probably pay for this insurance are indicated in the chart which follows:

PROPOSED (TENTATIVE) PREMIUM SCHEDULE FOR MORTGAGE INSURANCE ON DISABLED VETERANS QUALIFYING FOR SPECIALLY ADAPTED HOUSING GRANTS UNDER CH. 21, TITLE 38

MONTHLY PREMIUM PER $1,000 OF OUTSTANDING MORTGAGE INDEBTEDNESS AT ISSUE OF INSURANCE

[(1) 8-percent mortgage; (2) 4-percent mortgage]

Age at issue of insurance	Number of years remaining under mortgage at issue of insurance															
	5		10		15		20		25		30		35		40	
	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)
20	0.04	0.04	0.05	0.04	0.05	0.05	0.06	0.05	0.07	0.06	0.08	0.07	0.11	0.09	0.13	0.11
25	.04	.04	.05	.05	.06	.06	.07	.07	.09	.08	.12	.10	.16	.13	.20	.16
30	.05	.05	.06	.06	.08	.07	.11	.09	.14	.12	.19	.16	.24	.20	.31	.25
35	.07	.07	.10	.09	.13	.12	.17	.15	.23	.20	.30	.25	.39	.32	.49	.40
40	.13	.12	.17	.16	.22	.20	.29	.26	.38	.33	.49	.41	.62	.52	.76	.63
45	.21	.21	.28	.26	.37	.33	.48	.42	.62	.52	.78	.66	.96	.81	1.15	.96
50	.36	.34	.46	.43	.60	.55	.77	.69	.98	.86	1.22	1.05	1.46	1.24	1.68	1.43
55	.58	.56	.75	.70	.97	.88	1.23	1.10	1.54	1.35	1.85	1.61	1.25	1.86	2.39	3.09
60	.93	.90	1.20	1.13	1.55	1.42	1.94	1.74	2.36	2.09	2.75	2.43	3.09	2.73	3.33	2.98

Source: Office of Chief Actuary, Insurance Service, Department of Veterans Benefits, July 1970.

It is expected that a maximum of 10,000 veterans is involved at the present time and that about 500 new grants might be made each year.

It is estimated that the death claims will amount to about $1,750,000 a year of which $1,575,000 would be a cost to the Government and that the first year administrative cost could be $200,000 and thereafter approximately $40,000.

An identical bill (H.R. 18448) passed the House in the 91st Congress.

I desire to commend particularly Mr. Speaker, the diligence of the gentleman from Mississippi (Mr. MONTGOMERY), for promptly introducing this bill and sponsoring it before our committee in the first executive session which we have had, in this Congress.

Mr. Speaker, I yield now such time as he may require to the gentleman from Mississippi, author of the bill.

Mr. MONTGOMERY. Mr. Speaker, I thank the chairman for giving such quick committee action on H.R. 943.

I and other Members of the Congress introduced a similar measure in the 91st Congress and that bill received unanimous approval of the House during the 91st Congress, but it was not acted upon by the Senate, along with five other House veterans' bills.

Mr. Speaker, the purpose of this legislation is to provide more security for the families of the severely handicapped veterans. Again I am pleased to sponsor this legislation which would provide group mortgage insurance for service-connected paralyzed veterans. The bill, if enacted, would anthorize the Administrator of Veterans' Affairs to purchase a policy from a commercial insurer to provide mortgage protection life insurance for severely disabled veterans who have been granted a special housing assistance.

The initial amount of the insurance could not exceed $30,000 or the amount of the mortgage loan, whichever is the lesser amount. The amount of the insurance would be reduced as the mortgage is amortized. The insurance would be payable only to the holder of the mortgage loan, and no insurance would be payable if the mortgage was paid off prior to the death of the veteran. No insurance protection would extend beyond age 70.

Eligible veterans would automatically be insured unless they elect in writing not to be insured or fail to furnish the Administrator information on which their premiums can be based. Veterans who elected not to be insured could later choose to have the coverage under certain conditions.

The premiums charged eligible veterans would cover only the cost of insuring standard lives. The Government would bear the administrative cost of the insurance and the cost of the excess mortality attributable to the veteran's disabilities. In general, the veterans' premiums would be deducted from their compensation, and the Government's contribution to the cost of the insurance would be made from the appropriation for compensation and pensions of the Veterans' Administration.

It is estimated that the cost to the Government for the mortgage insurance coverage would be about $1,575,000 a year and that the first year's administrative cost could be $200,000 and thereafter approximately $40,000 a year.

Also, Mr. Speaker, I might say the cost to the Government would come down each year, because as we unwind the war, there would be less severely handicapped veterans who would come under this category.

I might also say this would affect around 10,000 severely handicapped veterans. It is estimated approximately 500 young men have come under this category per year during this Vietnam war.

Mr. Speaker, I urge adoption of this bill.

Mr. TEAGUE of California. Mr. Speaker, I also, unqualifiedly support this bill.

Mr. Speaker, I rise in support of H.R. 943. This bill, if enacted into law, will provide mortgage life insurance for certain seriously disabled service connected veterans who have received grants for specially adapted housing. A similar measure passed this House on September 17, 1970. Unfortunately, the bill was not acted upon in the other body.

Under existing law, Mr. Speaker, the Administrator of Veterans' Affairs is authorized to provide a $12,500 grant for specially adapted housing to veterans whose permanent and total service connected disabilities affect balance and propulsion and preclude their locomotion without a wheelchair.

Unfortunately, this magnanimous grant will not purchase the home. In most cases, the veteran purchaser must assume a $20,000 to $25,000 mortgage. Because of their serious disabilities, few, if any, of these veterans can obtain mortgage protection life insurance from commercial sources.

This bill, Mr. Speaker, therefore proposes to provide mortgage life insurance not to exceed $30,000 or the amount of the mortgage loan, whichever is lesser, to this small group of seriously disabled veterans at a premium cost not in excess of the premium cost paid by the average citizen for similar protection. The insurance would in most respects be similar to the life insurance coverage provided for servicemen. It would be underwritten by a commercial carrier. The veteran would pay a premium covering the cost of insuring standard lives. The Federal Government would bear the administrative costs of the insurance and the cost of the excess mortality attributable to the veteran's disability.

The Veterans' Administration has estimated that a maximum of 10,000 veterans would be eligible for this insurance at the present time and that about 500 new grants might be made each year in the future. This is sound legislation, Mr. Speaker, and I urge that it be passed.

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise in support of H.R. 943. This bill will provide mortgage insurance for service-connected disabled veterans wno have been the recipient of grants for specially adapted housing.

These veterans, for the most part, are paraplegic and quadriplegic veterans. However, any veteran whose disabilities have qualified him for specially adapted housing is eligible for such a grant. The specially adapted housing consists of ramps and other devices for veterans who require a wheelchair or other propulsion device for locomotion.

Because of the serious nature of their disabilities, these veterans are unable to purchase mortgage life insurance protection. The bill before you will authorize the Government to furnish such insurance protection at standard premiums to the veteran. The insurance would be underwritten by a commercial insurer, much in the same manner as the serviceman's group life insurance coverage. The increased premium resulting from the serious disability of the veteran would be paid by the Federal Government. After the initial group of 10,000 are insured, Mr. Speaker, it is anticipated that not more than 500 new grants might be made each year. This insurance protection is important to the recipients and in view of the seriousness of the service-connected disabilities affecting this group of veterans, the Federal Government can well afford to assume this responsibility. I urge that the bill be passed.

Mrs. HECKLER of Massachusetts. Mr. Speaker, I wish to take this opportunity to express my full support for H.R. 943 which will permit certain service-connected disabled veterans to have mortgage protection life insurance.

The bill is aimed primarily at quardiplegic or paraplegic veterans whose disabilities require them to have specially adapted housing. The indomitable spirit of these men is an inspiration to all who know them and, in my judgment, we must assist them in meeting needs they cannot fulfill because of the injuries they have suffered in the service of their country.

It is gratifying to me that our Veterans' Affairs Committee was able to move so rapidly on this measure. This legislation was approved by the House last fall but, unfortunately, died in the other body during the lame-duck session. Hopefully, our early passage of the bill in this Congress will permit its enactment into law.

The proposal permits the Government to assist veterans who, because of their serious disabilities, are unable to purchase mortgage protection life insurance. Veterans who are eligible for this assistance will pay the portion of the premium attributable to a standard life expectancy while the Veterans' Administration will bear the additional cost caused by the service-connected disability.

This legislation is extremely worthwhile and I urge that it be adopted unanimously today.

The SPEAKER. The question is on the motion offered by the gentleman from Texas that the House suspend the rules and pass the bill H.R. 943.

The question was taken; and (two-thirds having voted in favor thereof) the the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on the veterans' bills considered today.

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

There was no objection.

PRESIDENT'S STATEMENT ON CONSUMER AFFAIRS

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

Mr. MONTGOMERY. Mr. Speaker, I would like to commend President Nixon for his very forthright statement on consumer affairs. I was also pleased that the President elevated his special assistant for consumer affairs, Mrs. Virginia Knauer, to Director of the newly created Office of Consumer Affairs. Mrs. Knauer has proven herself a most capable administrator and protector of the rights of the buying public.

Some of the worthwhile features of the President's consumer message bear special mention. First is the Consumer Product Safety Act. In the past, the Congress has passed legislation to protect children from unsafe products. The President is carrying this one step further by insuring the protection of every man, woman, and child in America from hazardous materials.

Mr. Nixon's proposals for a Consumer Fraud Prevention Act is the first step toward truth in advertising. Too often we have seen customers lured into places of business through gimmickery advertising for unavailable products or sold products which do not meet advertised specifications.

I am particularly pleased with the plans to promote consumer education on a nationwide basis. In my home state of Mississippi, Mrs. Knauer's office has already been instrumental in organizing consumer groups which in turn have begun a program of consumer education in public schools. Consumer education is important for all age groups, but it is becoming more and more important for America's young people. This is particularly true since a rather large portion of the consumer dollar is being spent by the youth in our Nation.

A fourth important feature in the President's consumer message is his proposal for a Fair Warranty Disclosure Act. Too often in the past we have seen consumers become the unwilling victims of meaningless warranties that offer no protection whatsoever against defective products.

Mr. Speaker, the President has given the Congress very significant pieces of legislation for consumer protection. I hope my colleagues will join with me in studying each bill thoroughly and giving Mr. Nixon's proposals our every consideration.

ACTION ON FLORIDA CANAL VERY STRANGE

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

Mr. FUQUA. Mr. Speaker, millions upon millions of dollars have been spent on a canal which was to traverse the State of Florida.

Today that work has ended and there are the reservoirs, the completed portion of the canal which now leads nowhere, and massive evidence of the unfinished project in construction work which was started and will now not be completed.

I have been highly critical of the manner in which this entire matter has been handled. Our congressional delegation was bypassed when the decision was made to abandon work. It would have seemed that simple courtesy would have dictated that we could have had an opportunity to present our side of the question before that decison was made.

This, however, was not the case.

Now the problem continues to become more confusing.

Representatives of the U.S. Army Corps of Engineers and the Florida Defenders of the Environment huddled behind closed doors on Monday, February 22, to discuss what will happen to the land acquired for building the Cross-Florida Barge Canal.

While a statement was made that only parties to a lawsuit involving the Canal should be present, the newspaper of Palatka, Fla. presented a different story. Dr. Lee Talbot, an adviser on ecology for President Nixon, was allowed to attend the session held in a glass doored banquet room as an observer.

The Palatka Daily News related that another person who seemingly has no legal interest in the lawsuit was present.

A delegation from Putnam County was denied admission. The men in this delegation could speak for the people of this county about the Rodman Reservoir, supposedly the main topic of conversation at the closed session.

Yet, again, those most interested were bypassed.

It is becoming increasingly strange that those of us who are most directly affected are bypassed at every state of these developments. The Florida Congressional Delegation was bypassed when the decision to abandon work was made.

Now that this decision has been made, local citizens—and I point out that the neighboring counties have issued bonds in the amount of some $9 million for their local support of the project—have been bypassed.

It does not make sense unless something that has been increasingly thought about is true.

Has the Cross-Florida Barge Canal been sacrificed for a pipeline?

TO PREVENT AMERICAN INJUSTICE

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

Mr. HULL. Mr. Speaker, a recent editorial in one of our Nation's leading newspapers, the St. Louis Globe-Democrat, praises the legislative efforts of one of our colleagues, the Honorable RICHARD H. ICHORD, Democrat of Missouri's Eighth District.

The editorial in the February 2 Globe-Democrat points out that Representative ICHORD along with bipartisan support from the Honorable JOHN M. ASHBROOK, of Ohio, and WILLIAM J. SCHERLE, of Iowa, both Republicans, has introduced a bill in this House amending the Internal Security Act of 1950 to provide additional safeguards for individual liberties in time of emergency.

It concludes by saying:

The corrective measures introduced by ICHORD and Conogressman JOHN M. ASHBROOK, of Ohio, and WILLIAMS J. SCHERLE, of Iowa, merit earnest consideration.

I agree, Mr. Speaker, and I insert the editorial in the RECORD:

TO PREVENT AMERICAN INJUSTICE

Legislation has been introduced in the House calling for amendments to the Emergency Detention Act, which has never been used in the 20 years it's been on the books.

Congressman Richard H. Ichord of Missouri, a co-sponsor of the bill, says it is designed to provide additional safeguards for individual liberties in the time of a national emergency. He presents a sound argument for passage of the measure.

Recalling the mass roundup of United States citizens of Japanese ancestry during World War II, Ichord said: "It is imperative that the Congress enact a law which will insure that the Executive Branch can never again apprehend and detain any class of citizens on the speculation that by virtue of color, race or national origin they might be disloyal to the United States."

He pointed out the roundup of Japanese-Americans in 1941 was based on an Executive Order issued by President Franklin Roosevelt.

In recent years there have been calls for repeal of the act. The Senate on Dec. 22—without hearings, debate or recorded vote—approved repeal.

Ichord, however, contends repeal is not the solution. This course would simply take us back to where we were in 1941. If the Emergency Detention Act had been in effect then, he said, that travesty of justice could not have taken place because the act requires probable cause be shown in a written warrant specifically identifying the individual.

The proposed amendments to the act provide that the law cannot be invoked by the President in time of emergency unless Congress adopts a concurrent resolution. Representation by counsel for any person detained is also assured.

The corrective measures introduced by Ichord and Congressmen John M. Ashbrook of Ohio and William J. Scherle of Iowa merit earnest consideration.

TO EXPAND COVERAGE UNDER THE EMPLOYMENT SECURITY AMENDMENTS OF 1970

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

Mr. O'NEILL. Mr. Speaker, the tragic and pervasive instances of unemployment which exist in our Nation today continue at an alarming rate. Everyone is aware of the frustration and anguish

which the man who is unemployed experiences, especially if he has the additional burden of supporting a family and a home. In most cases, he must also fulfill scores of other financial responsibilities which accompany daily living, whether it be the cost of education for his children or the health of his wife. On top of this, the unemployed citizen must subsist on a fixed income, in the face of growing inflation. For a man, or woman, to lose his sole source of sustenance, suddenly and unexpectedly, is an extremely trying and degrading experience. The man or woman out of work is not only coping with inflation, but with a feeling of hopelessness and despair which often causes as great a psychological misery as it does a physical one. The average wage earner who is now unemployed is further victimized by a vicious cycle of rising consumer prices, high interest rates and a general decline in the value of his dollar, not to mention ever-increasing health costs.

It is the responsibility of the Government, on both the Federal and State levels, to come to the aid of these people. It is a responsibility the Nixon administration has consistently refused to assume. Moreover, the Nixon administration has attempted, in theory, to trade inflation for unemployment. In actuality, they have not achieved their goal. Instead we have to deal with the compound problem of high unemployment and continuing inflation.

Of still greater importance, is the growing number of unemployed people, in every occupation and field of endeavor. Both workman and technician, white collar and blue collar workers alike have been affected by spiraling rates of unemployment. As my colleagues know, unemployment imposes the same hardship on everyone, regardless of one's ethnic or social background. It is a hardship that must be eliminated.

Unemployment last month was 6 percent according to the Bureau of Labor Statistics, while 1 year ago in January 1970 unemployment was 3.9 percent. This is quite a substantial increase, especially if we realize that we are actually describing the state of millions of men and women, not mere percentage points. While the annual average unemployment rate for 1969 was 3.5 percent, the average annual unemployment rate for 1970 was 4.9 percent. In my home State of Massachusetts, the problem of unemployment is a real and devastating one, the rate often climbing as high as 12 percent of the work force. Unemployment is like a plague. It begins gradually, then spreads at an alarming rate, until it flourishes at the epidemic level at which it does today. The people affected by this economic plague must receive treatment in the form of money to live on.

With all this in mind, I am today submitting a bill which would help alleviate some of the hardship placed on people by the current rise in unemployment. The bill would expand the coverage granted under the "Employment Security Amendments of 1970." In that bill the Congress established on a permanent basis a program of extended benefits over 13 weeks for unemployed workers who exhaust their right to benefits over an initial period of 26 weeks, thus bringing total coverage to 39 weeks. The new bill would establish on a permanent basis a program of extended benefits over an additional 13 weeks for unemployed workers who exhaust their right to benefits over the initial period of 39 weeks, thus bringing coverage to 52 weeks.

It is impossible to sustain a standard of living based on 39 payments a year when a man or woman lives all 52 weeks of the year. The person who suddenly finds himself unemployed one day does not see prosperity on the horizon, as the administration does. For him, there is no reason to believe that a job is waiting around the corner. The probability that the person will be unemployed for more than 39 weeks is great. While encouraging that worker to seek employment elsewhere, we must provide for that person's needs. The prospect that he or she will find a job in the near future is not promising at this point, as the ranks of the unemployed swell from month to month. We must help these people face the uncertainty of the future by guaranteeing them minimal financial security.

It is imperative that we, the elected Representatives of the people, enact legislation that will lessen the hardship and anxiety of unemployment. The high rate of unemployment which the Nixon administration has fostered through inaction and the pursuit of unsound economic policies must be reversed before the situation worsens. The States cannot carry the burden alone. They are already hard put to support their burgeoning welfare roles. They must be assisted by the Federal Government.

It is toward this end that I ask for the enactment of this bill by Congress to permit Federal sharing of the cost of unemployment benefits which extend for 52 weeks.

Mr. Speaker, I represent an area in which unemployment is growing rapidly, mostly in the field of those who have been engaged in scientific development. I hope that the appropriate committee will give every possible consideration to this bill.

LAOS SITUATION

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

Mr. DENNIS. Mr. Speaker, so far as Southeast Asia is concerned, these are times that try men's souls. The Government of the United States is engaged in an important effort to stabilize the situation in a manner consistent with our national interest and holding forth some hope for future peace. These efforts reached a critical phase with the current operation in Laos.

We ought not to complicate our problems either by the fears of panic or by the rhetoric of politics.

Mr. Speaker, I call on my colleagues, and I call on the American people, to stand by our Government and the policies of our Government in the Far East.

Like many other Americans, I have been giving a great deal of thought to the situation in Laos and to our position in Southeast Asia in general. This is a most serious and distressing situation to all Americans, and particularly so to those who have, or have had, members of their families personally—and sometimes tragically—involved. It is certainly not least distressing to the President of the United States.

The situation in Indochina is unsatisfactory basically because of mistakes made in the past. It is certainly highly debatable whether we should ever have engaged in such a military venture on the mainland of Asia, and in my judgment it is not debatable at all that—once having done this—we should have fought the war, with conventional weapons only, but with the view to obtaining, and in such a fashion as to have obtained, a prompt, decisive, and favorable military decision.

Instead, we first intervened on the mainland, and then gradually drifted into military escalation, without ever making a decision to go in and win.

These mistakes had been made when President Nixon came into office. He had to face and to deal with the very difficult problem thereby created.

In this situation President Nixon rejected, wisely, as I believe, the two extremist arguments. One urged a much belated, all-out, and greatly expanded military effort—an effort which our people were unwilling to support. The other advocated an immediate and complete American withdrawal, cutting our losses and leaving the South Vietnamese to their fate. This latter would in effect have been the end of America as a Pacific power, perhaps as a world power, and would have left the bitter taste of frustration and dishonor in the mouths of many Americans.

President Nixon has attempted a middle way. That way calls for negotiation with the enemy on the one hand—and all our proposals here have been summarily rejected. It calls on the other hand for gradual American military withdrawal and for so-called Vietnamization of the war.

This is a hard program, because it calls for continued, although reduced, American losses, without the promise of ultimate American victory. It calls also, however, for the creation of a viable and friendly government in South Vietnam, and for an honorable and successful maintenance of an American influence and presence in the Pacific world. It has called not for any true escalation or widening of the war, but rather for the recognition of tactical realities, by means of a successful incursion into Cambodia against enemy bases there, and through a similar Vietnamese incursion into Laos against enemy supply lines in that country. The success or failure of this Laotian effort hangs currently in the balance, and its reasonable success is very likely vital to the success of the whole Vietnamization program.

American authorized troop strength in Vietnam has decreased by more than 200,000 over that of 2 years ago, and ac-

cording to plan will have been decreased by 265,000 men by the first day of May. Combat deaths in 1970 were over 10,000 less than in 1968. But a residue of American support troops may remain in South Vietnam, as they have remained in South Korea, for an indefinite period of time, and they will remain—as the President has said—so long as American prisoners of war continue to be held by the enemy.

Let those who object to these policies dare to suggest as their political platform that America abandon to their fate these, our fellow Americans, who are prisoners of war.

The course before us is hard, but for myself I do not see what else President Nixon—or any President—can or could do, given the present circumstances.

The President has acted responsibly, boldly, and with decision. He has made few promises, and has kept those he has made. In his ongoing effort for our country he needs, and he deserves, our support.

CREW OF APOLLO 14 VISIT CHAMBER TOMORROW

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

Mr. FREY. Mr. Speaker, tomorrow the crew of Apollo 14 will be coming to this very Chamber. This alone will be an honor for my colleagues and me and yet these three gentlemen are but a symbol of something even greater. Fifty years ago, we were lucky if we could fly across the Atlantic and now we have had six men on the moon. It is amazing that our country has been able to progress so rapidly in these past few decades and it speaks well for our technology and know how.

Today, when our goal of reaching the moon has been accomplished our space program is under severe attack. Critics are popping up and asking "why go to the moon while people are starving and suffering back here on earth?" What many of these people fail to recognize is that there is a benefit to all on earth from our space program.

First and foremost, the technology which took us to the moon, has the capability to improve the living here at home. As Dr. Thomas Paine, the former Director of the National Administration of Space once said:

> Given all the technological resources of our country and the money required and we could render Los Angeles a smog free city in ten years.

What Dr. Paine was saying is that given the national resources which we have we could clear our Nation of smog and air pollution. The same is true of almost any technological problem. From our space program can come the scientist, the engineer, and the technician, all with the skill needed to solve these problems. In fact, it is because of this capability that I have worked with the colleges in my district, and with Federal agencies to establish "Project Retro," a retraining center to move these skilled technicians into the fields of environmental sciences and urban planning. The accomplishments of the three astronauts is a symbol of American technological know-how.

But there are other benefits from our space program. Soon there will be an orbital lab. It is here that scientists will conduct experiments to better the well-being of mankind. If Louis Pasteur had not experimented, we would not have penicillin today. The same may well be true of our experiments in outer space. One thing is certain, the presence of an orbital lab and eventually the space shuttle will assist in our understanding of the universe around us. The presence of a telescope in outer space will eliminate that interference of our atmosphere. The ability to study the effects of the suns radiation on our planet and the seismic experiments carried out in the Apollo missions are just a few examples where space and the manned space flight program has and will benefit us. There are a multitude of others.

In brief, the achievements of these three astronauts and the people involved in the space program are just the beginning. Their knowledge and ability to solve problems will continue to improve the well-being of man and will continue to be one of America's most important national resources.

GREATER SECURITY NEEDED FOR CAPITOL HILL

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

Mr. MINSHALL. Mr. Speaker, the bomb that exploded in the Senate wing of the Capitol this morning comes as a shock to all Americans, but as no surprise to those of us who long have anticipated just such a calamity in view of the ridiculously lax security measures in force on Capitol Hill.

Six years ago, on January 13, 1965, I took the House floor calling for greater security measures. This was shortly after a member of the American Nazi Party charged into the House Chamber and disrupted a session. At that time I introduced a resolution to create a bipartisan special committee to investigate and report on Capitol Hill security. No action was taken on my resolution.

Two years later, on February 1, 1967, I reintroduced this resolution, pointing out that crime on Capitol Hill, including the Capitol Building, five office buildings and grounds, had risen 51 percent over the previous year. Again, my resolution was left to gather dust in committee.

What does it take to open the eyes of Congress to the fact that through its laxity it is endangering the lives of thousands of Capitol Hill employees and tourists, to say nothing of jeopardizing these priceless and historic buildings which house irreplacable treasures dating back to the very founding of our Nation's Capital in Washington. It is bravado of the most foolish kind to pretend that real and present physical dangers do not exist, and to ignore a tightening of security that will apply not only to Hill personnel, but to visitors as well.

In this connection I would like to point out the growing concern many of us feel over unauthorized persons using office facilities in the House. I do not know what the situation is on the Senate side, but it is a fact that one House Member presently permits use of his office as headquarters for a private organization lobbying against the war in Vietnam. Another group issues a news bulletin called "Leadership Letter" out of 1709 Longworth Office Building, a two-room suite assigned as "additional space" to a House Member. I understand that the House leadership is aware of these abuses of taxpayers' property but allegedly is at a loss as to what to do about it. The steps to be taken are clear enough and on the books. No Member has authority to turn over office space to further the lobbying efforts of any private organization no matter how worthy may be their goals.

It is this sort of slipshod administration that has led to slipshod security on Capitol Hill.

Ironically, the explosion this morning comes just 17 years to the day after the Puerto Rican nationalists shot up the House Chamber, gravely wounding a number of Members. I submit that under present lax security, a repetition could occur in either Chamber at any time. As for gaining access to the Capitol Building at night, despite prefunctory police protection at building entrances, it is child's play to get into any of the buildings, and through the network of connecting tunnels, to reach the Capitol Building at any time.

We were fortunate that no lives or injuries can be counted among the costly damages of this morning's bomb explosion. Next time, innocent victims may be involved. In order to prevent a "next time" from occurring, I am revising my original resolution. New legislation, which I will introduce within the next few days, will call for creation of a joint committee of the Congress, composed of members of both parties from House and Senate, to investigate and report recommendations for insuring greater security in the Capitol and adjacent buildings.

I hope that the Congress will be prompt in acting on my resolution.

REPEAL OF CERTAIN EXCISE TAXES BY THE FEDERAL GOVERNMENT COULD BE A PRIME SOURCE OF ADDITIONAL INCOME FOR STATES AND LOCALITIES

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

Mr. LATTA. Mr. Speaker, on February 4, 1971, President Nixon sent a message to the Congress detailing a proposal he first outlined in his state of the Union message for sharing Federal revenues with the States. The President has provided the Congress and the American people with a clear concept of the bold steps that must be taken to help relieve the various States and municipalities of their ever-mounting fiscal burdens, and to assist State and local governments to effectively meet the needs of their people.

It is clear that unless something is done, many State and local government units face bankruptcy.

In short our federal system faces the greatest trial of our history. A new direction is imperative if we are to slow down, and hopefully reverse, the continued erosion of private and State-local responsibility that has been accompanied by the steady accumulation of Central Government direction. A new set of fiscal conditions is necessary if we are to rescue federalism in the United States.

The President's proposals outline a possible path of rescue. At the same time, however, we cannot lock the door to other possibilities for providing additional sources and avenues of relief. Therefore, it is the clear and manifest duty of the Congress to examine rigorously the President's proposals, and if alternatives must be accepted, to accept them.

I have gone over the President's proposals with a great deal of care. I believe they will work. Therefore, I have joined with other Members of this body in sponsoring the legislation that will transfer the concept of revenue sharing into law.

Since the President and others have detailed the specifics of the proposals, I will not venture a point-by-point reexamination. I think, however, it might be worthwhile to go into the arguments for and against the concept.

In general, revenue sharings has the following advantages over other practical alternatives:

Revenue sharing is simple, straightforward, clear, and direct in its conception and operation;

It provides the States with more discretion and greater fiscal autonomy than do other alternatives;

It is not a stopgap measure but puts substantial funds in the governments that face the major responsibilities for social goods and services;

It is closely hitched to the growth of the economy, and would automatically increase at a pace greater than the rates of other taxes;

It is flexible enough to be employed to achieve precise and explicit policy goals through adjustments in base, rate, amount, and distribution;

It would enhance public confidence in State and local government by better enabling them to meet local needs;

It would cut redtape involved with categorical grants-in-aid; and

It has ample precedent in other countries, at the local-State level in this country, and in infinitesimal form at the Federal-State level—thus insuring adequate examples and experience upon which to draw in undertaking a major new commitment.

There are, however, and I would be the first to recognize them, cogent arguments against revenue sharing;

Revenue sharing would cost additional money unless other programs are cut; and

Revenue sharing would simply compound the confusion, waste, and ineffectiveness associated with governmental spending because many States and local governments are not as professionalized as the Federal Government.

These, however, are arguments that do not stand up against the hard, cold light of reality. Levels of professionalism are constantly rising at the State and local levels. Responsiveness is great at the State and local level.

Furthermore, it is doubtful whether complete misfeasance at the local level could be any more wasteful than that caused by the sheer size and inertia of the Federal bureaucracy, and the totality of duplication under existing programs.

Much more convincing than these arguments is the contention that under tax sharing, the responsibility for raising revenue will be divorced from the authority to spend it.

Again, Mr. Speaker, I want to emphasize my support for the President's revenue-sharing proposals.

However, we must also be realistic and look to providing contingency proposals in the event it flounders on political opposition. Already the chairman and ranking member of the Ways and Means Committee have indicated their opposition to revenue sharing. Substantial numbers of the opposition have put forth alternative proposals such as the federalization of all welfare programs.

It does not take a great deal of insight to know that the President's program is in for some tough sledding.

So it stands to reason to have a workable alternative that stands on its own merits and meets the critical objections to revenue sharing.

Therefore, I am today pleased to introduce a bill which will accomplish the following:

First. It will provide a source of additional revenue—some $6 billion—to the States.

Second. It will do this without the imposition of Federal strings.

Third. It continues the criterion that the responsibility of raising revenue should go hand in hand with the right to spend it.

I would add that this measure allows the States much greater latitude and discretion than do the other alternatives proposed.

The bill would repeal the Federal excise taxes on alcohol and tobacco to provide a source of additional revenue for the States.

Why a tax cut?

Revenues of State and municipalities increase directly and indirectly through tax cuts.

Indirectly, they increase from the economic expansion generated by tax reduction. Directly, Federal tax cuts provide an opportunity for the non-Federal sector to take up the slack of a tax decrease in increased State or local taxes.

Estimates are not as predictable of the increase to State-local revenues from Federal tax cuts as from other methods of assistance but prof. Walter Heller, using figures for 1964–65, indicates that "an estimated $3 billion extra a year is flowing into State-local coffers from the 1964 tax cut alone, a 7-percent increase for both State and local tax revenues."

Prof. Deil S. Wright has stated that if Heller's figures are correct "then the Federal tax cut was responsible for nearly 90 percent of the $3.5 billion in added tax revenue obtained by the State-local sector in fiscal 1965 over 1964."

According to Office of Management and Budget statistics, Federal alcohol excise tax collections for fiscal year 1970 were $4.6 billion. For tobacco they were $2.093 billion. Between the two we are looking at some $6.6 billion that could be used by the States and local governments to increase their revenues.

The figure exceeds the President's proposals for general revenue sharing which is in the neighborhood of $5 billion.

At this point I to insert a table showing a breakdown of alcohol and tobacco tax collections during fiscal 1970 by Internal Revenue regions, districts, and States. It gives a rough approximation of the amount each State would stand to benefit by if the Federal excise and tobacco excise taxes were repealed. It follows:

INTERNAL REVENUE COLLECTIONS OF FEDERAL ALCOHOL AND TOBACCO EXCISE TAXES BY STATES FOR THE FISCAL YEAR ENDED JUNE 30, 1970

[In thousands of dollars]

State	Alcohol	Tobacco
North Atlantic region	621,964	866
New York	363,863	17
Maine	2,437	----
Massachusetts	172,058	47
Vermont	102	----
Connecticut	71,801	226
New Hampshire	302	----
Rhode Island	11,402	----
Mid-Atlantic region	776,893	509,016
Maryland and District of Columbia	267,396	68
New Jersey	260,976	41
Pennsylvania	240,333	24,861
Virginia	8,137	484,046
Delaware	51	----
Southeast region	130,607	1,140,888
Georgia	10,450	958
Alabama	2,362	2,078
South Carolina	719	2,014
North Carolina	12,774	1,124,203
Mississippi	232	----
Florida	81,118	11,472
Tennessee	22,950	162
Central region	1,544,447	433,148
Ohio	259,379	890
Michigan	259,914	4
Indiana	324,609	459
Kentucky	694,259	431,562
West Virginia	6,285	233
Midwest region	801,817	12
South Dakota	68	----
Illinois	479,111	4
Iowa	408	----
North Dakota	98	----
Wisconsin	136,654	7
Nebraska	7,834	1
Missouri	125,435	1
Minnesota	52,208	----
Southwest region	201,759	170
New Mexico	685	----
Texas	93,278	168
Wyoming	44	----
Colorado	63,222	----
Arkansas	581	----
Louisiana	41,281	2
Oklahoma	1,161	----
Kansas	1,406	----
Western region	598,695	91
Alaska	176	----
Idaho	85	----
Montana	866	----
Hawaii	4,980	9
California	505,246	80
Arizona	2,483	----
Oregon	12,476	----
Nevada	116	----
Utah	38	----
Washington	72,231	1
Office of International Operations	70,199	10,022
Puerto Rico	70,199	10,022
United States, total	4,746,382	2,094,212

Mr. Speaker, there are no accumulative statistics that show exactly the per capita consumption of alcohol and tobacco on a statewide basis. Library of

Congress economists, however, indicate that consumption patterns are relatively similar, with few exceptions, across the Nation. Therefore, distribution of the revenue dividend would be divided among the States on the general basis of population.

I want to emphasize that repeal of these taxes at the Federal level will not mean the end of the Federal Government's supervisory and enforcement activities over alcohol and tobacco manufactures. Under the bill, occupational taxes will continue to be collected by the Treasury. According to the Department's figures, occupational taxes for fiscal 1970 amounted to $19,745,000. During the same period, costs associated with administration and enforcement activities were $29,625,000. Therefore, we are looking at a deficit of around $10 million—an amount that could be made up from the general fund or from an increase in the occupation tax. I trust the Ways and Means Committee will give very close attention to this detail when they consider this legislation.

In my judgment passage of this measure will enable the States and the political subdivisions, who bear the heaviest duty and responsibility under our federal system, to maintain and upgrade their level of services to the American citizen. To fulfill these commitments they must have a greater share of the Nation's fiscal resources.

In conclusion, the problems of our States, cities, and counties are unique. A solution designed for Baltimore will, more often than not, fail to meet the needs of Bowling Green, Ohio. Thus it is imperative that we do something to help the States and local governments finance their own programs, and, in this way, insure the flexibility that will allow them to set their own priorities.

I trust, Mr. Speaker, this body will give this measure very serious consideration.

WAR CRIMES: THE BITTER FACTS

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

Mr. DELLUMS. Mr. Speaker, as the war spreads, so does the possibility and danger of additional war atrocities committed by American soldiers. Yet, the Military Establishment continues to ignore or downplay not only the factual existence of these ghastly horrors but it also refuses to question the issue of ultimate responsibility for war crimes past and present.

Today, along with 21 of my colleagues, I am reintroducing a joint resolution proposing a full-scale congressional inquiry of American war crimes and war crime responsibility. Joining with me in backing this resolution are Mr. DIGGS, Mr. RANGEL, Mrs. ABZUG, Mr. COLLINS of Illinois, Mr. RONCALIO, Mr. MITCHELL, Mr. ROSENTHAL, Mr. HAWKINS, Mr. RYAN, Mr. SCHEUER, Mr. EDWARDS of California, Mr. ECKHARDT, Mr. CONYERS, Mr. KASTENMEIER, Mr. MIKVA, Mr. SEIBERLING, Mr. BURTON, Mr. KOCH, Mr. HELSTOSKI, Mr. DOW, and Mr. BADILLO.

Mr. Speaker, the Defense Department blatantly ignores its responsibility to deal with war crimes. Instead, the Military Establishment attempts to pin the blame on lower echelon personnel—men such as Calley, Henderson, and soon, I presume, Medina—while refusing to acknowledge that the prime responsibility lies at the highest levels of civilian and military command.

Indeed, to all intent and purpose, the Military Establishment acts as if war crimes are minute aberrations, the deranged acts of men temporarily enraged by the horrors of combat. Of course in some cases, that is true. But there have been far too many instances of premeditated atrocities for this excuse to be accepted anymore.

Mr. Speaker, the material I shall now insert into the RECORD is for the most part some of the most gruesome and beastly testimony that I have ever read. The transcript which follows is that of the National Veterans Inquiry on U.S. War Crimes in Vietnam held last December here in Washington. The inquiry was undertaken by the Citizens Commission of Inquiry in order that the American public and Government realize the terrible realities of war atrocities as an integral component of our illegal, insane, and immoral adventurism in Southeast Asia.

The testimony contained in the transcript is blunt. But blunt also has been the Government's ridiculous efforts to bypass or soft-pedal the responsibility for these actions. Congress represents the people of America, and I believe the people are sick of the war, sick of the war crimes, and sick of the Military Establishment's handling of these problems.

The transcript follows:

TRANSCRIPT

INTRODUCTION

JOHNSON. My name is Robert Bowie Johnson, Jr. I'm a Vietnam veteran, ex-Army captain, and West Point graduate. I'm currently a veteran coordinator of the National Citizens Commission of Inquiry on U.S. War Crimes in Vietnam. On behalf of the Citizens Commission, I'd like to welcome you to the National Veterans Inquiry on U.S. War Crimes in Vietnam.

Most of you have received the schedules of when the veterans will testify. This afternoon, nine members of the Americal Division will testify. After that, Noam Chomsky will deliver a brief perspective; and after that the testimony on ground combat operations will continue until 4:30 pm.

Initially, six witnesses here will testify. They'll be interviewed by regional coordinators. After each witness testifies, we ask that the press hold their questions to about five minutes; then after all veterans have testified we will open the floor up again for questions. Should there be any question relating to procedure or scheduling, these questions will be directed to Mr. Tod Ensign or Mr. Jeremy Rifkin, national coordinators for the Citizens Commission.

Let me introduce our first witness, Mr. Mike McCusker.

MIKE M'CUSKER

McCUSKER. My name is Mike McCusker. I am an ex-Marine. I was discharged as a sergeant. I enlisted in the reserves in 1959 in July; served six years in the reserves; and then in 1965 went active duty for two years, which means I had eight years of service. While in the reserves, I was trained in Recon, which meant that I became a jumper, a parachutist, scuba, and all the other John Wayne varieties. In the two years that I was active I was what was called a combat correspondent for the First Marine Division in Vietnam, generally out of Chu Lai. In that position I saw damn near everything from command to the field. Perhaps an indication of that is an interview—off the cuff, which I understand you know well enough—with the commanding general of the First Marine Division at that time, and said that Vietnamese society was ignorant and superstitious, the children were raised as thieves and liars; we could do nothing with the old; the children themselves should be taken from their families and indoctrinated all their lives in government camps. A colonel, on an interview with him, said his job was to kill gooks—except I knew better what to write, and put it a different way, such as country, God, duty, and devotion, helping these people even though both of us knew it was a lie, and not worth considering as far as the military was concerned. Lifers and NCOs continually referred to Vietnamese as gooks, inferior, of no worth. As a reporter I could not write of these things, nor could I write of atrocities, nor could I write of the treatment of POW's; I could not write of women fighting with the VC, nor of women or children taken prisoners, nor of harassment and interdiction fire, of even napalm, which was referred to as incender-gel about halfway through my tour.

My job essentially was to cover things up from the press, to be the PR, and come off with the Marine Corps looking like a shining knight on a white horse. If anything was coming up that would embarrass the Marine Corps, we were to take reporters someplace else and make sure that they didn't know about it. The general trend was to allude in our stories to all Vietnamese as Communists, not only dehumanizing them but indicting them as something that we are programmed to fear and abhor. Every dead Vietnamese was counted as Viet Cong, because they would not be dead if they were not Viet Cong, whether they were ninety years old or six months old. The body count was any pool of blood, and I used to think that perhaps multiplied by seven. The villagers were destroyed or forcibly removed to New Life Hamlets—which is what they were called—which were nothing more than concentration camps with barbed wire and machine guns. The huts were too close, there was hardly any food—which forced beggars and whores of once-proud farmers. And perhaps that was the most degrading atrocity: the garbage cans of the different battalions and companies, they would allow one or two vietnamese to empty these garbage cans into their buckets—which also let the Marines think, after these farmers were reduced to nothing else, that these people must be inferior if they lived out of garbage cans.

Now there are two incidents, perhaps, that are of particular value as far as atrocity is concerned. They were SOP and they're examples of general procedure.

One happened on my mother's birthday, October 27, 1966, northwest of the Chu Lai perimeter, at a village called Duc Pho. It was a large village complex. A sniper killed a staff sergeant, so the skipper pulled us back and then ordered nape [Napalm] on the village itself. "Just napalm the hell out of it." When we went in later, after the fires burned down, there were many, many bodies of old women and men. But I think the worst was thirty dead children who had been laid out for us to see by the survivors, who got the hell out of there before we got in. They laid these children out for us to see in one courtyard, and from being completely—just their bodies mutilated, to some of these kids looking like they'd just been sunburned, all of them were dead, all of them were very young—boys and girls both.

Another time we destroyed two entire villages—which was a month earlier than that. One of our old men, a man who had been around for six months, got hit by a sniper. The battalion went into a frenzy and destroyed these two villages in the Pinapple Forest, which was southwest of Tam Ky about ten miles. Everything living died. It was just—it was mad, it was insane. Everything died and burned, and there was nothing left, nothing left of those two villages.

The general trend in Vietnam at that time that I was there, for the entire year, if you received incoming rounds, sniper rounds from a village, one or two or three, you called in artillery strikes on that village, you napalmed that village; whether it was artillery or air, whichever was the closest. And this was indiscriminate and this was usual.

MODERATOR. Mike, in that village you last described, could you estimate the amount of civilian casualties?

MCCUSKER. The village—it's really very hard to estimate the casualties. I would say anywhere from fifty to one hundred fifty. I can't really say, because bodies even that day were burned, thrown into huts that were burning and tossed in there. So it's very, very hard to get an estimate. Of course, the situation report on it was essentially that we engaged a very large enemy force, and I forgot how many KIAs were listed; but then again, the body count you cannot take it for worth anything.

MODERATOR. Could you estimate the date of that incident, Mike?

MCCUSKER. Yes, that was—if I remember the correct date, it would be 7 September, 1966.

MODERATOR. Perhaps it would be good to have some questions at this point if there are any from any of the members of the press.

FLOOR. Was there ever any investigation of either of these incidents, 7 September or 27 October, by the 1st Marine Division or any other agency?

MCCUSKER. No, there was no investigation.

FLOOR. Why not? Why do you think there was no investigation?

MCCUSKER. Essentially because I would imagine nobody thought it out of—nobody thought to question it. It was, as I said by this time SOP, and you can consider the embarrassment of insanity on coming down from it.

FLOOR. Could there have been an investigation that you didn't know about?

MCCUSKER. There could be a lot of things I didn't know about. As a matter of fact, generally we were kept in ignorance. One unit didn't know what the other unit was doing. So the average troop really had no idea exactly what was going on except in his own platoon. Now in that time when the thirty dead children were burned and napalmed, by the way, a captain came to me, because he knew I was the reporter, and he said, "Look what the Viet Cong did to their own people." And I got very angry and I said, "The Viet Cong didn't do this. I saw the strikes and that's napalm." And he said, "Well I think, Sergeant McCusker, you had better write that the Viet Cong did this."

FLOOR. Did you write that?

MCCUSKER. I didn't write anything on that story.

FLOOR. Who was the officer?

MCCUSKER. He was a captain. I don't—I can't even remember his name. He was I think the battalion, perhaps the battalion S–1, if I remember correctly, but I'm not sure. Another thing too, if we did write in our stories the things that we did see, there was absolutely no chance of them getting out anyway, because every story you turned in first went to your divisional office, through a staff sergeant, through a gunnery sergeant, through a lieutenant, and then a major, and then it was sent to the Combat Information Bureau at 3rd Marine Amphibious Headquarters in Danang, across the river from General Walt's headquarters. And each story which had already gone through this redlining procedure went through more lifers like gunnery sergeants, it went through a captain, for final analysis, and then up to a colonel for final analysis—before it was ever released to the press. So, no matter what you tried to do, even through your stories, there were so many checks and counterbalances that by the time your story got out, if there was anything that you had put in, it was completely devoid of it; it was just—all the life was taken out and there was nothing but a shiny little shallow story about Vietnamese love us and the Marines succeeded again and every battle was a great victory.

FLOOR. Mr. McCusker, could you give us the names of the villages and the dates that this happened—pinpoint this just as close as you possibly can?

MCCUSKER. The two villages that were destroyed?

Floor: Yes.

MCCUSKER. It was, as I said, ten miles northwest—well, about ten miles due west of Tam Ky. It was down from Hill 488 where Howard got his medal of honor, and it was in the same area where the same battalion had gotten into a fire fight the month before.

FLOOR. And the dates?

MCCUSKER. The date, as I said, approximately, as closely as I can remember was 7 September that this happened, this incident.

Floor: Both of these incidents?

MCCUSKER. The incident of the dead children was 27 October, 1966, as I said it was my mother's birthday, which to me was an irony because it seemed like her children were dead.

FLOOR. Have you reported these incidents before?

MCCUSKER. No, I'm afraid I never officially reported either of these two incidents.

FLOOR. Why haven't you, seeing as it happened four years ago and being—

MCCUSKER. Oh, I have, I have, since I've been out of the Marine Corps, I've written of these incidents, I've spoken of these incidents, in the Marine Corps I've spoken of these incidents but I never did anything official.

FLOOR. What I'm driving at is why do you choose now to come here and instead of, if you feel this was an atrocity.

MCCUSKER. All right, I wrote the Fulbright Commission about this. I received nothing but an innocuous answer. Everytime I've ever written anything to the government, and I have carbons of these, you just receive an answer that says, yes, we'll check into this, and we'll call you later about it, and you hear nothing. I've done this many times, until you just throw up your hands in disgust, you know it's just going to be swept under the floor. And I have, as I said, carbons of damn near every letter I've ever written, even to the prisoner of war issue—H. Ross Perrot, to which I never received an answer. Also the Saigon news correspondent who said the Army was lying—he was immediately made a chaplain's assistant. I wrote to the Fulbright Commission which said it was going to begin to check into the management of news by the Pentagon, and military news, and I received nothing but a little answer saying, well, we don't have enough time to really call this commission right now. It's very interesting testimony you have, but we'll call you later.

Floor. Is it your impression that these incidents were the exception or were these the rule?

MCCUSKER. No, These were not the exception. Oh, pardon me, these are not the rule. I'm sorry, I'm getting all fuddled up—these are not exceptions; these are generally the rule. Now, what's an atrocity? The killing down of one man running in the field? Well, in other testimony, wherever you naped a village, the villagers were running from it, helicopters would shoot them down. Under the general operating procedure that anybody running must be a Viet Cong or he wouldn't run from you. It was not taken into account that he might be just scared to death and he knows what the hell you're doing. And so they were shot down in the field as they were running through the paddies. No, these were the general rule, whether it was the shooting down of one man or whether two villages were hit.

FLOOR. What battalion was this?

MCCUSKER. This was the First Battalion, Fifth Marine Regiment, First Marine Division.

FLOOR. In both these particular incidents.

MCCUSKER. In both these particular incidents, yes.

FLOOR. Who was the commanding officer at that time?

MCCUSKER. I'm sorry, We're not going to give names, it's on file who he is.

FLOOR. Well, if it's on file, can you tell us?

MCCUSKER. Well——

FLOOR. What's the reasoning there?

MCCUSKER. Okay. The reason for not giving any particular names is once again we're going to lay it back on individuals. And, the whole thing for this investigation is to take it away from individuals and not lay the blame back on them again and make it as if it were isolated. That this is the highest policy possible; that field grade officers were present at this time and the field grade officers yet were under orders themselves.

FLOOR. You're absolving the CO of the battalion as just doing his duty under standing orders, are you?

MCCUSKER. I'm absolving him as, in essence, the same way I'm absolving myself. That he was just as much a victim of the rigid structure in which he was involved, which especially his whole career was involved and so he was frozen within that position and could not do much more. And he was under orders as I was under orders. And I felt a great sense of powerlessness.

MODERATOR. We'd like to move to the next witness, Mr. McCusker, unless there is a really pressing other question. We've got five other guys.

DANIEL K. AMIGONE

MODERATOR. Danny Amigone will be speaking to the problem, the area of mistreatment of civilians in ground combat. Dan?

AMIGONE. Thank you, Chuck. Good afternoon. My name is Daniel K. Amigone. I'm from Buffalo, New York, the queen city of the Great Lakes. I enlisted in the United States Army after I received my master's degree from Arizona State. As you know Arizona State, or Arizona, is a big, conservative hotbed of American politics, and at the time I really thought that what all we were doing in Vietnam was the right thing to do. So I enlisted in the United States Army and—for a three-year hitch by the way—and to this day I regret that. At any rate, I went through basic and AIT because I had plans of going into OCS, but just before, just before my actual departure for OCS at Fort Benning, they had a review board in my behalf and they decided I was not officer material because of various views that I had had during basic and AIT. And this I believe starts the whole process.

But anyway, after they refused my application to OCS, they sent me to Germany and I was over in Germany for three months and I volunteered for Vietnam, not like a lot of these people who have testified here before. I actually volunteered. At any rate, I went to Vietnam in March of 1968, March of 1968 I arrived at Bien Hoa and Bien Hoa just had been cleared of the Viet Cong. It was just right after Tet. I didn't have too much in-country training because we were really badly needed, and I was assigned to Com-

pany D, 3rd Battalion, 7th Infantry, 199th Infantry Brigade and we were called the Red Catchers. And this began my career in Vietnam, I was assigned to a infantry unit as 11 Bravo, which is an infantryman because all the training I had was during basic and AIT.

And this training I think is very important to the whole philosophy that goes into the mind of a man that goes into the front lines over in Vietnam. Basic is just, as they say, basic, you know. They teach you how to fire usually a—in my case it was an M–14. They teach you the basic fundamentals of drill, and, etc. Once you get into advanced infantry training, the process gets stepped up and the process gets more involved.

And I heard a question before about racism. Well, racism starts in AIT, Advanced Infantry Training. It's not a rasicm designated against the Blacks and Puerto Ricans; it's racism designed toward the Vietnamese people. On the ranges when you are firing for record score to qualify, you're taught by your platoon sergeant and the man who is the instructor to holler kill every time you squeeze that trigger, and you're killing a gook, as they call them. And this is really where racism goes. They're not people anymore, they're gooks. They're not Vietnamese, they're gooks. So on the bayonet range, your drill sergeant would holler, "What's the spirit of the bayonet?" And the people would as they lunged into their targets, would say, "kill, kill, kill." So that's—its the spirit of killing that these infantrymen have when they go over to Vietnam. It's really imbedded into them. And they get over to Vietnam and we practice what they have taught us.

There's one especially—topic I want to get into, and that's the question of McNamara's Brigade. In 1967, because of the drainage of manpower in the United States, Secretary of, I believe, Defense McNamara needed more manpower to fill the ranks over in Vietnam, in the infantry. So what he did was: lowered the mentality, mentality standards for acceptance, accepting men into the armed forces especially the Army. What happens to these men—in particular I remember one man was in my company. He was a platoon sergeant in basic, acting platoon sergeant. I remember this one man who came up to me. He was only eighteen years old, a black boy from Newark, New Jersey, and he was married and had four kids, and he couldn't even read the letters that his wife wrote home to him. The Army had accepted him for combat duty. The Army was going to send him to paratrooper school and eventually to Vietnam. The man asked me to read his letter to him, and I read his letter to him and I said, "Well, what are you going—are you going to write to her?" And he said, "I don't know how to write."

What had happened was that the Army had drafted this man, and then put him through a three-week course so that he could learn how to write his name and sign his pay voucher. And what happens? These men go through this killing process. They learn to kill and they go to Vietnam and they do kill, and they do get killed, because given the fact that their reactions are a lot slower than a man with a normal intelligence, they haven't been told that when you hear a bullet fly you're supposed to duct. All they've been told how to do is to kill. So they kill, and they get killed. And if you look at *Morning Reports—Morning Reports* is a document, a document that registers your KIAs which are people killed in action, or your wounded people—you will find a disproportionately high number of people were these '67s. I say *were* because the Army had gotten a little grief about this, and they changed their system from using US or RA to social security numbers. That way they could hide anybody they wanted to.

At any rate, these people go to Vietnam and they die. And these people, I'd like to point out, they come from the ghettos. They come from the squalid areas of this country. They come from Appalachia, they're blacks, they're Puerto Ricans, they're poor whites. And I personally believe it's a sort of genocide, a genocide in both ways, a genocide in the effect that they're using the poor to fight the poor over in Vietnam.

So what happens when we get over there? Well, as I say I arrived in the country just after Tet, and about the first week in the country I witnessed my first atrocity. We were in the middle of a fire fight, in the middle of a fire fight, and this GI to the left of me, ahead, captured a peasant girl. And he raped her, raped her. In the middle of the fire fight, raped her and then when she tried to get away, she killed—he killed her. And it was written off as a KIA, enemy casualty killed in combat.

And one more incident I'd like to bring up. I did not actually see it, but it happened when we were out on a patrol. We had captured three enemy prisoners and because of the lateness of the evening, we decided to hold them in our camp. And we held them and the next morning all three of them were dead, and they were shot in the back. And the—one of the platoon sergeants who were on duty at the time claimed the victory for killing them in the back saying that—he said that they tried to escape but what actually came out later, that he really just killed them. He loosened their binds and just killed them. And we both times went to the CO, both times, and he said, "Well, that's war."

MODERATOR. Excuse me, Dan. How did it come out that he had killed them? Did anyone see him?

AMIGONE. Well, nobody really saw him kill them but he—one night he got drunk and it came out through his spirits.

MODERATOR. Are there any questions to be addressed to Mr. Amigone from the press?

FLOOR. You support that a disproportionate number of the poor were killed because I think you said their responses were slower. Would it be—would that be the case, or would it be the case that a disproportionate number of them are sent up to the front lines?

AMIGONE. Well—a very high rate of this 1967's that I'm talking about, that's where they go. The Army cannot use them anywhere else. And the real sad part of it is, after they have used them for two years and if they're still alive after their two year period, they cannot re-enlist in the army because the Army's standards are too high for reenlistment. And yet they have fought their war for two years.

FLOOR. You said that you went to your CO after each of these incidents. Did you fear any kind of harassment or reprisal for doing that, or in fact did any such harassment or reprisal happen to you?

AMIGONE. Well, the first time I was like—as I said, I was brand new in the country. And he says, "Well, you'll see this happen all the time, just brush it off." The second time it happened late in my career and I soon after got wounded myself and was sent back.

FLOOR. So you're——

AMIGONE. Nothing really happened, no.

MODERATOR. Are there any more questions?

AMIGONE. I'd like to add one more thing. We've heard about officers, and I'd like to just relate one incident. A fellow member of the 199, just back here: what happened was, I believe it was in May or April, in April of 1968—we were operating in a very dense, a very highly vegetated area called the Pineapple. It's outside of Saigon. And the night before, a sister company of mine went into this area and had suffered 60 per cent casualty. And it's very heavy booby-trapped. So what happened was that our company was given the orders to go into it the next night. And my CO said, "No, I will not go in." And the colonel said, "You go in or else I'll relieve you of the command." And my CO called back and said, "I stand relieved of my command." And we didn't go in that night. Well, another company went in and suffered almost 50 per cent casualties that night.

GREG MOTOKA

MODERATOR. *I'd like to introduce the next witness, Mr. Greg Motoka, from Philadelphia—correction, from Pittsburgh, Pennsylvania.*

MOTOKA. My name is Greg Motoka. I served with the 4th Battalion, 47th Infantry Regiment, 9th Infantry Division, 4th Corps, Ben Tre Province, South Vietnam, from January 1969 to June of 1969.

The first thing that really struck my mind, the reason why I might be testifying here today; well, I was being transferred from an engineering unit to an infantry unit there in Dac Tau. The commanding general of the 9th Infantry Division made a statement to all the men who had just finished division training there at base camp at Dac Tau. And he said, quote, he stated, "We have the highest body count of any division of South Vietnam. We're proud of it, and with your men's help, we're going to keep it that way."

And soon after I was transferred to my unit there, it was easy to understand why they had such a high body count. Ah, from the very first mission out—we had set up an ambush patrol outside of a village. Airstrikes had been called in, near, around the village, and the lieutenant's orders were—he said, "Set up a machine gun," an M–60 machine gun with an M–16 rifleman beside him, facing up the trail. I had my back to him, facing down the trail. The lieutenant's orders were very specific to the machine gunner and to me to shoot anybody that comes down that trail. Anybody. He made no specifications or qualifications whether they were carrying weapons or not. Well, someone came down the trail. It was a woman carrying her child. And following our lieutenant's orders, they were shot. And the only thing the lieutenant had to say about that was, "Let's get out of here." Not because he really dreaded the sight of blood, but because he figured we'd wasted enough time in . . . Also going on a few operations later—we had just broken camp in the morning. This was around the beginning of May. I was the point man, I might also add, for our squad. I was walking down the trail and coming through the trail where I was—there was another trail going to meet in a point, a junction there. Well, I could see on top over the grass the heads of three Vietnamese walking down. I could see from their shoulders up. And I stopped the squad and I sent back word to the lieutenant: three Vietnamese coming down the trail. The response was almost instantaneous: kill them. So, I killed them, just like that. At the time I was elated over it, you know. And I wanted to go up and check to get the rifles because I hadn't seen any rifles, to make sure that they were carrying them and perhaps get a rifle as a souvenir. Well, when I started down the right side of the trail where they were supposedly laying, the lieutenant called me back and moved me in another direction. Also, this kept in the policy of never being allowed to see who you shot or fired at.

Our operations would begin going down the river. I might add I was a Riverine Force, what we called ourselves. We worked all the way up and down the Mekong River. Upon going down the river, we carried three boats each equipped with two fifty caliber machine guns, two grenadiers, and a rifleman supplied by Navy personnel. An area on the

bank was saturated with prep fire. I mean it was so completely devastating that you could not see the shoreline any more, you couldn't see anything but the smoke from the grenades, the bullets, the fifty caliber machine guns. I asked the reasoning behind this, and it was said, to clear away any booby traps or any land mines that might have been set. Well, this makes sense but there's only one thing that doesn't, because we never landed where we had set up the prep fire, which is absolutely assinine. Many times in the very close sight of villages and of towns and hamlets. This is one reason I think it's so completely assinine to ask, "Well, why didn't you report to your commanding officer any war crimes?" Mainly because your commanding officer is ordering you to commit the war crimes.

One other thing I might also add as far as this body count goes. Both times this woman and child were killed, five VC were reported killed. When three Vietnamese were killed, carrying no weapons, this was reported as seven Vietnamese were killed. The captain ordered—talked to all of us point men and said—he says, "Anything gets in your way in that trail, you blast it." He says, "If you find any blood, we'll give you credit for a body count." And that means a Sach Cong award or perhaps a three-day in-country R and R.

One other incident that's mentioned here that I just want to explain. When I was in the engineers, we had set up—we were building a bridge outside of a village. At the time, an ARVIN company had moved in fairly close to the village and fighting had broken out. All of our engineer company was pulled back to our perimeter except for five men who stayed there to guard the bridges that they were working on. I was one of the five men.

Napalm strikes were called in very, very close to that village. Like the undergrowth was so thick, I couldn't see any actual hamlets going up but I could see the smoke coming from very close to that village. A few minutes later a man was walking—came walking out of that village across the pontoon bridge we had made temporarily, and he proceeded to walk down the road. Our sergeant ordered him stopped, and he wanted to hold him for questioning not because—he didn't want to give him any medical assistance because his face was badly burned. He didn't want to give him any medical assistance, but he thought he might be a possible VC suspect. He sent me to ask my lieutenant-colonel what we should do with him, and I related the incident to the colonel, who happened by a coincidence to be there. He said, "Just get him out, just get him away from here." I guess he thought it wasn't important enough to help because his skin was yellow and he had slanted eyes. That's about it.

BOB JOHNSON. I might add one thing. The question was raised many times about reporting war crimes. Well, I just want to say that during four years at West Point while I was there and in my time in the Army, we were never taught, never received one meaningful hour of instruction at the elitist, the so-called cream of the crop institution not one meaningful hour of instruction on the rules of land warfare. And if we, the so-called professionals, didn't know what war crimes were, who did? I didn't know what war crimes were, what the rules of land warfare were, until I returned from Southeast Asia. Are there any questions of Greg Motoka from the press, the audience?

FLOOR. Did you—you were in the 9th Division, right?

MOTOKA. Right.

FLOOR. Did you ever see a kind of helicopter called a "gook mobile?"

MOTOKA. The gook mobile?

FLOOR. Yeah.

MOTOKA. Is it a particular kind of helicopter?

FLOOR. It was the commanding general's helicopter at Uhl's—but I don't know if it was there during his tenure.

MOTOKA. No, not offhand. I really couldn't say. I don't remember it.

FLOOR. Were you there during Uhl's—during General Uhl's command?

MOTOKA. I really don't know his name. I never paid attention to any of the generals' names or anything. I was there from January of 1969 to June of 1969.

FLOOR. You didn't know the name of your division commander?

MOTOKA. No. I didn't know the name of the division commander—at the time I probably did, but it's been so long that I forgot it.

FLOOR. Can I ask you to explain again—I know that you just amplified one of the questions but you said it's assinine to consider reporting to your CO for war crimes because it is your CO who is ordering you to do the war crimes?

MOTOKA. Exactly.

FLOOR. Well, you see there is a chain of command in the military whereas you are to report anything up the chain of command. If you see anything—well, not even necessarily war crimes, but in this case it would be war crimes—you would report it up to your next highest echelons, level. All right. The highest echelon there in the immediate vicinity was the CO, and he was the one who ordered me there at the time to shoot the Vietnamese. So if he's the one telling me, what's the sense of reporting to him?

MODERATOR. Well, when all Vietnamese in Vietnam generally are treated with disgust, it's very hard to understand that you're involved in a war crime. Most of the GIs feel—well, they're the enemy. They're in a free-fire zone, they support the VC maybe, so they're the enemy. You don't think in terms of it being a free fire zone. Orders don't come down and say: go out and murder prisoners. They say, as has been said here, get me a bigger body count. And it's understood what's to be done. The search and destroy policy teaches GIs not to value human life and property. It doesn't teach them in their minds to go commit a war crime. But what we're saying—what I say is that atrocities in Vietnam, the torture of prisoners and so on, is a logical consequence of our inhuman policy in Vietnam. Any other questions from the press or members of the audience?

FLOOR. In your unit did you ever hear the terms: pacification, civic action, winning hearts and minds?

MOTOKA. Sure. There was a pacification process. I forget—Chieu Hoi, the Chieu Hoi program, yes. This was very interesting. As a matter of fact, because members in Chieu Hoi, the so-called VC who gave themselves up, were supposed to be given outstanding treatment and put in secure, what they call secure areas. I happened to visit by chance a secure area one time. I passed by. It was nothing but a concentration camp with a barbed wire, machine guns pointed out, eventually in. But this is what they mean by "pacification process" in the delta. It was the big Chieu Hoi program: turn yourselves in and we'll put you in this pacified area, which is nothing more than a prison. That's their extent of pacification.

MODERATOR. Another very common euphemism, used at the highest levels, for the destruction of Vietnam, is a program called Nation Building. It's called Nation Building. I was briefed on it and participated in it in Vietnam. And of course it's not nation building at all, it's nation destroying.

FLOOR. Can I carry that question just one step further?

MOTOKA. All right.

FLOOR. Your unit, or other units, did they attempt to practice civic action aside from telling of a body count? What—the other side of the coin.

MOTOKA. We had one thing where we would go—the only civic action that we had was checking ID cards. As far as going out to give medical help or medical support to wounded or injured, there was none. On one instance I know—we had to go through it many times, we went to small villages to check for ID cards. Upon—a few incidents I know, the people didn't have an ID card. They were dragged forcibly from their hamlet while their wife and children would beg and plead and cry on their hands and knees to let them go, but you are—the atmosphere is so entirely oppressive to everybody that its—you're so numb that you just don't care. But they're down on their knees pleading with you, and that's the extent of the pacification.

MODERATOR. Okay. Thank you very much, Greg.

KENNETH BARTON OSBORN

MODERATOR. Gentlemen, our next witness will be Kenneth Barton Osborn, from Washington, D.C.

OSBORN. Mike, here, just provided me with my own documentation, which I'd provided him with earlier. My name is Kenneth Barton Osborn. I live here in Washington and I'm a student here at American University, in the International Service Division. This is my DD 214, which proves that I was honorably discharged this past, let's see, October of 1969. I entered the Army—can you all hear me—I entered the Army in 1966 and was released from active duty in October of 1969, and this is the form that proves that.

I was in Vietnam from September of 1967 until December of 1968. My MOS in the Army was 97C40, which simply is described as an area intelligence specialist. I was trained at Fort Holabird from April of 1967 until right before leaving for Vietnam in September of 1967.

My job in the Army is described overtly—unclassifiedly—as that of an area intelligence specialist; that is, I'm supposedly familiar with the geographical area, culture in that area—and work to provide cross-cultural empathy facility for the Army, that is, so they can understand the culture into which they go on any operational basis. In fact, when we started the program at Fort Holabird—we were there a couple of days for general orientation and when the class was organized, sat down and in walked a colonel who was a military intelligence—a full colonel in the Army—who gave us what they call the scare lecture. He described to us that what we were going to be trained for was not, in fact, just area specialty, but the function of what they call a case officer, or an agent handler. This is the job of spotting, analyzing, recruiting, training and running and terminating agents, who in fact are broken down as principal agents who run nets and sub-agents who are in fact the people in the field who are gathering information. There are two basic functions in military intelligence: that of the counter-intelligence agent, who supposedly does just that—counter the enemy's intelligence—and the classified function, which is denied by our government, of the overt, active, aggressive collection of intelligence. It was my job to perform that classified function.

Of course, the starting point with the orientation at Holabird was that, all this that we were going to be trained to do was against the Geneva Accords, and if we had moral compunctions about it, we could opt out of the program if we wanted to. If we had none, you just go ahead and play along with the program—be trained this way, and then they would return to us as a result the privilege of autonomy from the military. That is, at one point in our training we would be released from uniform, from mili-

tary structure, we would be subservient to only a few people. In other words, we would be more or less free agents.

This did happen when I got to Vietnam. I worked in the Danang area—that's the I Corps area—and ran agent nets there. I won't go into an awful lot of detail that's unnecessary; it's sufficient to say that I organized nets in the I Corps area and provided lead information to—I was with the 525th military intelligence group, with their 1st Battalion in the I Corps area. Traveled there under the cover of a GS–7 and later a GS–9 as I promoted myself during the year.

I lived under a cover name which is not my own name—which is not necessary to go into, I guess, and lived there in a house in Danang City and served using organizations being the 1st Marine Division, the 3rd Marine Division, the 3rd Marine Amphibious Force, Army units such as the Americal Division down in Lower I Corps, the 7th Armored Cavalry, which was in An Kay, and later came up to Danang. When I first got there, there was no liaison with the using units, and I had to establish that and also start from the beginning and establish nets and so forth. It took me a couple of months to get into business, and also to sell my services to the American military, who were reticent to use "foreign nationals," that is, indigenous Vietnamese personnel, for information. When I proved on a retrospective plausibility basis, that is, look what I report and see what happens and if you believe it then accept my reports—when I sold them this information that way and they believed it, we were in business and I served in the 1st Marine Division, and the 3rd, and the 3rd Marine Amphibious Force primarily, because at that time the majority of the operations in the area were Marine operations. My liaison was with the G–2 officers of those organizations, and with subordinate S–2 officers in regimental headquarters subservient to those divisions in the area. So that was my function in Vietnam. I was there, in that function, for 15 months.

During that time, I worked with interrogations and I worked with the using units in their field operation at different times mostly to get a reading on what kind of information they needed—I needed requirements. I needed to know what to collect. I needed to know what to levy on my agents and as a result, since I couldn't get any specifics, other than things from the Pentagon like "Beware of troop movements around the western Czechoslovakian border," and so forth—couldn't be more specific than that, and we were in Southeast Asia, I had to go out and get my own requirements from the using units so that I could travel to the field with the Marine counter-intelligence investigating team. During that time, I saw several incidents which I want to relate to you here.

There was a counter-intelligence team, an interrogation team, there on the compound of the 3rd Marine Amphibious Force, which is adjacent to the Danang air base in their G–2 shop, they have an investigation—they had at that time—I think it was 1967 or 1968—they had an intelligence team in there which were made exclusively of American Marines. There were no Vietnamese there. These Marines were trained and spoke Vietnamese. They were interrogators. In the course of collecting intelligence information, I would come up with what Ed Murphy referred to as VC infrastructure detail, personalities, descriptions of people working in the local committees in the villages which were VC organizations. When I got this information—at first there was no function, that is, no use for it, because there was no program that could effectively deal with eliminating VC infrastructure on a combat-unit basis. I later got into the Phoenix program on—as a result of searching around for a unit that could use this information. At the time, early in the game, I used to give the information to the 3rd Marine Amphibious Force interrogating teams and they would pick up personally. There was a lieutenant, first lieutenant Marine, who was later promoted to captain during his tour there that I knew him, who would go out to the village with other Marines, Marine EM—enlisted men—and scarf up these people who were described in my reports and bring them in for interrogation. They had two hootches right there on that 3rd Marine Amphibious Force compound, which were devoted to interrogation and they used the following modus operandi: at one point, I had described a certain individual of a local village—suburban village of Danang. They went out and scarfed her up and brought her in and simply put her in one of the wire mesh cages that were inside this hootch, which was divided into four cages. She was in one of them, and they simply put her in there. There were no facilities other than a wooden bench—regular, like a picnic bench, which stood on, like, a sawhorse—on which she could sit, sleep, do whatever she wanted to. There were no toilet facilities. There was no food and there was no water. And the idea was that she should stay there until she talked. When they had weakened her, I was on the compound one day and the—a lieutenant said to me, I want to show you what we're doing with so-and-so whom you—who we got from your report there. Come on over next door and I'll show you the process and when we went over—and they had set this hootch up within the week. And they were quite proud of the fact that they were just leaving the people there to starve. I said, well, we'll just leave her there until she talks. They did leave her there for about ten days until, finally, she was so weak that she couldn't respond to anything, and at that point, they just sent her back to her village and called it a loss—got no information from her.

At another point, I had identified one of the members of the village committees for VC logistical supply, as I remember. In any case, he was picked up and brought in as what was described earlier as a detainee, not a POW, but a detainee. The fellow was put in the same hootch with the four cages, in another cage, and he was forced to lay on the floor with his hands tied behind his back and they would insert a bamboo peg—a wooden peg, I'm not sure if it was bamboo—a wooden peg, a dowel with a sharpened end, into the semicircular canal of the ear, which would be forced into the head little by little as he was interrogated. And eventually, did enter the brain and killed the subject, the detainee. They never got any viable information out of him—they called that a loss but in any case that was one thing that was a standard operating procedure. And I asked the lieutenant, I said, how often do you do this kind of thing? He said, whenever we can't get information by easier methods. These methods being, I won't re-describe the ringing up of the telephone sort of thing to the women's breast nipples and the men's genitals. When these things failed, then they went further into—the, I think, worst of the torture methods that I saw was the one of the inserting the dowel into the ear.

With that same unit, the 3rd Marine Division, I went along twice when they would go up in helicopters which belonged to the Marine Division and take two detainees along. They used one as a scare mechanism for the other. If they wanted to interrogate detainee A, they would take someone along who was either in bad health or whom they had already written off as a loss—take both these Vietnamese along in the helicopter and they would say, they would start investigating Detainee B, the one they had no interest in, and they wouldn't get any information out of him and so they would threaten to throw him out of the helicopter. All the time, of course, the detainee they wanted information from was watching. And they would threaten and threaten and, finally, they would throw him out of the helicopter. I was there when this happened twice and it was very effective, because, of course, at the time the step one was to throw the person out of the helicopter and step two was to say, "You're next." And that quite often broke them down, demoralized them, and at that point they would give whatever information. Sometimes the information was accurate; sometimes this was considered an ineffective method of investigation. Sometimes the Vietnamese, when threatened with things like the dowel treatment or the telephone treatment or in one case, the helicopter incident, would start babbling anything at all—would say whatever you, he felt, wanted to hear, and this, again was ineffective. But that was the modus operandi used, and those were the incidents that I actually was involved in.

FLOOR. Excuse me—you did actually see these two people thrown out of the helicopters?

OSBORN. Yes sir, on two different occasions, yes sir.

FLOOR. Could you tell me when and——

OSBORN. Yes sir, that was——

FLOOR. Be as specific as you can?

OSBORN. Yes sir, I will. That was in the month of April, 1968, and it was northwest of Danang, perhaps fifteen miles just beyond the suburban villages there. The base of operations was the 3rd Marine Amphibious Force compound adjacent to the Danang air base in I Corps, and they would go from there up in a helicopter and go through this procedure and come back down again with what was considered a successful interrogation.

FLOOR. You went up there for that specific purpose?

OSBORN. That's right.

FLOOR. Now, what was, what procedure did you follow, how did you do it?

OSBORN. Simply go out to—from the Marine Wing, they called it, there, there were on the compound that were the interrogation headquarters, go out to the helicopter there in a jeep, take these people with us. They weren't badly restrained, they had their hands tied behind their backs. They walked, they were pushed and so forth onto the helicopter, and when they got up they would simply start on the subject that they didn't want to interrogate, to scare the one that they did want to interrogate, and they'd terminate—they would throw the second subject out to scare the first one into whatever they either wanted to hear or whatever was appropriate.

FLOOR. Who did the throwing?

OSBORN. The throwing was done by Marine enlisted men.

FLOOR. On whose orders?

OSBORN. On the lieutenant's orders.

FLOOR. Where were you when it happened?

OSBORN. I was there in the helicopter on one of the side seats observing——

FLOOR. How far would you be from the door?

OSBORN. Five feet.

FLOOR. What would you say? Did you ever make an attempt to stop it or——

OSBORN. No, I did not. I was there to observe.

MODERATOR. Mr. Osborn has some additional testimony, sir. Could we—unless you have any objections—could we get that out before we have any additional questions.

OSBORN. What else do you want to know?

MODERATOR. Bart, you said that you worked closely with the CIA in the Phoenix program; how closely did you work with the CIA, and what did the Phoenix program mean to you?

OSBORN. As I had mentioned briefly earlier, sometimes the using combat units in the I Corps area, which is the area I basically

served because that's where the nets were gathering information, had no use for potentially valuable information, accurate information and timely, that we would gather just in the course of getting reports in from the field, from the Vietnamese agents. I was frustrated to let a lot of the information on a timely basis go down the drain. If I would have a VC who was the head of a committee or a fairly high-placed individual in the VC infrastructure and I found out where he was, where he would be, how he could be picked up and so forth, and I'd take this to the Marine Division and they'd say that's nice, but we really don't have the facilities to use it. I lived in Danang and I happened to run into a fellow in the club where I—the Stone Elephants, the Navy officers' club—ate there, and I ran into a fellow who ran the I Corps area for CIA operations and I talked to him and found out through him that they had a program that could receive that kind of information.

On a discreet basis, I called him aside after dinner one night and asked him if he knew where I could disseminate this information on an effective basis. He put me in contact with an Army major who was at a house there rented by the CIA in Danang, and I established the liaison necessary in order to disseminate whatever VCI information I got with my reports, and did that for, I guess, for the last eight months or so that I was in Vietnam.

MODERATOR. Does the term exterminate, to terminate with extreme prejudice—are you familiar with that term?

OSBORN. There are two ways—yes—there are two ways to terminate an agent. When you are through with the agent, that is, when he serves no more function to you, you can do one of two things. You can terminate him by paying him an amount of money, thanking him for his service, swearing him to secrecy, and simply letting him go—that's without prejudice. There is termination with prejudice where the agent constitutes a threat either to your operations, to you personally as a case officer, to whatever has determined the threat, and you terminate him with prejudice by either killing the individual or perhaps relocating him in the—I remember one incident of an agent up in Phuo By who was relocated as a prisoner of war into a Chieu Hoy camp and reoriented—I'm not really familiar with the details of that, but the main idea was to, of course, neutralize the individual. I got orders a couple of times to terminate agents with prejudice because of things they had done which were considered illegal or in bad taste or threatening—bad security—while I was there.

FLOOR. Did you follow those orders out, sir?

OSBORN. I had an agent, for instance, in Danang who was an effective principal agent—ran a net in the I Corps area around Danang. And who had worked—had told me when I hired him that he had never worked for American intelligence before. That was a starting point when I hired him. He spoke English so we communicated well—he was fluent in French and English, and he told me, no, he had never worked for the American intelligence community before. It turned out, though, that while he had been working for us for some time, in March of 1968, a list came out from the CIA, from CSD, they're in Danang. And it was called the catalog of undesirable personalities, and we called that a blacklist. People who had done no-nos and were to be left untouched by the American military intelligence community. His name was on that list and I was shocked to find that out. I went—I went to a captain, an Army military intelligence captain, and I asked him what he thought I ought to do in the method of termination. He said, well, you do whatever you want to do, he's your man, and generally that was the case, that the case officers were able to use their own discretion. But he said, "I want the man dead," and so I said, "All right." And I went out and he was a resident of Danang, had a family, a wife who also spoke English and a fine woman, also two children, two or three children. And so this would be eliminating the father of two children, obviously, and for no real reason, because what he had done was to have worked previously for the CIA as an interpreter and they didn't like his interpreting because he had been feeding information to agents on the side in order to corroborate their information and get them better pay. He'd sit down with two agents and say, what do you have and what do you have, and he'd cross the information. They found this out and they fired him, on the blacklist as a result. He was an active agent with me, he was blacklisted, so he had to go. I took him aside; at the time he had quite a number of pieces of equipment. He had a Yamaha motorcycle that I had lent him for running around, he had a two-way radio, a little Motorola set that we communicated with on an emergency basis, he had a number of things and he owed me a lot of piastres which he's drawn on his salary—which I had done in order to get a handle on him, in order to make him work effectively. And so he was strung out, and he was obligated in this way, and I sat him down and said I need these things back—it was a period of about ten days. And when I had gotten all these things back, which, of course, were compromising logistics, I then told him what I had been told to do and told him that if he did not disappear from the city, with his family or without his family but in any case disappear for at least three months, I would have to come back and kill him. That was a hollow threat but it worked. And he left and whether it was followed up or not, I don't know, but that's an example of going beyond what the orders were in neutralizing agents.

FLOOR. What about the other orders?

OSBORN. I had an agent in Phu Bai, which was the 3rd Marine Division base, and he had been involved in some black market activities, and that came up in the course of an interview one time that I had with him one time. And I reported it to—in a report which was standard after every interrogation, after every what they call personal meeting with your agent. Because he would be compromised by having his finger in the black market, and was not working exclusively for me or for the American intelligence community, he was considered a threat. I was told to terminate him. I went up to Phu Bai and I brought him down to Danang to live with some relatives, and that's what happened.

MODERATOR. Are you familiar, Bart, with any incident where a person was actually terminated, liquidated, with extreme prejudice?

OSBORN. Yes, I'm afraid I had at one point in my employ a woman who was Chinese and who lived in Vietnam. She was a Chinese Vietnamese citizen. She was educated to the point where she spoke several languages, she spoke fluent English. And I used her as an interpreter and also as a guide to the culture that I was working in because as a Westerner, there were a lot of things there that I couldn't have been sensitive to. She was my guide in that respect. She also was my direct contact with agents, that is, I had people I didn't want to meet because I didn't want them to know me because in case they got compromised, they couldn't compromise me. So she was my go-between. She acted as an interpreter, guide, and support agent, that is, a courier. And at one point she had been—because we were short of people who were that well trained in Vietnamese, she was cross-exposed to operations. She was into a lot of my operations. She worked with—and incidentally, I ran only unilateral operations, American operations only, not in cooperation with the Vietnamese, which is against the Geneva Convention.

And so this was a sensitive area. When it was determined by a military intelligence captain that she was too cross-exposed, he reported that to Saigon and he got the reading back that she ought to be terminated from the scene. She ought to be let go. It was not determined—it wasn't said whether she ought to be terminated with prejudice or not. He took it upon himself to terminate her by murdering her. He murdered her with a .45 in a street in Danang, shot her in the neck and let her lay in the street there. It was said that there were Viet Cong agents, or terrorists, or sappers, or something in the area who shot her, and it was plausible because we knew that she was heavily involved in intelligence and would have been targeted by the unfriendlies—that's the Viet Cong.

MODERATOR. I have one further question before I turn this over to the press. Bart, since your return to the United States have you ever worked, have you ever been in contact with the CIA since that time?

OSBORN. Yes I have, Mike. I had been pretty deeply involved in a number of operations in Vietnam, as I said, and as a result when you recruit agents you usually do it by recruiting their loyalty to you, and then get them to relate to the mission. When I left Vietnam I turned over my operation to my successor, but because a number of these things were CIA-supported, like the Phoenix program, VCI operations, and so forth, I was recontacted when I got back to the states, back a couple of months. They recontacted me and asked if I would serve on an advisory basis, and I did for a while. I don't think that that's all that relevant to this whole thing, but it is true that these things continue. I terminated that whole thing this June, and I have no association with the CIA any more.

MODERATOR. Gentlemen, any questions, please.

FLOOR. When you were recruiting these agents, you were working for the CIA?

OSBORN. Yes sir, these were military intelligence modus operandi—you know, method of operation—nets. They were serving military combat units for combat intelligence and the Phoenix program for VC infrastructure, and they were laterally disseminated on a discretionary basis. If I had only combat information I'd only send it to combat units. If I had only VCI I'd send it only to the Phoenix program, the Phoenix coordinator there in Danang.

Floor. Mr. Osborn, in that first incident you mentioned, about the termination, you said that was a hollow threat. Why did you say that?

OSBORN. Because at the time that I said that, I didn't have any intention of killing him, but just of exercising a second threat if the first one didn't work. I may have killed him eventually if he became a viable threat. That is, he may have gotten bitter and compromised a number of things I was involved in and as a result have threatened my life. I may have. But I didn't. But as I say, at the time that was a hollow threat because I didn't intend to kill him, when I told him I did.

FLOOR. You would have killed him if necessary?

OSBORN. Yes I would have.

FLOOR. Why are you spilling all the beans now? Because we haven't won the war?

OSBORN. No, ma'am, it's not.

FLOOR. Well, will you tell us why?

OSBORN. Yes. I feel as if this standard operating procedure, which is authorized by the American military community, and by the CIA, is against the American value system. I don't feel that I can come back with a clear conscience from Vietnam and con-

sider myself a good Christian, or I don't feel I can have a clear conscience, knowing that my government is working despictable methods of operation in other parts of the world, *and* denying it; working against the Geneva Conference and blaming other nations for doing the same; taking action against foreign interests which are doing the same thing that we're doing, it's just that we classify it as they do—we catch them, they catch us, and it constitutes one heck of a hypocrisy. The reason I've said these things today is simply to document or add evidence to the fact that we are doing these things, and my suggestions would be that we don't have to. We should not criticize others for doing the same things that we're doing, or we ought to cut it out. One of the two. I simply want to add to what the others have said, and that's why I'm here today.

FLOOR. Do you consider yourself a war criminal, under Nuremberg?

OSBORN. Yes, for some of the things that I did in Vietnam I feel that they definitely were criminal.

FLOOR. Mr. Noetzel, did you ever terminate an agent yourself?

OSBORN. Mr. Noetzel?

FLOOR. No, I'm sorry.

OSBORN. Mr. Osborn. I beg your pardon?

FLOOR. Did you ever terminate an agent by death yourself? Did you ever kill an agent?

OSBORN. No, I didn't. I never killed an agent.

FLOOR. In that first case, the case of the agent with the Yamaha. Is it possible that when he was working for the CIA he was not aware of that?

OSBORN. No, it is not possible that he was not aware that he was working for the American military intelligence community, and that was my question to him that he had denied. So in essence he had lied to me. And the interest in lying was simply this: the American intelligence community was hiring him, and they were the only force hiring him in the area, and if he wanted a job—and he was qualified because of his multilanguage capability—he had to get on with somebody. And he had been fired by the CIA, and as a matter of fact he had not re-approached us, we had approached him.

FLOOR. With the Chinese agent who was killed, did you have any advance news that he was going to be killed?

OSBORN. No, I had not advance news.

FLOOR. In that case, what was your reaction, if you felt it was unnecessary? Did you protest?

OSBORN. Yes, I protested to the fellow who had murdered her and asked him why, and he simply explained that she was too cross-exposed and was too involved in operations. And I didn't feel that since she had been asked to help us, and had never done anything actively or passively that was against our interest, but had only followed through and had gotten involved in as many operations as we had asked her to get involved in, then to determine her fair bait for murder seemed wrong.

FLOOR. Sir, did you ever kill anyone other than an agent?

OSBORN. In Vietnam?

FLOOR. In Vietnam.

OSBORN. Not that I can tell you about. In fact, during the fifteen months that I was in Vietnam I was responsible for deaths, yes.

FLOOR. In what respect?

OSBORN. Several respects. One of our functions in supplying combat information to the 1st Marine Division, especially their G–2 office, was to get targeting areas for B–52 strikes, and we would follow these up to see how effective we had been. For instance if we had gotten an NVA unit reported in an area, and they would come in with the B–52s and they would target them as they came in and they would plough an area—that is, they'd drop bombs and plough an area there—and we'd follow up occasionally, and I'd find that we had killed civilians in the process. And whether or not they were Viet Cong agents or not I don't know. There were civilians dead as a result who were not, in fact, part of the NVA units that were targeted.

FLOOR. Did you ever kill any civilians or POWs yourself?

OSBORN. Not myself, no.

FLOOR. Did you ever make any attempts to tell anybody, any government authorities, about these things?

OSBORN. In other words, bring charges or make an official complaint? No, never did.

FLOOR. Will you tell us why?

OSBORN. Yes. Because it was so much the SOP, and my entire peer group had been doing the same thing, and to bring this up as a subject was old news. And as a matter of fact the people to whom I talked privately, private citizens, when I came back to the United States, doubted this—frankly didn't believe me, or if they believed me generally, and knew that I was not known to be a liar, knew that I wouldn't have any reason to lie about this, thought it was sad that I had been exposed to a war, but that's war.

FLOOR. Have you ever told this in public before?

OSBORN. What about your peer group, what is their attitude about these cages, and throwing people out of helicopters and that sort of thing, as you say.

OSBORN. They vary. They do vary in their attitudes. I know people who are conscience-stricken about the methods of operations that we described, I know other people who just looked on it as a dirty necessity, of being in Vietnam for a year. And you get your year over and you go home and forget about it. There were all levels of conscience about it. Generally, though, it was an accepted thing.

FLOOR. Tell us what your rank was.

OSBORN. Yes sir, I was in Vietnam, when I first got there, a Pfc, an E–3 in the Army, and when I left Fort Holabird an E–3. It was a long time before I was promoted to an E–4. I was an E–4 when I left Vietnam, and was promoted to E–5 by administrative process just before I left the Army.

FLOOR. Did you ever get extra pay? Did you have a living allowance, or that sort of thing?

OSBORN. Yes. We had allowance for separate rations, because we had to eat, we had to live in the status and keep up—GS–9s make a good bit of money in Vietnam. They have a 25 per cent pay increment and so forth. On Pfc salary I couldn't necessarily do that, and so there were separate rations, separate living allowance, and then a lot of our expenses were paid through a separate intelligence fund, so we didn't have to put it out of our own pockets.

FLOOR. Would you explain what you understand to be your violations of the Geneva Accords?

OSBORN. Yes. Primarily it was this. I mentioned the scare lecture that we had at Holabird, and it mentioned that we would be working in an area, that is, agent operations, that is plausibly denied by the American government. If we didn't want to associate with it that was up to us, but we had to make that value judgment and do it voluntarily. In fact, out of a class of thirty-seven people only one opted out, and we were told that it would not be a mark against us if we decided not to continue with this at that point, but that we would have the rest of the day to think about it, and we were let go that day from class. And the next day we came back and a fellow had opted out, and the rest stayed because about half the class knew that that was the case, that area intelligence specialists were in fact agent handlers, and the others, who were surprised, accepted it.

Floor. Sir, what were the violations, though?

OSBORN. Oh, all right. Yes. And we were told, we were told at the time that our function would be to run illegal operations, that is, active collection of intelligence by utilization of spies, nets, agent nets—and this was illegal. It alludes to the thing about if you are caught or compromised, we'll deny the whole thing. And that's basically why we lived in cover status in Vietnam. Because if John Smith, and that's a fictional name, was caught doing so and so, he would be pulled back to Saigon and perhaps sent out of country, perhaps changed back to uniform, and he would simply evaporate—and so if charges were officially ever brought against the government that said, "We know of a John Smith in the I Corps area, who was in fact recruiting agents," they'd say, well, you document that, and that's fine. That was plausible denial, and it worked very effectively. This was illegality number one. Another example of what we were doing illegally, I mentioned before, we were running unilateral operations only. Just unilateral. They were an American effort, no cooperation whatsoever with the Vietnamese, based on the assumption that whatever the Vietnamese did was compromising because they might be infiltrated by the Viet Cong. In any case, it is, in fact, it is in conflict with our agreement with the government of South Vietnam to have exclusively unilateral collection of intelligence operations, which is what we had.

Floor. Sir, do you feel in any personal danger as a result of your appearance here today?

OSBORN. I don't feel as if, if somebody came out and reported to the press involvement with classified operations which are still classified, to which I have agreed not to speak, and I have signed agreements with the Department of Defense saying that I would not go into specific detail, which I, in fact, have not named names today—this is not a crucifying session of any kind—I have agreed not to go into this in detail. It was implicit in my agreement with the Department of Defense, that if anyone asked me what I did in Vietnam, I was an area intelligence specialist; "What was that?" Well, you were kind of familiar with the area and you studied geography and knew map reading and things, but I don't know map reading and things very well, so that was not very plausible. And so I don't think that this would do me any good, if I went to apply for top-secret clearance, like I had before, I probably wouldn't make out too well, but what I plan to do is go into private industry on the basis of my education when I complete it, and so forth. And I hope to be able to stand on my own two feet—not a precarious process like investigation. Is the "pinko" questionable? I feel as though the classification system is closed to me as a result of today, and whatever else I get into.

FLOOR. You say you are at George Washington?

OSBORN. I'm at American.

FLOOR. And what is your major?

OSBORN. My major is languages and linguistics. I'm in a Masters degree for International Services program, in the school there, and I'm Western Europe oriented—German and so forth.

FLOOR. What was your analysis of the Green Beret case in 1969, in Nha Trang? The way in which the Administration and the Department of the Army handled that?

OSBORN. I mentioned plausible denial to you before. And I think that if you were familiar with the method of operation that went on, and it was a part of your life, you lived with it—and if that were your goal, your mission, your assignment, and so forth, if you heard of having a double agent through the 5th Special Forces, who was to

be terminated, and it flapped, that is, it became known, and it was necessary for our government to deny it, to see them deny it, and go through the legal process to divert attention from it or whatever they were trying to do, was not surprising at all. That's the way I saw it.

FLOOR. Sir, you say you saw Marines push Vietnamese out of helicopters. Could you tell me what the reaction of the Marines aboard the helicopters was when this occurred? Was there any reaction, or this sort of thing, and what was the reaction of the victims?

OSBORN. The victims fell.

FLOOR. Before.

OSBORN. Before they left the helicopter? That's two questions, sir.

FLOOR. I'd like to know a little about what was going on in the helicopter.

OSBORN. Right. We'd go up, and the interrogation team chief—the lieutenant—and one, two, three EM, I'm not—there were two or three EM, I guess. And they would have these people with them, and they would have their hands tied behind their back, and they would load them on the helicopters, and the helicopter would take off and the—the Marines, you have to understand that wherever they were in a function like interrogation, any support function at all, they considered it less dangerous than a combat mission. They would go out in the boonies and kill via their M–16 rifles. And so I didn't ever see any moral compunctions about that being done; as a matter of fact when they were told to go ahead and push the fellow they would go ahead and push him. And on both occasions that happened.

MODERATOR. I'm sorry to interrupt this right now. We're already five minutes over the time of this session, and we have two more witnesses. Mr. Osborn will be available for additional interviews, he'll be here during the day, so I'd like to move on right now.

NORM KIGER

MODERATOR. The next witness is Mr. Norm Kiger.

KIGER. My name is Norman Kiger, age twenty-two. I'm from Mount Rainier, Maryland. I served in Vietnam from December of 1968 until August of 1969, during which time I was with the communications company, 7th Communications Battalion, 1st Marine Division.

At one point in my tour in Vietnam I was attached to the 1st Tank Battalion on an observation post called Observation Post Bear, which was near the village of Tuy Lon, which is approximately ten miles southwest of Danang. On this observation post, the commander there was a staff sergeant. It was a daily occurrence for him while I was there, it was either daily or every other day; it was several times a week he would test fire claymore mines into the village, which was at the bottom of the hill. The village was approximately 75 to 100 meters away and the range of a claymore is approximately 200 meters. From on top of the hill we could hear the pellets from the claymore hitting the hootches, we could hear dogs barking, chickens running around, children screaming, that sort of thing. I was never able to see exactly what the results of these firings were, but it was not done as any kind of a tactical move. It was done strictly for fun. The staff sergeant always voiced his hatred for gooks, as he called them.

On one particular night in, I believe it was the month of February, of 1969, I was asleep. I was not on watch, but there was a man who was on watch in my bunker, or was supposed to be. Apparently he was somewhere else, goofing off, during which time a volley of rockets were fired from nearby, out in front of his position, the position of my bunker. The rockets were fired at Danang airstrip. No one saw—actually saw them fired, you could only hear them. No one saw where they came from, or who fired them. We all ran up to have a look in the direction where they'd been fired from and out in the graveyard near the bunker—maybe 100 meters—there were three people. I have no idea whether they were Vietnamese. They could have even been Americans. You could not tell whether they carried any type of hand weapons but they definitely had no rocket launcher of any type.

This was not a free fire zone, but the staff sergeant in command told the other man on my bunker to open fire on these men with a 50-caliber machinegun, which he did. And killed all three of them. We never did go out to see who they were; we never really did find out who they were, although the next morning, at the village, there was some sort of celebration. I don't know what a Vietnamese funeral service is like, but that's what I assumed it to be.

Also it was a daily occurrence at approximately sunset, when the Vietnamese were bringing their livestock in from the fields—they would herd them from the fields into the village. As they were doing so, many of them had to pass by our position. And at this time the staff sergeant and some of the others on the hill would harass the civilians by firing the 50-caliber machineguns directly behind them as they walked, trying to scare them. And they were successful.

MODERATOR. Okay. Are there any questions from the press? Anything else you'd like to add?

KIGER. In the end of February, 1969, the Tet offensive was just beginning. The word was, on the radio, the condition was called "Stormy." And the world was that in our area that there were approximately a regiment-sized group of North Vietnamese regulars coming across; they had come across from Cambodia, and in the direction from which they were coming is where this village of Tuy Lon was. We knew they were coming. We knew approximately when they would get there, but at no time was there any move made to evacuate the village. And that night, I believe it was the night of February 23rd, we were hit by the North Vietnamese, and we had to shoot back. In shooting back, many of our rounds seemed to go into the village. The next morning, after the fighting was over—we had received reinforcements, air strikes, artillery—I had to go back to my battalion, and in walking out I walked out of the outpost at the same time that some of the villagers were bringing casualties in. They were bringing them up to the hill apparently for medical treatment. I don't know if they ever received it because I didn't stick around. I had to leave, but I tried to avoid seeing any of the casualties. But I couldn't miss one. One was a girl, approximately age twelve to fourteen, with an enormous bullet hole in her mid-section. Apparently, I would say it was probably from a 50-caliber machinegun, which is what I had to man while I was there. The 50-caliber machinegun—I didn't know it at the time but apparently it is not to be used according to the Geneva Accords on ground troops. We were forced to use them on ground troops. The 50-caliber machinegun is an anti-aircraft weapon with high explosive rounds.

MODERATOR. Any questions now from the press?

FLOOR. You say February, 1969—or 1967?

KIGER. 1969.

FLOOR. You said right after the Tet offensive?

KIGER. This was at the beginning of the Tet offensive, this last incident.

FLOOR. The Tet offensive wasn't in 1969.

KIGER. There is a Tet every year.

FLOOR. Oh I see. I thought you meant *the* Tet offensive.

KIGER. No this was *a* Tet offensive.

FLOOR. From what level of command did the use of the 50-caliber machinegun come?

KIGER. I could not tell you. Everywhere I went this was one of the standard weapons used. The—I never thought it was particularly efficient because it is very slow in firing, but it does have a demoralizing effect on the enemy because it is so enormous.

FLOOR. I understand that. But you don't know what military command was issuing these directives?

KIGER. Well, it doesn't take a directive to place a machinegun wherever you want to use it.

FLOOR. Then it was from the Military Issue Command?

KIGER. I beg to differ with you. We carried those things everywhere we went.

FLOOR. Oh, then you were just issued them for your general use.

KIGER. Yes, for whatever we needed them for.

MODERATOR. Okay. Thank you, Norm.

GAIL GRAHAM

MODERATOR. Our next witness will be Mr. Gail Graham.

GRAHAM. My name is Gail Graham. I'm twenty-thnee years old, live in Jamestown, New York. I was drafted in the Army in June, 1967. In November, 1967, I went to Vietnam, got out of Vietnam January, 1969. In Vietnam I served the capacity of a medic door gunner. I would like to relate a few incidents of the general disregard and mistreatment of civilians while I was in Vietnam.

In June of 1969, we had a pick-up zone north of Camp Evans in a village where we were going to pick up ARVNs to take out on a combat assault. We came into this village in a six-ship formation. We came in at a pitch hover, low-level, about maybe twenty feet over the hootches. We went into this formation for about a hundred yards. I flew with the flight commander, which was a captain, and I requested the captain to pull the ship up because with our rudder wash we were literally blowing the hootches away. There were tin hootches, straw, and they were being blown down. I could see villagers being hit by the tin flying around—things like that. We were literally blowing the village down. The captain said "Screw it. Blow them all away." So we made three passes to pick up—we didn't take any—we could have taken a different route into this pick-up zone. We didn't. And we blew about fifteen to twenty hootches away, I would say. Sort of a harassment of the South Vietnamese civilians.

In December of 1968, in the Cu Chi area, where there were supposedly pacified villages, we went on missions that were called snatch missions. On these missions, we went within a mile radius of villages, picking up any males of military age—military age being nine to sixty-one or whatever that was—and females. On these missions, we had two slickbirds, two gun-birds, and one light observation helicopter. We were told on these missions that if a civilian ran, we were to shoot him. Now these—I stress, these were pacified areas; supposedly the people were supposed to be all civilians. Now, when we went into these areas, we had usually infantrymen on our birds, when we went down to pick up these civilians, we pointed at them; they froze, usually, in the rice paddies. Luckily, none of them ran. When the infantrymen went down to pick up the civilians, they repeatedly hit them with their rifle butts, they hit them with their fists, they kicked them. If they were girls, it was standard policy to try to rip off their clothing. They dragged them on the ships by their hair or whatever else, and brought them back to the base camp for interrogation. I don't know what they went through as far as interrogation went. Also, while we picked up these civilians, they were holding up their ID cards, trying to prove that they were Vietnamese civilians, and they still were treated in this

manner. They offered no resistance as far as getting on the helicopters.

April 19, 1968, the First Air Cavalry initially assaulted into the As Sau Valley. In that valley, we lost or had heavily damaged thirty-one helicopters, which is something that wasn't really printed up here—back here in the states. With this loss and this loss of life, the majority of the aviation battalions were very bitter at what happened in this operation. I've been on ships and I've seen, while flying in the air and while on the ground, ships of guys picking up POWs, wounded POWs, unconscious some, some of them just with their arm blown half off, things like that—slapping the POWs. On the bird I was flying, at one time we had an individual who was unconscious with a head wound, and the gunner across from me kicked the individual in the head. I went and gave a verbal protest, saying, "You shouldn't be doing that"—which is really uncommon for me because I thought—I was very well trained in Army procedure and I thought that the only good gook was a dead gook. The pilot told me to shut up, he was trying to make a call in to a ground area, get a ground station. I've seen this done repeatedly. I've seen plasma bottles, the tubes on plasma bottles squeezed for up to thirty seconds to a minute by gunners to keep the plasma from going into the veins of the wounded individuals.

While—December 25, 1968, on Landing Zone Rita in III Corps, we went and we sat down—we were flying log missions for the Army and they had a prisoner in. This prisoner was—had a sandbag over his head. He was repeatedly slapped and kicked around. They had a hole, right in the middle of the landing zone about three or four feet deep, and it was in the area of where the prisoner was. I asked the lieutenant, the interrogator, what the hole was for. He called it a "hot pit." He said—it was out in the open with no shade—he said they used the area, they went and put the prisoner in the hole, they put a poncho over the hole, tried to seal it as much as possible to keep air from getting into it and used it as kind of like a fabricated oven, with the poncho and the hole and the sunlight. I didn't see the use of this but they said they were going to use it in the daytime. I had a mission to fly.

While in Vietnam, our fliers indiscriminately used CS and white phosphorous grenades in civilian areas. It was standard while flying back from a mission to drop a CS grenade on the outskirts or inside of a village—harassment of the civilians again. In December, 1968, I, myself, personally threw at least three white phosphorous grenades into an area east of Dao Tiang, on a mission over a rubber plantation. Now this was at truce time—there should have been no firing, no nothing. Just to watch them explode. I couldn't say there were civilians in the area—there were hootches and there were people working in the plantation. I couldn't say if they were there permanently or not, but we just threw them off, just to watch the white phosphorous explode and start fires.

In June and May of 1968, we flew missions—as you've previously heard of—into Laos, with reconnaissance, Green Berets, up to a dozen Green Berets, into the area. We flew these missions out of Wey Phu By area, the same area as the Marine captain told you before, and on these missions, there was complete security—meaning we gave up our dog tags, no identification. Instead of painting over the insignias on the choppers we brought in, we taped over all our insignias And we were told if we went down in these areas—especially our birds—there'd be no attempt to get us out. We would be listed as missing in action since they couldn't say we were in Laos because they considered that a neutral area. While flying into these areas we had two blue and grey helicopters following us in, which I asked the pilot, what those birds were. They had no gun mounts on them. And they said they were Air America helicopters following us in—I guess to check out our missions. To make—basically—I guess they figured it was CIA in those birds, that's what the pilots told me. Now, I can't be sure.

MODERATOR. Are there any questions of Mr. Graham?

FLOOR. Yes. Can you tell us anything about who formulates these—who in military command—what branches of military command—formulate these policies which servicemen are requested or forced to carry out?

GRAHAM. Being an enlisted man, I really—I really couldn't get into the structure of who formulates these missions—

FLOOR. The policies—

GRAHAM. The policy, yes, I really couldn't. It may be the battalion—as far as interrogation goes and things like that, I can imagine it's left up to the company commander or whatever official there is in the area. Snatch missions—it would depend on probably the commander to—on what treatment the civilians got.

FLOOR. In other words, as far as you know, no, for example, no Pentagon directive or CIA directive that company commanders should observe the following civilian harassment techniques for the purposes X, Y, or Z?

GRAHAM. It was more or less free-lance—with the set-up of the missions, these things had to happen.

FLOOR. How so?

GRAHAM. Well, if you are in a pacified area and you are told to shoot anyone that moves, I mean anyone that runs away from your bird, which could happen, from just fright of a low-flying helicopter, there must be some mistrust generated there and there—you know—thereby beatings would occur with this mistrust.

FLOOR. Right. But I mean, who would direct that this should be done? In other words—

GRAHAM. Like I said, we had—we had two helicopters flying on a snatch mission. One was a command helicopter.

FLOOR. Oh, I see. The command helicopter would issue this order?

GRAHAM. Right—to go down and get these civilians.

FLOOR. And who would be on a command helicopter, what type of—

GRAHAM. I'd say a lieutenant colonel, and a captain, probably a company commander.

FLOOR. And that would be U.S. Army or that would be—

GRAHAM. Army—right. From the infantry units.

MODERATOR. If there are no more questions, I think we can, oh, excuse me—

FLOOR. Maybe he gave his unit but—would you give your unit?

GRAHAM. Company B, 229th Aviation Battalion, the 1st Air Cavalry Division.

FLOOR. How did you define pacified areas on these snatch missions?

GRAHAM. Well, these were defined as areas where VC, say, have not been found in the area for the last six months and they could be called pacified.

FLOOR. Were there any South Vietnamese troops guarding the villages?

GRAHAM. Popular Forces, yes. We had no South Vietnamese with us or interpreters on the missions with us trying to explain to the South Vietnamese we picked up that, you know, we're just bringing you back for interrogation. They had no idea of what was going on—little panic for the——

FLOOR. In the case of Vietnamese prisoners of war, was there any attempt to publish lists of them, to notify their families of what happened to them, by the Red Cross?

GRAHAM. I really don't know.

MODERATOR. Okay, let us move on now to our next veteran.

STEVE NOETZEL

MODERATOR. Our next witness this morning will be Steve Noetzel, a resident of new York City.

NOETZEL. My name is Steve Noetzel, spelled N-o-e-t-z-e-l. I live in Floral Park, Long Island. I have a family there, three children. I work for the Bell System, I have a management position at their headquarters, of one of the Bell System headquarters in New York. I was in Vietnam in May of 1963 to May of 1964. I predate Mr. Martinsen in this area. I have for the benefit of the gentleman who seeks immediate proof of——

FLOOR. That's for all of us, incidentally, at least me and the other gentlemen.

NOETZEL. All right. For whoever. At any rate, my DD 214, which is my discharge papers showing I was discharged in April, or May, of 1964, from the Augmentation Headquarters Detachment, 5th Special Forces Airborne, Vietnam.

FLOOR. Could you go over that one more time?

NOETZEL. Yes. Augmentation Headquarters Detachment, 5th Special Forces Group, Airborne. I have three commendation letters for my work with the psychological warfare team that I worked in during the year that I was in Vietnam. The first one is from a Theodore Leonard, Colonel—commanding officer of the Special Forces in Vietnam at that time. Also from a major who was a team chief of the PSY war team that I worked in. And also a two-page commendation letter from a—the director of the Combined Studies Division of IV Corps in Vietnam. Combined Studies Division is the Vietnam word for the CIA.

The program that I worked in was under the direct auspices, or was paid for, by the CIA, funded by CIA funds by the embassy in Saigon. But it was handled under the auspices of Special Forces B Team. That's in Can Tho, which is south of Saigon in the Mekong Delta. On top of that I have an affidavit and a seven-page—or eight-page—statement that I have given to the Army just this past summer of an interview. It's the transcript of an interview that I had with the Army investigator and the Army is supposedly investigating the charges that I have made and will make today at this hearing. This statement was turned over to Investigator William Bass from the Military Ocean Terminal, 12th Military Police Group Criminal Investigations, Brooklyn, New York. They've informeed me that the investigation is continuing.

The work that I did in Vietnam was a PSY war effort, and I need not go into what the specific program was about. It's not relevant to other things that I saw, that I want to talk about today. But the point is that I had opportunity to travel all over the IV Corps area, because we implemented psychological warfare programs in all of the Special Forces A Team detachments in the Mekong Delta. So I traveled with the team leader, a major, and some other people to several or to all of the eighteen locations. And while at these locations for two, three, four, sometimes ten days, we witnessed the day-to-day operations of Special Forces.

At one particular time, this was in November of 1963, I was going from Can Tho—that's about 120 miles south of Saigon—to Saigon. At the time I had some business to do in Saigon on a weekend. I had to see CSD people there. At the time you just—you didn't need orders for anything, you just hitchhiked a ride on any airplane that was going from one airfield to another. You didn't need to explain to anyone where you were going. I was waiting for a flight of helicopters at Can Tho, at the airport—I had heard that there was a flight of heli-

copters going to Saigon that morning, and they were transporting some prisoners—sixteen prisoners in all—to Saigon for a rehabilitation program. I don't know what they do with prisoners now in Vietnam, I don't know first-hand, but at that time captured prisoners were brought eventually, after interrogation at several levels, were brought to Saigon for a rehabilitation program lasting six months, and then were released. Many of the people who captured prisoners were not happy to see them go to interrogation or to reform in Saigon, and then be released.

So in this particular incident there was—I boarded a helicopter. It was a HU I–V, single-rotor helicopter. I saw them load eight prisoners onto each of two H–21 helicopters—those are the double-rotor, banana-shaped helicopters. These prisoners were in black pajamas, Army issue, brand new, spanking-new pajamas. They had their hands tied behind their backs and they were tethered together around the neck with small pieces of rope about five feet long from one to the other. Eight tethered together went on one chopper, eight went on another. They were guarded by ARVN prison guards, or ARVN soldiers. The choppers of course were flown by American pilots, and they were American crewmen, machine-gun crewmen, in the doorway of each helicopter.

I flew in the first helicopter, the point helicopter, and we went—took off from Can Tho and went straight to Tan San Nhut. There was no stopping on the way, all of the helicopters stayed in formation for the entire trip. There was no way for any helicopter to land and catch up with us later. We had advertised on the radio to Saigon that we were arriving with sixteen prisoners. They had quite a welcoming party there for us—a colonel from MACV and other people from the MACV headquarters in Saigon were there when we arrived at Tan San Nhut Air Force Base. The helicopters set down and they delivered one prisoner from one helicopter and two prisoners—excuse me, three prisoners—from another helicopter. A total of four. Of the sixteen prisoners we took off with, twelve were pushed out over the Mekong Delta. I couldn't believe it when I got out of the helicopter and saw them delivering three prisoners, who were now untied. They had blindfolds on; they didn't have them when we started off; and of course they were no longer tethered together by the necks. The colonel asked the American crewman and the Vietnamese captain in charge of the prison transportation what happened to the other twelve prisoners. And the Vietnamese captain answered that they tried to escape on the way. I couldn't believe it. I felt upset, and I went over to one of the door gunners—American door gunners—of one of the choppers. And he looked shaken himself. And I said, "What happened?" I knew what happened but I couldn't believe it and I said—he said, they pushed them out. And I couldn't believe—I was dumbfounded. And he said go over and look at the doorway of one of the helicopters and I went over to one of the choppers and there was flesh on the doorjamb. These helicopters have no doorways, just sort of arches that are open through the entire flight. There was flesh on the doorjamb, there was blood on the floor. That was the first incidence of prisoner mistreatment that I saw in Vietnam. There were several others.

At a—in January or February of 1964—at a camp called Tanh Phu, a Special Forces A Team camp—this camp was deep in the Camale Peninsula, the deepest or the southernmost Special Forces A Team in Vietnam at the time. It was completely surrounded by—or, it was in Viet Cong territory. There I witnessed a public display of electrical torture by American and Vietnamese interrogators. They had two prisoners, one an old man, one a young boy about sixteen years old. They questioned these prisoners in the open. There were field tables set up. They attached electrical wires to their wrists, necks, bottoms of their feet, and genitals. They asked them questions. There was a tape recorder on the table—a Sony tape recorder—that was hooked up and running. An American sergeant, Special Forces sergeant, had a switch under the table that activated the electrical shock. The shocks came not from cranks but they were several 6-volt batteries hooked up in series. They told the prisoners through the interpreter that the tape recorder was a lie detector. The prisoners didn't know the diffrence between a tape recorder—had never seen a tape recorder. They told them that it was a lie detector and that they were going to be interrogated—and the lie detector would know when they were lying and would give them shocks when they didn't tell the truth. In fact, the switch of course was operated by a Special Forces sergeant who held the switch under the table and he just intermittently, not knowing whether they were telling the truth or not, of course, just shocked them at times, and they screamed and jumped up and down when he did this. I don't know what information they got or even what information they were looking for. Watching this whole procedure was over a hundred Vietnamese Strike Forces from the Tan Phu area, as well as a hundred or more civilians, standing on a bridge over a canal that is just outside the compound walls, sort of a little hump-back bridge that goes over the canal, and from the middle of the bridge there's a view into the compound over about a five-foot wall. And they could see in the center of the compound the interrogation. They stood on the top and watched.

Also at that same camp, Tan Phu, they had some barbed-wire cages. They were sort of coffin shaped, there were stakes driven into the ground, and barbed wire was wrapped around the stakes. When they had a prisoner—they had one prisoner that they had left there for twenty-four hours while I was there. They slid him into this barbed wire cage. He just about fits in, there, laying down. He was nude. Then they wind up barbed wire in the other end of the cage, to keep him in there. His hands were tied behind his back. He stayed there through the day in the sun, temperature of over 110 degrees, and through the night. They had sprayed something on him to attract insects, and he was full of mosquito bites in the morning, and swollen. If he moved in that cage he punctured his flesh, no matter which way he moved. And by morning he had several cuts, and he was completely swollen from head to toe with mosquito bites. I don't know what they sprayed on him, but I saw an American sergeant pump some kind of a spray thing that attracted mosquitoes.

At our C Team headquarters in Can Tho, they also used an interrogation method that I watched, where they took Viet Cong prisoners, or detainees, took them to a small rice paddy behind our compound, it was about 4 feet deep, and tied their hands behind their backs, blindfolded them, took them in a little rowboat—and this rice paddy was full of feces and urine because it was the drainage from our latrine went into this rice paddy. It wasn't any longer a rice paddy. It was filthy and stank. And they would row them around in this water, and when they refused to answer knock them out of the boat into the water. Their hands were tied behind their backs and they had blindfolds on and they spluttered around until they found out which way was up, and they were finally hauled back into the boat, after drinking I don't know how much of the water. Also at Can Tho they had a python snake, which is a constrictor. It was there—it was advertised supposedly for rat control, but many times when they brought prisoners in and were going to interrogate them the next day, they put them in a room, dark room, with the python snake and let them struggle with that thing all night. The snake cannot really kill an adult male, but it can—it does wrap around you and constrict. The Special Forces guys used to have wrestling matches with it.

FLOOR. Explain to us just how they'd do that.

NOETZEL. The snake was already in a darkened room—

FLOOR. How big was it?

NOETZEL. Eight feet long. It was already in there. And they just walked the prisoners in there and said you'll have to stay here tonight, walked in and slammed the door shut. That was it. We could hear them screaming in there almost all night. The snake would attack every once in a while, and if they got it off them it would go back into the corner and coil and jump at them again. It took two or three men to help unwind the thing, given the Vietnamese—given their small stature, and so on. There was also a snake at several other A Team locations. The one at a camp called Chau Lang was over eighteen feet long. It also was used in prisoner softening-up process.

FLOOR. Did they put them in there one at a time with the snake?

NOETZEL. No, there were two or three prisoners at a time in the room with the snake.

The last type of torture of prisoners that I saw, there were some—at one camp called Long Tom there were some VC that had allegedly blown up a road. And they tethered them together by the necks and made them work on the road, repair the road until it was fixed. This took three days. They had no food until they had it finished, and they were beaten and bleeding while they were working.

MODERATOR. Does the press have any questions for Mr. Noetzel?

FLOOR. This flight from Can Tho to Saigon when did that occur?

NOETZEL. I don't know the exact date, it was in November of 1963.

FLOOR. What is the—do you know what happened after the brief questioning at the airport by the colonel?

NOETZEL. It seemed to me as if everyone, by the captain's answer to the question of what happened, everyone understood what happened and no one was going to bring it up any further. I don't know if it was ever brought up later at MACV headquarters. It certainly was dropped immediately on the air field at Tan San Nhut.

FLOOR. Do you know of any time——

NOETZEL. I have never seen any reprisal or any command policy coming down to stop any of the types of torture that I have seen.

FLOOR. Did you see any other instances of prisoners being pushed out of helicopters?

NOETZEL. I heard of it, but that's the only one I have seen.

FLOOR. You said this was in November of 1963?

NOETZEL. Right.

FLOOR. And how many were on the helicopter when they left?

NOETZEL. There were sixteen prisoners—eight on each helicopter. And when we landed there was one left on one helicopter, and three left on the other.

FLOOR. You said you were flying in the point helicopter. Could you see the two helicopters carrying prisoners?

NOETZEL. If I looked back I could see them. I did not see prisoners falling from the helicopters, if that's what you mean.

FLOOR. Did you look back?

NOETZEL. I looked back, occasionally, during the flight.

FLOOR. In all these instances on the helicopters, if they were in ARVN custody did they have ARVN guards, who pushed them out the doors?

NOETZEL. There were—you have to understand how this works. In the doorway of the helicopters there's a bar that's bolted to

the side, it comes off very easily, with a .30 caliber machine gun attached. For anyone to go out those doors, that door gunner—American door gunner has to either let them out, or has to be taken away, and the gun has to be taken away or they have to be flipped over the gun. There has to be some kind of help or complicity or whatever from the American crewmen.

FLOOR. But they had ARVN guards inside?

NOETZEL. They had ARVN guards.

FLOOR. In the place where you had the public display, you had an American sergeant presiding, is that correct?

NOETZEL. An American sergeant was presiding over the interrogation, and there were two Vietnamese intelligence, I think they were officers, or one officer and one enlisted man, helping.

FLOOR. You say other cases, such as with the snakes, could that in any way be construed as the work of the LLDB? The Vietnamese Special Forces?

NOETZEL. They worked constantly with us. We all had counterparts.

FLOOR. Was it American stimulated or Vietnamese stimulated?

NOETZEL. I honestly can't—I don't know how to put the blame for who stimulated what, what kind of—

FLOOR. The Vietnamese and Americans were together.

NOETZEL. Always together. Worked very well together.

PETER MARTINSEN. I'd like to make one point, if it's possible to make one point—. In all the interrogation work I did in Vietnam, and all the interrogation work I witnessed down in Vietnam, there was always a Vietnamese interpreter present, because the Americans could not speak Vietnamese sufficiently well to interrogate effectively. Now this is often taken by the—well, I don't know who—by somebody to mean that the Vietnamese are doing the torturing. This is not the case. The Vietnamese are doing the interpreting. They also may be doing the torturing at the same time, but the Americans are doing it too.

NOETZEL. That's right.

MODERATOR. Are there any additional questions, please?

FLOOR. What was your rank in the Special Forces?

NOETZEL. I was a Spec 4.

FLOOR. You were actually a Green Beret, you weren't just assigned to them?

NOETZEL. No, I was attached to Special Forces. I had never gone through their training at Fort Bragg, however, I did wear the Green Beret, and was a Green Beret in Vietnam. I was a member of the organization.

EDWARD MURPHY

MODERATOR. We'll go on then to our next witness, who is Edward Murphy, Staten Island, New York.

MURPHY. Like the fellows who have come before me I brought my DD 214, and if you want to see this, it states on there that I entered the Army in January, 1967, and that I left the Army in January, 1970. I completed my tour with the Army with the 116th Military Intelligence Group in Washington, D.C., here. Anyone who watched "First Tuesday," last night, they saw what Army intelligence is doing here in Washington, D.C. The 116th Military Intelligence Group.

FLOOR. When did you go in?

January, 1967, and I got out January, 1970. I did basic training in Georgia, at Fort Gordon. I was trained as a counterintelligence special agent in Fort Holabird, Maryland. I was trained for eight months, six hours a day, to speak Vietnamese, at the Defense Language Institute in El Paso. I was assigned to the 4th Infantry Division in Vietnam in May, 1968, to May, 1969, and in May, 1969, returned to Washington, D.C. I also received the Army commendation medal as the other fellows have.

One of the things I'd like to mention just briefly, I think some of them mentioned before—about the laws, and being trained in interrogation. What he didn't mention was that there are two systems of law in the military. One, the second one, especially in Vietnam, besides the UCMJ, you have the second law, which is "Cover you ———." You may be trained in the UCMJ, and you may be trained in interrogation techniques, as far as Western civilization goes, but there is also the understood law, and as an intelligence agent you are also trained in that understood law. We were trained at Fort Holabird that there are some things we do and there are some things we don't do. That's on paper. But in your training you're taught there are some things you have to do, and if you have to do them, do them, but don't get caught, because the UCMJ if you're caught is the instrument of reprisal. An example is Lieutenant Calley and Captain Medina. Now these men are being tried.

When I was in Vietnam, I was assigned to the 4th Infantry Division, and because I could speak Vietnamese, and was the first agent there who spoke Vietnamese, I was assigned to work in a domestic net on the base camp. And then I started working in liaison with the various police and intelligence units in Pleiku. As I got to know my way around, and I became more familiar with the CIA and with the Green Berets and the Air Force in Pleiku, I was taken off the job that I was doing, where I was under a lieutenant, and I was made directly responsible to a counterintelligence chief and I became the liaison officer to Pleiku. Now as you may have noted in the information put out, I was a sergeant in the Army. But like Mike and the other agents, when you're in Vietnam you don't wear rank, and you're just known as Mr. Murphy or Mr. Uhl. And when I worked in the Phoenix program, every Tuesday I went down to CIA for the meetings, I was the representative, and there was no rank involved there. It was just Ed Murphy or Mr. Murphy. I worked with the lieutenant colonels in the Air Force, with the Agency, with the Green Berets, with the 525th MI group, as Mr. Osborn's going to be testifying about the Phoenix program.

I'd like to get into a few things. Although everybody has talked already about electrical torture and physical torture in Vietnam, I'd like to say, just to corroborate their information briefly, that's all, the use of the field telephone, beatings, the use of scout dogs against people to interrogate them, but I'd like to go on to terrorism. Now the people talk about the terrorists in Vietnam and how they use bombs—the Americans are also using terrorism. And I'd like to cite maybe one example.

One of our agents went into a village that everybody, in quotes, "knew" was VC. Mortars had come to the base camp from this one village. Agents were saying that VC were in the village, people were cooperating with the VC. Two agents went into the village one day after mortars had hit us, and 122 millimeter rockets. And they went in with a Grunt unit, and one of the Grunts suggested to the agent a way that he could kind of talk to the people and get the information. And this was the way.

He got the women together and he got their kids. But he kept the kids separate. And they took the kids off to the distance and they said to the women, "Tell us about the VC," and they asked the regular questions. They didn't talk. So they said tell us about the VC or we're going to kill the kids. They didn't talk. And the guns went off. And they brought back a sandbag that had something in it, and there was blood dripping from it. But the women still didn't talk. I don't know why they didn't talk. They actually did not kill the babies. What they had done, was that they had killed two chickens, and they had brought the chickens back in the sandbag with the blood dripping, leading the women to believe that these were the babies. To this day I don't understand why the women didn't talk. If it had been my child I'm sure I would have talked.

As an example of terrorism, of beatings, things like this—I was in the hospital, 71st Medical Evacuation Hospital in Pleiku. One of the people that worked for us was a Montagnard, and he'd been shot down—not shot down, but he was in a helicopter and the helicopter when he spotted some NVA, and he got into a firefight, the guy was wounded really bad, he was hit in the spine and he was in the hospital for about a year. One of my jobs was to go to see this fellow, who was working for us also, and continue to pay him, continue to get information from him. I spent a lot of time around the hospital there. One day an NVA had been brought in, and nobody knew what his rank was so the interrogation team from II Corps headquarters came over. The Americans and the Vietnamese—and this was, I think, just before dark, it was starting to get late—and they were interrogating him. And they were interrogating, say, about where that wall is [twenty feet] and there was a curtain here that they put up, and the night nurse—she was a major—she was sitting within earshot, I'd say from there to here, when they were beating him. This prisoner was wounded. He was an NVA. They were beating him, we could hear it. But when you're in a hospital, I guess, and you're a nurse, and you see a lot of people coming in that are shot, you don't really care if they're beating up a gook, if that's the way you're looking at it.

MODERATOR. Ed, I'd like to ask you one question. While you were the liaison officer for the Phoenix program for your unit, the 4th Division, what were you told the primary objective of the Phoenix program in Vietnam was?

MURPHY. Well I had some familiarity with the Phoenix program before I went to Vietnam, when we were in Texas some people told about the Phoenix program. And then when I got to Vietnam, and started to do liaison with the Phoenix, the words were "Neutralization. Neutralization of the VCI—Viet Cong Infrastructure." On paper this was never really defined further. But like I said, there are two systems. There's what's on paper and there's what's understood. And as is in the documents here, it was operationally considered as getting people done away with, getting people blown away if they're in the way. An example of when and how this was going to be done was soon after I got into Vietnam, was a guy named Tran Trung Ly. And Ly was a kind of a con man. And he'd been working in various intelligence agencies, and hadn't been giving very good information, and he was going to be done away with. The reason he wasn't done away with was he had a brother who was an NVA major, and the CIA figured they could use him. They'd maybe try and send him up north. To answer the question, I guess it would be to neutralize or to do away with, whatever way you can.

MODERATOR. How would the CIA or your unit verify the information that you got or the evidence that a man in fact was a member of the Viet Cong cadre or infrastructure?

MURPHY. Because information is very difficult to verify in Vietnam—the lack of files and things like this—we would rely on the information given by one person, and that person would say another man was a VC or a woman was a VC, and we would accept that. Just an example of how this misinformation comes about: I only did one interrogation while I was in Vietnam, and it

was a girl who was working on the base camp. And one of our agents had said she was working with the VC. We brought her in and we talked to her and talked to her and talked to her, and she didn't admit to anything. We later found out—what she did finally say—was that the agent had demanded that she had gone to bed with him. I figured that—it sounded—I figured they picked this up off the Americans, the idea, so that they could get some sympathy, and I didn't believe it. But I later found out that it was true. This was the type of information we were relying on—people, other Vietnamese, were getting favors from the Americans, and they'd say to another Vietnamese, "You'd better help me out or I'll turn you over to the Americans." And the Americans would say "We'll turn you over to the Province Interrogation Center, where the Vietnamese National Police can just work on you."

MODERATOR. Do you have any questions from the press, please.

MURPHY. I just want to mention one more thing about the Phoenix program. People who were Phoenix co-ordinators would come into the country, and they would be maybe a Second Lieutenant, who would be trained in infantry. But because the Army needed an officer for the Phoenix program, this man would be assigned to be a Phoenix co-ordinator. Most of them had no psychological training concerning the Vietnamese. They had no language training. It would be simple to say they were incompetent.

FLOOR. In the summaries of testimony it said that you were going to attest to incidents in which several civilians were killed.

MURPHY. I don't think that says that under me. You have the wrong one. Is that from Philadelphia?

MODERATOR. Edward J. Murphy?

FLOOR. Edward Murphy of Philadelphia.

MURPHY. I'm from Staten Island.

DANNY ALFIERO

MODERATOR. Our next witness is Daniel Alfiero from Phiadelphia, Pennsylvania.

ALFIERO. My name's Danny Alfiero from Portland, Maine. I was a Lance Corporal with the 2nd Battalion, 4th Marine Regiment, 3rd Battalion, 7th Marine Regiment in Chu Lai. I was a machine gunner in a rifle company, and what I have to say pretty much reinforces the type of things you have been hearing all day.

First of all, one incident that will always stay in my mind. Returning from a patrol, when we were fired upon we returned the fire, and there were five people in the vicinity. So the lieutenant gave us the order to fire at them. After about a two or three minute skirmish, we checked the bodies and found that they were five girls between the age of fourteen and fifteen. There wasn't any weapons or any shells or anything. And so the radio operator called the company CO and told him we had five VC KIAs.

Another incident which I saw a lot of was tearing and cutting off limbs, noses, ears, what have you.

Another one was shooting of an old man in a cave. Somebody had said they had seen two people run in a cave, so the lieutenant ordered us to throw in a CS, which is a tear gas grenade, in there. The man came out with his arms extended over his head, and somebody gave the order to fire.

Another incident——

MODERATOR. Would you speak up?

ALFIERO. Another incident: we had set up an ambush outside our perimeter, and another patrol was in the vicinity and by chance they caught the ambush and a few people were killed. They were Americans, by the way, and the company checked it out and they said the VC had done it.

MODERATOR. Are there any questions? Okay. Well in closing, I'd like to briefly reiterate two short points. Number one, we're concerned here not with the matter of guilt and innocence but with the matter of responsibility. Who is responsible for what's happening on the ground in Vietnam?

And secondly, I'd like to reiterate our challenge, our hope, that member of Congress, members of the Senate will come here tomorrow, listen to the veterans who will testify tomorrow and Thursday, question them, and make their own judgments. Thank you.

SECOND SESSION

MODERATOR. I'd like to welcome you to the second day of hearings of the National Veterans Inquiry on U.S. War Crimes Policy in Vietnam. A Pentagon spokesman noted yesterday—that a lot of our testimony he said was unsubstantiated. This is definitely not true. It is true, however, that the Pentagon and Administration claims that war crimes are isolated, aberrant acts, is unsubstantiated.

Today we will hear testimony on the systematic torture from military intelligence people of Vietnamese civilians and Vietnamese prisoners of war. The gentleman who will interrogate our first witness is a lieutenant on active duty, a 1968 graduate of the United States Military Academy, a distinguished graduate, who graduated in the top five per cent of his class—Lieutenant Louis Paul Font.

FONT. Let me state first, if I may, who I am and what it is I am doing here on this interrogation panel. My name is Louis Paul Font. I'm a First Lieutenant in the United States Army stationed at Fort George G. Meade, Maryland, about 20 miles from here. I'm here today because I feel that this testimony is very important to the American public. I am here because I feel strongly that it is my duty to be here on the panel today getting to the very heart of this matter with regard to war crimes policy. When I was introduced, it was stated that I graduated from West Point. At West Point I worked very hard. I graduated in the top five per cent of my class. And if there is one thing that I learned at West Point, if there was one principle that was driven into me during those four years, it is that lieutenants do not set policy, and it is that a commander is responsible for everything that goes on in his command. This was told to me time and time again. I'm also attending this hearing because I'm seriously considering filing some form of charges with regard to the generals and the high command and war crimes policy. This can be done, for example, under Article 138, of the Uniform Code of Military Justice, which allows for an individual in the armed forces to put forward a complaint with regard to the activities of his commanding officer. In my case, at Fort Meade, Maryland, my commanding officer is a lieutenant general, who was in charge of those activities of which Mr. Martinsen is going to speak today—Operation Cedar Falls and others. I feel very strongly that if Lieutenant Calley is guilty of anything, then the people above him are far more responsible. And now we'll go on to the testimony.

FLOOR. Pardon me, would you show us an ID card, to prove you are who you say you are?

FONT. Certainly, if you'd like to see one. (Produces ID card.) You're welcome to come up and take a look.

ROBERT MASTER

MODERATOR. I'd like to introduce Captain Robert Master, now stationed in Fort Meade, Maryland, and recently returned from Vietnam. Captain Master may be, during the day or during the entire session, asking some questions of the veterans who are giving testimony.

MASTER. My name is Robert Master. I am a Captain, medical corps officer—physician—in the United States Army. I'm now serving at Fort Meade, Maryland; I've recently returned from Vietnam after a one-year tour of duty there. I'm speaking as one of a growing number of concerned active-duty officers who are rightly appalled at what we consider to be the immorality and criminality of American policy in Vietnam. I'm speaking of my experience in Vietnam where I witnessed the wholesale destruction of the entire fabric of Vietnamese rural life, the creation of a nation of refugees, living in squalor, wracked by epidemics such as bubonic plague, without dignity, without independence.

I speak to endorse wholeheartedly the efforts of those Vietnam veterans who speak up at this time—who I must say courageously speak up at this time. I want them to know and I want everyone else to know that there are a number of concerned, a growing number of concerned active-duty officers who are listening, who are supporting their testimony and the ends of this tribunal. It is our hope that the American people will come to realize that war crimes in Vietnam are not isolated, aberrant acts but the inevitable result of a policy which in its direction of waging war against the civilians, Vietnamese civilians, is in itself immoral and criminal.

PETER NORMAN MARTINSEN

MODERATOR. Mr. Martinsen, would you please give us first of all your name, your age, your hometown, and what it is that you are doing now? Very slowly so that members of the press can get it down.

MARTINSEN. My name is Peter Norman Martinsen, I'm twenty-six years old, I am a cost accountant, I work in a non-defense firm in Los Angeles, California. Right now I'm involved in anti-war activities, and I'll give you my former rank, serial number, and unit. This is an Army commendation medal, which I received for being a prisoner-of-war interrogator at Vietnam. This is an honorable discharge certificate. I'm honorably discharged after four years of service, 1963 to 1967. This is the actual order for the commendation medal from 9th Division Headquarters, which I was not attached to. I also want to correct a little mis-release in the press release: I was not attached ever to the 101st Regiment in Vietnam, the 541st Military Intelligence Detachment. This is my graduation certificate from the U.S. Army Intelligence School at Fort Holabird, Prisoner of War Interrogation Force. I can't think of any more things I can show you. I can show you my DD 214, which is the actual discharge paper.

Now I think that I have given you adequate documentation to show you that I am who I say I am.

MODERATOR. Yes. Would you please explain to us, Mr. Martinsen, what it is that you did in the Army, the years and the month and so on before you went to Vietnam, from your induction until when you went to Vietnam. Very briefly.

MARTINSEN. I actually enlisted in the Army in June of 1963, was sent to Fort Ord for basic training, was then sent to cook school, was then transferred around from post to post. I finally took what is called a short discharge and re-enlisted, which gave me an extra year in the Army and ended up being in the Army Language School, which was here in Anacosta Annex. I don't know where it is now, I think it's at Fort Hood. But I studied Italian there, graduated with honors, and then went to the Army Intelligence School at Fort Hollabird, in Baltimore. This was in—July 15th, I believe, 1966; say 1965. Beg your pardon.

MODERATOR. Yes. Would you tell us what preparation you had specifically for going to Vietnam in Intelligence School?

MARTINSEN. Well, in the Intelligence School there was very little in the curricula for preparation for Vietnam because Vietnam was not yet big at the time. We had four hours total preparation for Vietnamese-style interrogation, and I cannot say that was in

any way illegal because it wasn't. I considered it, as a personal opinion, slightly racist as they kept referring to the Vietnamese as gooks, but aside from that I cannot say anything else. Now I can't tell you about the full course without running too long. The course, though, they try and pump order of battle into you, which is what the enemy is doing, how many tanks they have, their troop dispositions, and so on. But it's primarily oriented towards an Eastern-bloc communist war—against an Eastern-bloc country, or a Russian or a Chinese Communist war; and therefore we use maps oriented toward that area and so on. Now the interrogator's bible, so to speak, is called Military Intelligence Interrogation FM 30–15. That's Field Manual Thirty dash Fifteen, it's classified as confidential by the Army. Now there is actually no reason to classify this manual confidential, which is a low classification by the way. But there is no reason to classify it confidential because it's quasi-illegal, and that's why it is classified. But it's against the law. If you follow me, it's against the law to classify stuff just because it's illegal.

But I'll tell you why it's illegal. There is an interrogation technique in there called the Big Brother technique. The Big Brother technique is very simply—as practiced by the police here in our country too—a big man enters the room, sees the prisoner, perhaps throws him up against the wall, beats him up a little bit. Then a little man comes in—he's obviously of a higher rank—and he berates the big man, and sends him out of the room. And the little man, of course, out of gratitude talks.

Now the Geneva Convention states that you not use force or coercion against any prisoner of war. We're also taught this in the school, to abide by the prisoner-of-war code, that you do not treat prisoners any differently than really a civil prisoner would be treated in your own country.

MODERATOR. Let' get to the issue of Vietnam specifically. When did you arrive in Vietnam?

MARTINSEN. I was sent to Vietnam with the 11th Armored Cavalry Regiment, 541st MI Detachment, approximately in the middle of August, 1966. Arrived in country, since we traveled by boat, I believe it's September 6, 1966 in Vung Tan.

MODERATOR. What were the names and dates of the main operations you were involved with? And how large were these operations, Mr. Martinsen?

MARTINSEN. Well, at the time we arrived we set up camp in Long Binh, which is very close to Bien Hoa. We staged there, and then we moved out to an area south of Xuan Loc in the III Corps area called Long Giao, spelled L-o-n-g G-i-a-o. And then as soon as we got—finally set up all our housekeeping and at the same time more units were being brought in and beefed up—Westmoreland started these major operations, the first one being operation Attleboro. And we were involved in Attleboro on just more or less a supporting role, because we were an armored cavalry regiment and we were running mainly road reconnaisance. Only one squadron of the regiment was actually involved. I was doing no interrogation work at the time on Attleboro; however, at the time I was doing interrogation work at the base camp in Long Giao.

Now in order to understand the whole context of what's going to follow, you have to see that the 11th Armored Cav was always in a supporting role. Just called in as Op Con—operational control of somebody else. And they were always Op Con of somebody, and that's why I managed to get around so much of III Corps area in Vietnam and that's why I was on all these operations.

Now during this time that we were in the base camp, a good friend was killed when we were convoying out of the base camp, and we felt rather strongly about it because generally military intelligence men are not killed, especially photo-interpreters. And we got a group of detainees in, and let me tell you what a detainee is.

A detainee is not a prisoner, but a detainee is a man or woman or child who is picked up on suspicion and brought in for interrogation. It's the interrogator's job to determine just exactly what you have, whether you have what is called a prisoner of war, which would be a VC or NVA; whether you have a civil offendant, which is a person guilty of breaking the laws of Vietnam, perhaps not carrying his ID card around after curfew but not necessarily a VC; or you might have innocent civilians; or the fourth classification, you might have what is called a Hoi Chanh, which is a rallier, a deserter from the other side.

Now we picked up—not we personally but people were brought into us who were detainees, and I saw the use of force, a lot of harrassments, beatings, knives being held to throats, and so on. This is in October of 1966 in the Long Giao base camp.

But one night particularly sticks into my mind as the first night that I really got involved in torture techniques myself, and I was interrogating an older man and he was sitting in a chair, just as I am sitting in a chair here, across the table from me. And there was a lieutenant standing behind screaming at me to "break" the man, "break" being the military intelligence term to break a prisoner, break him down, get the information. And he was screaming to break him, and so I pushed him over backward and I almost broke his neck. But anyway, that didn't succeed in breaking the man.

I finished that interrogation and I walked across our compound to another tent where interrogation was going on: a man of draftable age, no ID card. We were quite convinced he was a VC. And I proceeded to beat him with my fists. And you can beat a man senseless with your fists and not leave marks, except for a slight reddening of the skin perhaps. And this went on for some time and I wasn't getting any effect at all, and the lieutenant came in and—I'm not naming names, the Pentagon already has the names. And anyway, a lieutenant came in and he proceeded to beat the man to no effect, and then he wired electrical field phone wires around the man's left wrist after burning the insulation, and proceeded to "ring him up," as the term goes.

Now, this didn't work and the, the man—I said, "Lieutenant, you can't do that," and he says, "Well, this man just got killed. I'd rather torture one man than have one more man get killed because of lack of tactical information." So anyway, the man. The lieutenant pulled down the man's trousers and proceeded to touch the electrical wires to the man's genitals and cranking the field telephone at the same time, giving him very painful shocks, all he got was a lot of "I don't know's" and some very violent screams. I walked out of the tent, saying, "Lieutenant, you just can't do that." But the lieutenant was not reprimanded. This was a First Lieutenant, Army Interrogation Officer.

MODERATOR. Would you describe to us Operation Cedar Falls?

MARTINSER. Cedar Falls was the first major operation that I was actually on. We conveyed to Ben Cat on Route 13 about 30 Kilometers north of Saigon. We set up a base camp. It was to clean out the Iron Triangle. It was designed to clean out the Iron Triangle. And the Iron Triangle was the triangle formed by the Song Be, which is a river running roughly—if I had a map I could show you much better, but anyway. It's a north-south river, and another river forms a triangle, and it's a very densely forested area. There are some towns in there, or there *were* some towns in there, I should say, and one of the towns was Ben Suc, spelled B-E-N S-U-C, and another one was called Rach Kien, R-A-C-H K-I-E-N. Now this occurred in January of 1967.

Now the operation was designed to bring all the inhabitants out of the area, clear the area so that it could no longer be used as a VC stronghold, because it had been used actually by the Viet Minh and even before that had been used by Viet Cong forces fighting the Japanese, and it was a very well fortified area. And so, first of all they started the operation with helicopter gunships flying overhead and people speaking to the Vietnamese, telling them to get out of the villages because—and get all their belongings—because they're going to be moved out, which the people started to do. And then, a POW cage is what it's called, was set up, a detention cage was set up, and myself and a staff sergeant from the 173rd Airborne Brigade—and we were op con of the 173rd Airborne Brigade at the time—we proceeded to interrogate this flow of prisoners—detainees, I should say. Now these were men, women, and children, mainly women, and there were 4,000 of them approximately. I didn't count them all. But it's a, physically, an impossible task to screen 4,000 people. So what we did was, we first of all, we took all the men. There was a captain and a lieutenant actually in charge of us, but they preferred to drink beer during the operation so I was actually more or less in charge of it myself. So what I did was, I took all the men of draftable age and I immediately turned them over to the Vietnamese authorities, which was kind of strange, an American inducting Vietnamese into their own army. And then we started screening the women, the visibly pregnant women, the younger women, and some of these we selected for interrogation and some we didn't. Then they were loaded on flatbed trucks and taken down to a camp in Phu Loi, which was—I passed it on the way back from the operation, it's on Route 13. I looked in it and it was nothing more than a concentration camp, surrounded by barbed wire with machine guns.

Now we had all these detainees and then the operation commenced, and they started taking prisoners. And they actually were prisoners, they were bound, with guns, and so on. Also at this time the order was given out—this is now a free fire zone, if it moves shoot it. So the 173rd was operating in the lower part of the Triangle, and the 1st Infantry Division was operating in the upper part of the Triangle, the 25th was also operating in the eastern—in the western part of the Triangle, rather, and the 11th Army Cavalry was on the eastern part, and we had our base camp set up op con the 173rd on a hill overlooking Ben Cat. If I had a 1 to 50,000 scale Army map, I could point it out to you exactly, where we were.

Now these detainees started coming in and most of them were obviously NVA—not NVA, VC—and I can recall instance after instance of torture, electrical torture with field telephones. Electrical torture. One man was captured, he admitted to being an NVA, a North Vietnamese Army officer—coincidentally he was the only North Vietnamese we ever captured in the 11th Army Cavalry. But anyway, he admitted to being a North Vietnamese Army captain. I started to interrogate him, and he was a very high-ranking prisoner, and the word got up to 1st Infantry Division Headquarters in Lai Khe that we had this man. And they wanted tactical information right away and I wasn't getting anything from him, because I decided to be nice, because if you start torturing, where can you go from there?

Anyway, I let him wash his hands and gave him lunch, and it was obvious he was just playing me for the patsy. So a Spec 6 and an interrogation officer came in and relieved me and I went out and ate lunch, C

rations, and came back. And I found the man's hands had been tied to an Army field table, which is just an olive-drab field table made of wood, with field bone wires, and the lieutenant was placing bamboo splinters under the man's fingernails. At the same time the Specialist 6 was "ringing him up" around his ears with a field telephone. Later on, the lieutenant was reprimanded very badly for leaving marks on the man, because the credo of intelligence work and POW interrogation is, you do not leave marks. Do anything you want, but do not leave marks. In other words, cover yourself.

And this is hence the use of electrical torture and beatings with the open hand. I saw it done on women, I saw it done on young girls, sixteen years old. I witnessed it and I participated in it. I'm not proud of it. Now any of these things are war crimes, by the Army Field Manual itself, FM 100–51, "The Law of Land Warfare."

MODERATOR. Mr. Martinsen, would you explain to us please what was the highest ranking military officer that you saw witness these events?

MARTINSEN. The highest ranking military officer I saw witness that was the commander of the detachment who was along. He was a major, I won't mention his name, and he not only witnessed it, he also participated in it himself. These are specific events. These happened in January of 1966, as I say, about 1 kilometer from Ben Cat, off Route 13 in South Vietnam. Now this happened in sixty or seventy cases and there was also a case——

Now we were op con, like I say, to the 173rd. We were working with the 172nd MI detachment, which is their military intelligence detachment for the 173rd Airborne Brigade. One night when we were standing around and drinking beer, a captain came over and says, "Well, I just lost one." And I said, "You just lost one what?" And he said, "Well, I was just wiring him up and he fell over and died." And he said, "The guy was just about ready to break." Well, I didn't actually see the man fall over and die, but I went over and saw his dead body, and I hear the captain admit to me that he was wiring him around the ears and that the man just keeled over and died, those were his exact words. Now the death was diagnosed by a lieutenant colonel, the brigade surgeon of the 173rd Airborne Brigade, as death due to heart failure. Perhaps it was. The field phone can't give a killing voltage, but if a person has a weak heart, it probably will give a killing voltage.

MODERATOR. It's now open for questions from the press.

FLOOR. Sir, what did you feel, first of all when you were participating in this torture; and secondly, had you thought about, if you consider these crimes, bringing them to the attention of higher authorities?

MARTINSEN. I brought them to the attention of the major. Of course, well, he knew about it, he told us about it himself. I mean, he was there participating himself. I did not go beyond the major because you don't rock the boat in Vietnam, because it's a very lethal place to be. And aside from the personal stress in going along with the group, and I still can't explain my actions. I mean, I cannot live with myself as a human being, but I mean that's why I take tranquilizers at night to sleep. But still, the point being is that you'd be surprised how many sand bags you can fill and how many dangerous missions you can go on if you start rocking the boat.

FLOOR. Then you feared for your life, that was one reason—

MARTINSEN. Well, that was one reason. Another reason was the fact that everybody else was doing it, and therefore if I brought it up, I would be getting some of my buddies into trouble too.

FLOOR. What about after you got out of the service, did you think about——

MARTINSEN. I thought about it very heavily, yes.

FLOOR. Why did you wait so long?

MARTINSEN. I haven't waited long. I've been talking about this for three years. The CID has talked to me about it, and as soon as they advised me of my rights, that I could very well go to jail from what I was going to tell them, I decided that I'd get an attorney and he advised me to tell them nothing unless they grant me immunity. And I'd be happy to talk to any Senate committee on it, and in fact I'll even talk to the CID now, if they want to talk to me about it.

Now the CID has come around twice, and they've also phoned up my mother, of all things, and "Where is Peter Martinsen?" And she told them where I was, and I phoned them back. This was in Los Angeles. I phoned them back at Fort MacArthur, and you might write the man's name down: Major Ledbetter, in Washington, D.C. wanted to talk to me. And I said—and I don't know, I think he's within the First MP Detachment CID—but I told them, I said "I think you can save Major Ledbetter's time and my time," and the only way I'll talk to them is if they grant me immunity. Now I'm six years, I'm out, there's actually no jurisdiction over me. So there's actually nothing that can be done to me personally. But see, I'm not trying to get individuals scape-goated. Some of these people are still in the Army. Some of these people I'd still like to consider my friends and I don't want to see them in jail, that's not the point. The point is that this policy is tacitly condoned at all levels, and known.

As Congressman Roman Pucinski, who debated me in Chicago in 1968 at an all-boys high school. He said, "I will have a congressional investigation of this man and show him to be the liar that he is." I said, "Congressman, go right ahead, here's my name, rank, and serial number."

Later on the CI—that's when the CID came around, but they came around nine months later, in November of 1968, and that's when I told them I wasn't going to tell them anything because I wasn't yet completely out of the Army. And—but what it seems to me, the impression I got, is that they had a can of worms that they didn't feel like opening.

FLOOR. Mr. Martinsen, on this—what is this one incident when you returned to find the NVA captain wired to the field table?

MARTINSEN. Yes.

FLOOR. And somebody in the process of wiring his ears to ring him up? In both of these cases, was that the lieutenant doing that?

MARTINSEN. No, the lieutenant—I saw it, I witnessed it, and the major witnessed it too.

FLOOR. Yes, but who was driving the splints under—

MARTINSEN. The lieutenant was driving the splints underneath the—

FLOOR. And who was wiring him up?

MARTINSEN. The Specialist 6 who was the interrogation section leader.

MODERATOR. We have time for one more question from the press.

FLOOR. That was in January, 1967, wasn't it?

MARTINSEN. 1967, yes. Yes that's right.

FLOOR. Can I ask the lieutenant a question?

MARTINSEN. Certainly.

FLOOR. Now you say the commanding general in Fort Meade, is that right?

FONT. The commanding general of the First United States Army who is stationed at Fort Meade, Maryland, is my commanding officer.

FLOOR. He is your commanding officer.

FONT. Yes, sir.

FLOOR. He was the man who was in charge of the operation?

FONT. He was in charge of Operation Cedar Falls, sir.

FLOOR. Now what are your prospects as a lieutenant under his command now that you've appeared at this hearing?

FONT. My military career is ended. A typical career pattern for me would have been to have gone to Vietnam within the next month or two at least, as a military intelligence analyst, and after that, to come back and work in the Pentagon as an intelligence analyst, or go back to West Point and teach government and political science. I'm seeking discharge from the Armed Forces because I object particularly to the Vietnam War, not necessarily to all wars.

FLOOR. Will you get that discharge?

FONT. I do not know.

FLOOR. Do you think this will help you?

FONT. I don't have any idea. I can't——

FLOOR. Well, do you expect any reprisals?

FONT. No, I do not because I am exercising my constitutional rights. I'm on leave right now from the United States Army for the last three or four days, and the coming three or four days, so—and I'm simply speaking out as a concerned American citizen. This is an issue of concern to all American citizens, and that includes lieutenants in the United States Army.

FLOOR. Would you spell your name for us?

FONT. Certainly. F-O-N-T. L-O-U-I-S. My home town is Kansas City, Kansas I'm age twenty-four.

FLOOR. Is this the first time you've come out with this, or did you take part in a press conference with the gentleman sitting next to you——

FONT. I took part in a press conference a couple of weeks ago stating that I would be sitting on this interrogation panel, sir.

FLOOR. Well, I was acquainted with this gentleman here. I've seen him several months ago——

FONT. No, he was not. No, he was not. That was unrelated to the issue here.

MARTINSEN. Can I add one more thing, sir, just to straighten the facts out. Again, the press release says I was in the 101st Airborne. I wasn't in the 101st Airborne, I was in the 11th Armored Cavalry Regiment, and 541st MI, Spec 5. My MOS was the 96–C, which means I was an interrogator, 21, which means I was a linguist, and 3–9, which is the language of the battalion.

FLOOR. Is there—do you think there are alternatives to these interrogation techniques?

MARTINSEN. Yes, there are alternatives because we found the use of electrical torture was not effective. In other words, if you torture a man he'll tell you everything he thinks you want to know, and he'll tell you lies, a pack of lies. And so it develops into a kind of mindless thing, you start ringing the telephone and ringing the telephone and you're getting more angry and more angry and more frustrated and the telephone keeps ringing, and the man is in obvious pain, screaming and swearing in Vietnamese and so on, and not giving any information at all. Or if he is giving information, he's giving false information.

FLOOR. What are alternatives?

MARTINSEN. What are alternatives? To abide by the law.

FLOOR. You could find out these things just by extensive questioning in——

MARTINSEN. I cannot think as a professional interrogator—or as I was a professional interrogator—I cannot think at the tactical field level that I was at, and that was regimental and squadron level which is—in the field, I mean, I cannot think of a quick way to get tactical information without the use of force, except—make an exception, except from a deserter.

FLOOR. I'm sorry. You said—just tell me again: when was the date approximately?

MARTINSEN. This was in January of 1968, Operation Cedar Falls. I could go on to Operation Junction City, I can go on to Operation

Manhattan. In the interests of time, if you want to hear about it, fine. If not—it's just more of the same.

MODERATOR. No, we really don't have the time this morning, but Mr. Martinsen will certainly be available for interview. He'll be here all day. Any other questions? We have time for one more question from the press.

T. GRIFFITHS ELLISON

MODERATOR. Our next witness is a Marine Corps veteran, T. Griffiths Ellison.

ELLISON. My name is T. Griffiths Ellison; I'm presently a business student at the University of Virginia. I enlisted in the Marine Corps 9 January 1966. I'd like to point out that I did enlist; I was not drafted—under the J program, for a two year tour of duty, and at that time I enlisted for rather patriotic reasons. One: I'd like to briefly explain my background. I'm a military brat. My father just retired from the Navy. His last position was Chief of Staff, Allied Naval Striking Forces in Southern Europe. So I've had some background as far as military life goes, military procedures, and I thought I understood it pretty well when I went into the Marine Corps. Training in Paris Island was at the time for me rather enjoyable. It was the epitome of military life. It was rather brutal. As a consequence most of the trainees who come out of Paris Island have a dehumanized attitude toward any person that does not happen to be a flag waver. I went to Vietnam in September of 1966 with the 3rd Battalion, 26th Marines Regiment. We operated on an operation called Operation Chinook I in an area northwest of Quane Tri City in Quane Tri Province. The area was called Co Bi Tan Tan and I believe Bernard Fall has written a book about that area called *Street Without Joy*. It was indeed a street without joy for us. During December of 1966, for three weeks prior to Christmas, we operated under search and destroy. And what I'd like to do is briefly explain what search and destroy meant to our battalion.

This area was designated a free fire zone. We were instructed to shoot any moving civilian, whether he was armed or not. We were instructed to burn down every hootch, grenade every bunker, without giving any warning, destroy every temple, and in fact, on one day which I approximate to be December 11th, we were instructed by our platoon sergeant to dig up every grave we saw. I was personally ordered—although I questioned this order—to dig up two graves near a hootch that we had just burned down, to increase body count. We were a new unit in Vietnam and we had to make our name known, and to make your name known in Vietnam, you go for body count. That's the only way they can gauge this war. Upon digging up the graves, we found what I approximate to be a young girl, fourteen or fifteen years old, and a very old man. They were obviously—their deaths were obviously a result of artillery rounds. They were fairly well blown up. We proceeded in this same manner on Operation Chinook I sweeping the fields, still burning down hootches. I think, more or less, we were a zippo battalion rather than anything else. We had very light engagement with the enemy.

One afternoon, rather morning, we had been setting up on various hills—our CP, platoon CPs, command posts, and moving from each hill the next day to avoid being pinpointed by the VC or NVA. Due to Marine Corps training, we were instructed to bury all our garbage, C-rat cans, anything else, to avoid detection by VC scouts or something like that—although they could see us anyway. But this morning, that morning, our lieutenant gave an order to our sniper platoon to fire on a hill that was approximately 300 meters from us where Vietnamese civilians were digging up our garbage to eat.

On a search and destroy operation we not only destroyed the buildings but we also destroyed any available food supply because it was a free fire zone and anyone using that food was designated a VC, VC suspect, sympathizer, and so forth. As a consequence, the people that remained in that area were rather hungry, so they were digging up our garbage. I cannot give an accurate count of the number of people that the sniper platoon hit, but the people certainly got out of that area in a hurry.

About 2 days after that we were on patrol approaching the mountains that border the Co Bi Tan Tan Valley and the As Sau Valley. Two woodcutters were walking down the trail; they were not armed. We could see that. As a matter of fact, they walked right up next to us. They ran. And we fired upon them. One was hit, rather seriously wounded, and after a delay for interrogation was sent back to the battalion aid station.

MODERATOR. Griff, did you every witness the torture of prisoners while you were in Vietnam?

ELLISON. I was transferred to 3d Battalion, 4th Marines, because they had to balance 326 for rotation purposes. We went out on what is called a Medcap operation, medical aid operation south of Quy Vet River in February of 1967. We approached a village and gathered up every male that looked like he should have been in the ARVN Army or else he was a VC sympathizer and at that time, South Vietnames interrogators who were working with us bound up two men, up against a tree, used fine wire, stripped como wire, you know, I believe it's copper inside of it, I'm not sure, but they stripped the rubber casing off the como wire, wrapped that wire around these men's wrists, and with a various set of tools, started pulling, tearing the flesh. At that time, the battalion commander, a lieutenant colonel, was present at those proceedings; and I don't know what kind of intelligence they got out of it or not.

MODERATOR. Well, Griff, we've heard a lot of testimony about the indiscriminate slaughter of civilians, as a consequence of the free fire zone, search and destroy and so on. From your experience who did the command in Vietnam—who did the soldiers in Vietnam consider to be the enemy?

ELLISON. One of the things that happens, especially to Marines going over there, they have very intense training to build up esprit de corps. Prior to our leaving for Vietnam, in Camp Pendleton, our battalion commander addressed the troops and referred to all Vietnamese saying, "The only good gook is a dead gook," therefore justifying increased body counts—you kill anything that has slant eyes or a slope head.

MODERATOR. Did this apply to Viet Cong or North Vietnamese?

ELLISON. No, there was no differentiation whatsoever between the South Vietnamese population and what ever troops—I believe the term now is the "other side" troops—were operating in that area. Matter of fact, I think this is one of the main causes for a disproportionate body count that includes civilians, because when operating under free fire you have this attitude that the only good gook is a dead gook, so you're going to rip him off regardless of whether he carries a weapon or not.

MODERATOR. Well, can you—in the interests of time I would like to open the floor to questions of Mr. Ellison by the press at this time.

FLOOR. What's your father's name?

ELLISON. Well, it's obviously Ellison.

FLOOR. What's his rank?

ELLISON. Captain.

FLOOR. What's his first name?

ELLISON. Thomas.

FLOOR. Did he know you were going to testify here?

ELLISON. He knows I testified in Richmond, and he doesn't necessarily agree with my feelings about this, but then again that's understandable.

FLOOR. What was your father's position? I'm sorry, I didn't hear it.

ELLISON. Chief of Staff of Allied Naval Striking Forces, Southern Europe.

FLOOR. Navy rank?

ELLISON. He's a captain.

FLOOR. He's retired now?

ELLISON. Yes, he is.

FLOOR. Those orders of "the only good gook is a dead gook"—did they originate with the officers or with the men?

ELLISON. No, I think this is a necessary—in order to conduct this war, anyway—this is a necessary Marine Corps policy whereby we dehumanize an enemy, we dehumanize a people because we really don't know who the enemy is over there. In fact, one thing I'd like to address some of the press on is that I was at Con Thien, the siege of Con Thien, my capacity at that time was a squad leader and I can verify the intelligence was rather poor. Regardless of how often we fired upon hills, the fire was returned. In fact during Operation Hickory, my unit spent four days trying to take a Hill 117. There was a great bit of rebellion, although I don't think it ever reached the press because a lot of us refused to go up the hill the third day. That same hill, the squad—my squad—in fact, lost over half of them—why I was—I received a minor wound at that time, nothing to speak of, but 2 weeks later, when we were on Con Thien itself, we received fire from that hill, so that was sort of standard operating policies and procedures we had over there.

FLOOR. Well what happened when you refused to go up the hill? Did you eventually go the third day or what?

ELLISON. Well, what happened is we told the company commander, unless he was going to go up with us, we weren't going to go, because the whole time he was sitting back in the back trying to direct troops. On the first—excuse me, the second day, we were up there, we were pinned down on three sides, and he was down there telling us to charge bunkers and he was at the bottom of the hill. We thought that was a little ironical. I think he got a silver star of that action.

FLOOR. Did he eventually go with you all up the hill the third day?

ELLISON. I don't know. I didn't go up the hill the third day because I was out, I was evacuated.

MODERATOR. One more question from the press before we move on.

FLOOR. I was wondering, were there any measures to destroy the food supply, was there defoliation in this free fire zone also?

ELLISON. Yes, as a matter of fact, we called napalm up on as many feasible rice fields as possible. We napalmed rice fields.

FLOOR. Was there ranch-hand defoliation?

ELLISON. What was that?

FLOOR. Defoliation, where the C–130s come over with defoliant?

ELLISON. I really don't know because we had just come in-country and we were all rather green at the time. I don't know, I wasn't aware of things like H and orange being used at that time. Although it was used extensively in Northern Corps when I was up there.

ED MELTON

MODERATOR. Our next Vietnam veteran is Ed Melton who served some time as a corpsman in the Navy.

MELTON. My name is Ed Melton. I was with the 3rd Battalion, 1st Marines—1st Marine Division—as a Navy hospital corpsman with a Marine infantry unit. I arrived in Vietnam on July 28, 1968, and left July 1, 1969. I think the whole point of emphasis that I'd like to make is that my unit was about as average an infantry unit as you could imagine. And my experiences are as average

as the experiences of any infantryman in Vietnam.

I was four months in the field until November of 1968 when on Operation Mead River I was wounded in action, spent three weeks in the hospital and then was released back to my battalion rear area to allow me to convalesce another month since I couldn't walk. While I was back there, there was a POW camp for North Vietnamese and Viet Cong prisoners. It was directly contiguous with the battalion rear compound there. Matter of fact——

MODERATOR. Where was this?

MELTON. This was about ten miles southwest of Danang in an area right adjacent to a large area known as Dodge City. They had several operations there since then. But it was while I was there at the BAS recuperating—I was on crutches—that the doctor there, the battalion surgeon, suggested that we ought to go down to the prisoner-of-war compound and check on the medical conditions down there. We hadn't heard anything—and this was right in the wake of the Operation Mead River, which I had participated in, and there were a great deal of people down there. The compound itself was very small. It was only about the size of half this room. It was barbed wire, and machine-gun posts at all four corners. And so we went down there one day in the jeep, and took medical supplies with us. And the strange thing about this prisoner-of-war compound was most of the people in there weren't prisoners of war, they were women and children. There were some wounded Viet-Cong, some wounded North Vietnamese, but most of the people there were detainees.

I think one of the people yesterday explained exactly what detainees are. They are just people that are picked up in areas, mostly civilians, women and children, maybe some old men, and oftentimes there's not even a question of whether or not they're Vietcong, the question is just: maybe they've got some information that the Americans can use. Well, this really wasn't a prisoner-of-war compound, it was a concentration camp, a small concentration camp which was filled about five times its capacity with people. And in the building itself, there were about—I described the size of the building—there were about, I'd say, over a hundred people in these, the majority of which were women and children. And there were only—well you can imagine how many beds there would have been, how many cots in a compound the size of half this room.

MODERATOR. *What sort of medical care were these people receiving?*

MELTON. They had received none at all. As a matter of fact, most—the operation at this time had been over about a week and I remember most of the Viet Cong and North Vietnamese still had battle dressings put on them by the North Vietnamese medics. But obviously they were a week old. Most of the wounds had maggots in them. They had received no medical care since arriving at the American facility. For women and children there was only one latrine. The sanitation conditions were appalling, obviously.

These people were really glad to have someone, you know, finally to give them some care because they'd been totally neglect medical-wise. There were children and women with horrible sores on—anyone who has been in Vietnam knows what kind of sores I am talking about, these inflammations that you get from being over in a moist, tropical area. And so we did what we could to treat these people, and attempted after that, while I was there, to basically provide some sort of on-going medical assistance, but we received no encouragement at all from the battalion staff. It was something we basically had to do on our own, and I got the impression from the guards at the prison camp that they would just as soon that we left these people alone and didn't give them any medical care at all.

MODERATOR. *Were these guards Americans?*

MELTON. Yes, they were. I remember them bringing one—we had to bring one of the wounded North Vietnamese officers up to the battalion aid station to treat him, and two prison guards came with him, and they were beating him and trussing him up the whole way, and they brought him in—and I told the guard just to get out, we'd take care of him. And he said something to the effect that it didn't really matter because after these people were treated and after the Americans had gotten what they wanted out of them, that they'd be turned over to the, I believe, the Vietnamese National District Police, and that if they couldn't get what they wanted out of them they'd just kill them. So—

MODERATOR. Ed, when you were in the field you had opportunity to work on Medcap and normal ground operations. Could you briefly describe what a Medcap operation is, considering time limitations, and specifically the incident that you detailed to us earlier?

MELTON. All right. A Medcap is just an abbreviation for Medical Combined Action Program, and what it's basically—it's an attempt at civic action, or that's the ostensible purpose. It's really civic propaganda. You go into villages with medical care and you try to treat everyone in the village. You try to get in once a week, and you stay right in the center of the village and all the people come to you that need to be treated. But here again, this is another example of how a basically humane institution such as medical care which could do a lot for the people over there has been perverted to the uses of the U.S. military policy over there. Because the basic problem with this is that no one really cares about treating these villagers. They're just looking for the propaganda value in it. You're totally unable to provide any really thorough or real follow-up care.

Most of these people have things like tuberculosis, venereal disease—which is I think largely an import from the United States—infections of different sorts, vein varicosities—especially the men at a very young age—a high infant mortality rate, and yet these are the things that never get treated. My experience was that the Americans—what they do is they like to do things like repairing cleft palates because this is a very symbolic thing. You can take someone with cleft palate and operate, and restore the person's looks. And this is something that outwardly looks very nice. But actually it's not much at all, it really doesn't do much. I mean, it's a good thing to do, but in terms of the real medical needs, they're not being met at all. There is no attempt to meet these needs. There is no attempt—you're not allowed to give villagers medicines for more than two days at a time because everyone says they'll turn them over to the Viet Cong. So what you do is you find someone with a bad infection and sometimes, maybe, you can get them into the Danang Hospital for Vietnamese, but usually you just have to give them as large a dose of penicillin as you can and hope that it works out, because you may not see them next week. In short, there's just no follow-through in medical care at all, and it doesn't meet the medical needs of the people over there at all.

Another example of perversion in medical care was, before I was wounded we were on a sweep southwest of Danang, and we were going—it was an area that we weren't familiar with. We were op con to another battalion, and we were moving through a village-hamlet area, there were several villages sort of connected together. Some of the men in my platoon thought they saw some movement in a tree line and fired into it. It was a little girl and a water buffalo. It killed the water buffalo and wounded the girl in the leg. It was not a mortal wound, but it was a very painful wound and a wound which would have been infected, which did I'm sure become infected.

She was obviously in need of medical care. The parents were crying, they were very worried, and I wanted to call a medical evacuation helicopter to send her back. You know, get her in a hurry, we couldn't, that just do the best we could. I'd just have to put a battle dressing on her and—she was in a great deal of pain, and I kept insisting on calling a helicopter. Finally he told me to shut up and do what I was told, so I put a battle dressing on and gave the girl a little—just enough morphine to stop the pain. And we had to move on. I'm quite sure that the wound and the pain—it was an open wound that had no bone involvement but it did lay the flesh open—and I'm quite sure that the wound became very badly infected after we left.

FLOOR. How old was the girl?

MELTON. I would estimate about thirteen.

Another thing that happened while I was recuperating back at battalion aid station is that there was a vill about—I guess about a mile away—that everyone claimed was a Viet Cong vill. And yet for some reason or the other—you know they were always getting a few sniper shots from them when troops would go by there on patrols, but never anything really big. Well, it was known, though, that the brass in our batallion wanted to get the Viet Cong in the vill. It's very strange: while we were there on a routine mortar fire mission at night, five mortar rounds fell in this village and there were very few young men there, but they brought in I believe women and children. There were fifteen very badly mutilated women and children and another five who were brought in dead. I don't know how we—we did what treatment we could for the fifteen and sent them on, we never heard whether they made it. Many of them had lost one arm, two arms, an arm and a leg. Most of these were children and women, and a few old men. It just—you know, it was just suddenly in the middle of the night, these mortar rounds came in and killed these people.

The rationale behind it was that these had been short rounds and they'd accidentally fallen short on the vill. But I talked to several members in the mortar squad and they said that the ammunition they were using they knew was faulty, and they had told the executive officer of the battalion about it, and he told them to go on and use it anyway that people were the most expendable thing in Vietnam. So I don't know whether there was any—whether this was purposely, whether these rounds were fired purposely into the village, but they were fired with knowledge beforehand that they were faulty and could very well fall short.

Another time while I was convalescing—I only spent two months back at this BAS and all these things happened while I was back there, so I would imagine they were pretty much standard operating procedure the whole time. An old woman was walking along the road right outside our battalion area, and she was run down by a truck. And they brought her in and she died at the BAS. There was nothing we could do for her. But the road wasn't crowded. I don't know if the truck driver, you know, meant to run her down, but there was never an investigation launched. He had no remorse about it at all. It was just another gook who got in the way, you know, and "sorry about that."

MODERATOR. Are there any questions from the press?

FLOOR. I'd like to know, what was your impression of the general attitude of the American medical corps toward treating Vietnamese?

MELTON. The doctors that I served with—I served with four doctors over there, of which three of them were superb doctors and very compassionate, and were very much concerned with treatment of Vietnamese. But here again they were limited very much by official policies, so there was only so much they could do. And here again, whenever—the medical service over there is considered only an adjunct of the official military arm, and whenever you start trying to do something, which is almost always going to run counter to military policy over there, you're going to be told to shut up and mind your own business. You know, leave the war to the soldiers and you just patch them up. That was my experience and that was the experience of the doctors I served with. I think the attitudes among the doctors varied a lot. But at any rate, regardless, a doctor no matter what he feels is very limited, he's hamstrung in doing anything at all for the people.

FLOOR. I wonder if you could give us examples of these official policies?

MELTON. All right. One policy was that—our battalion aid station was in a very good area to treat people. It just happened to be in the center of a rather populous rural area. That is, there were villages radiating out from our area. Our doctor there wanted to institute a sort of a relay station for all people in the area. You know, to come to, to get medical care as a sort of an intermediate step between here, there, and the hospital. That way we could keep records on these people. We could have—we could provide some sort of care, you know, some sort of follow-through care. And this was knocked down by the battalion commander because he said he didn't want all these people coming into BAS, you know, the battalion aid station. That a lot of them might be Viet Cong, and saboteurs and sappers, and this, and he said he just didn't want these people inside the compound. So I think that's a primary example right there.

FLOOR. What did you call that program, Medcap?

MELTON. Medcap, that's correct. A Medical Combined—no, Medical Civic Action Program, or Medical Combined Action Program. It's called both, I believe.

MODERATOR. Any other questions from the press?

CHUCK HAMILTON

MODERATOR. Our next veteran is Chuck Hamilton and he was in the Navy.

HAMILTON. My name is Chuck Hamilton. I'm an art student at the University of North Carolina. I joined the Navy on September 26, 1966, and I left the Navy on June—July, pardon me—July 6, 1970. During this time most of my time was spent on board a support oiler, the U.S.S. *Potchetula*. I was a second-class gunner's mate, E–5. Most of what I want to depicit to you is about my training.

When I was a gunner's mate—they had a gunner's mate school in the Great Lakes. The instructors there tried to dehumanize the Vietnamese. It was a process that they didn't tell us any difference between, say, a Japanese, a Filipino, a Vietnamese, a North or South Vietnamese, they were all jokingly referred to slant-eyes or gooks. It was an accepted thing to say that the only slant-eye you can trust was a dead one; or things like that. We were shown Korean kill-team movies for entertainment. There was—when the instructors were not prepared on their lesson plans, they would show us these flicks. And this was all done in a jovial manner. Everybody was happy and there wasn't anything to say that was bad.

We had a lot of discussions about CBU's, which were the rounds, anti-personnel rounds that had one explosion and then there would be other explosions. This is all anti-personnel, and it was the favorite rounds of most of the instructors there. They liked this because they could tack people up with it and tear them up, and it was a good round to throw in when you didn't want to spend a lot of time shelling and stuff like this.

After that, when I was on the *Potchetula*, I had volunteered all this time to go on PBR's, which is patrol boat rivers. It's a small riverboat which has twin .50 caliber machine guns on the front and I think an M–60 in the back, maybe a .50 in the back also. So I was very interested in going to Vietnam. A lot of the people I came in contact—a lot of the gunner's mates had been to Vietnam, and when I was on the *Potchetula* I found out a lot of the policy. There was a third class gunner's mate that had fired during the evenings, when it was pretty boring. He'd only been in twenty-seven fire fights, and to him that was pretty boring. And in the evenings when he was in Vietnam and it was boring and they didn't have anything to do, he would fire tracers out of the .50 caliber machine guns into villages, just to see the arching effect and the way the rounds—the white and all that stuff—the way they hit the ground and the villages and stuff like this. I also know of incidents where the second-class gunner's mates had thrown grenades into sampans and stuff like that, just without checking them. It was just that they weren't supposed to be on the river at this time or something like that, and they would just go by, swiftly run by, and it was kind of like a big war thing for them, you know, to ride the boats by real fast and then to throw grenades into these sampans. Things like that.

MODERATOR. Any questions from the press?

LEE MEYROWITZ

MODERATOR. Our next veteran is Lee Meyrowitz.

MEYROWITZ. My name is Lee Meyrowitz and I served with the 1st Brigade, 101st Airborne Division, C Company, 502nd Infantry, in Vietnam, from 1965 to 1966. I was a point man, and for a while I was a squad leader when the other squad leader was shot, and for a while I was a fire team leader. I did not spend my whole time in the infantry. When I first went to Vietnam, it seems that—I had one semester of college education, so—they made me a clerk because I had intelligence. That was a farce, and I made very conscious efforts—and I have to stress this, I made a very conscious effort to get to an infantry unit because I was trained as an infantryman. There is also a very elite esprit de corps in the 101st Airborne Division, which almost forces you to somehow prove something.

Well, on the times that we operated—we operated in an area called II Corps area which is—we operated from Tuy Hua south to Phan Diet, west to a place called Non Koh, which is on the Cambodian border, and north to a place called Dac To. We were the first unit to enter Dac To.

Most of the things that happened I know—we spent the majority of our time in Tuy Hua, which is on the north above Nha Trang. And while there we worked on search and destroy missions. And on one specific occasion, on a search and destroy area, we opened a new area of which it was told to us it was all VC, and I quote that: that was "all VC". It wasn't called free-fire zone, and this was 1965 and early 1966, it wasn't a free fire zone but all VC, everybody was a VC. We moved in, landed, went to a village. The village was occupied by women, children, old men. We proceeded to search the village, sack the village, destroy the rice crops, burn the village to the ground. We did not evacuate the people, we did not provide for them in any way, shape, or form. They were VC. We left the village, moved on in the search and destroy mission, and in no way do I know of was there any effort to evacuate the people or re-establish their village.

FLOOR. Do you know the name of the village?

MEYROWITZ. I do not. I'll tell you the God's honest truth. I do not know the name of any village on any grid coordinate that I was at. We were given—many times we were given grid coordinates, maps that were wrong and inaccurate, and the only time that I can name names is the major area we operated in. The 101st operated as a pet unit to General Westmoreland, who was a Division Commander at Fort Kemble, Kentucky. We operated strictly from rucksack. The base camp for the 101st was Phan Rang. They landed there around July of 1965, they did not see that base—when I left Vietnam in December of 1966, they had not returned as major unit to that base. We operated strictly out of forward base areas, we operately strictly out of rucksacks, we operated strictly in terms of twenty, twenty-five, thirty, thirty-five day operations, with re-supply of C rations every five days.

OK. I was in C Company. C Company had an excellent reputation as a fine, fine, respectable killer unit. We were told that we were one of the best units, best battalions in Vietnam, that we had highest body count, highest captured weapons—which were the first two standing orders, were body count and weapon count. When I came to the unit—and let me say one thing on this unit. This unit was the unit that was commanded by Captain Carpenter, if you remember at Dac To.

FLOOR. Five-oh-dence?

MEYROWITZ. Five-oh-dence.

And there was a company commander before that time, in 1965 before December—there had been some mutilations of bodies and I think it was south of Ben Hoa or Ben Cat when they were pulling some assistance with the 173rd, they mutilated bodies. And the company commander had given an order that everybody was to carry hatchets to mutilate the bodies. The company then became known as Hatchet Company. This was found out by General Westmoreland, and General Westmoreland stopped it but not—after it had occurred, the action was completed.

FLOOR. Could you please go over that again? You carried hatchets—

MEYROWITZ. I did not myself, not myself. In 1965 before I got in the unit, as related to me by men in the unit, C Company was known as Hatchet Company. They did carry hatchets. The company commander sanctioned it, and it was only stopped by General Westmoreland himself.

MODERATOR. Let him continue his testimony and we'll get into press questions afterwards. All right?

MEYROWITZ. As I said before, while in Vietnam the first thing the radio said—or clamored—was, "What was your body count?" Now there's three specific instances I'd like to relate about body count. One was in an operation when we came upon a VC village, supposedly, in a dense forest, jungle, and we found four graves. I was then ordered to dig the graves up, which I did. There were four males, fairly recently buried, and they were called in as body count. These are conscious efforts to add to the figures. These people could have died from anything else but they were body count.

The other thing is on an operation: we were in a plain, on a hill. Our sergeant spotted a man, I won't say VC, and in black pajamas. He told us that he was a VC, and in some insane moment we ran after the man, did not attempt to capture him, made no attempt to capture him by words or actions, and shot him and killed him and called him in as a body count. For those people in the audience, I consider that a war crime atrocity, because I shot him.

Another instance I know of specifically. We were operating—one of the sergeants in

my platoon was very highly decorated, considered to be an extremely good sergeant. Out of frustration and anxiety, I don't what the psychological principle would be, he found a man, I think in around his fifties or maybe sixties, and stabbed him to death, I think approximately sixteen times was what the story—I did not see it, I was on my position, but the rest of the guys told me what happened. And the lieutenant allowed it to happen without reporting it. The man was not a VC, he was a villager. He was called in as a body count.

Another instance is the handling of prisoners. I think there is one thing you have to understand about Vietnam, that it's—and I hate to reiterate this thing—but it's an agrarian country, an agrarian society. Most people in the countryside don't necessarily have cards, they live out in the countryside. We came upon four men and a woman dressed in black pajamas. And it seems it's an equation that exists in Vietnam: If you wear black pajamas you're a VC. Well, if anybody knows anything about the culture of Vietnam, they should know that white is the color of mourning, that white is only worn by the schoolgirls. But in the U.S. Army, black is the equivalent of VC. These four people began to run away from us, which was many times a natural reaction. We did not shoot over their heads to stop them but we shot at them, wounded one man. We captured them, called in for a helicopter. The one man was wounded, the dressing was just dressed. There was a woman with them and when we called in the capture of these people, the woman was equated as prostitute. We had no proof of that, but she was called a prostitute. And these four men were called VC, we had no proof of that.

The helicopter came in and we then proceeded to put the man on the helicopter. I was—myself and another man took the wounded man—he was not Medivacked out, he was taken out in a helicopter—and I proceeded to throw the man on the helicopter. That I consider to be mishandling of prisoners of war, more than likely, under the Geneva Convention.

I must reiterate something about myself. Before I went to Vietnam I had or was going to get a principal appointment into West Point. I went to the United States Military Academy Preparatory School at Fort Belvoir, Virginia, and many times throughout the Army I was constantly pressured to go to OCS or flight school. I also must say that the 101st Airborne is an extremely elite-type unit operating many times in an elite-type status, and that I was an infantryman far, far away from the mainstream of major decision-making processes. So what I saw, as Ed stated, were pretty much average-day occurrences in an infantry unit.

MODERATOR. Questions from the press?

FLOOR. This incident in the village where you sacked everything and then moved on, did you ever do that again?

MEYROWITZ. We didn't burn the villages, but we kind of wrecked them up pretty good sometimes. The battalion—the battalion commander found out about it and somehow the word came down that we weren't to do these things any more because the burning left too many traces. We could wreck them up a little bit though. These were implicit, not explicit, orders, and no, we didn't burn them again.

FLOOR. What was your attitude towards all this at the time? These are second thoughts now.

MEYROWITZ. Very much so. I go to school at Chapel Hill, and I teach. I've been giving discussion classes on Vietnam and a girl brought this question up the other day. And at the time, somewhere in my cognitive structure I felt that something was not in balance, and I don't know why I continued, but it seems that when you're twenty miles out in the jungle it's very difficult to throw down your rifle and say I'm leaving. It's a hell of a long way back, eleven thousand miles, and I haven't been able to walk on water. But it seems that when I went to Vietnam, from the community I came from, I sincerely believed I was helping the Vietnamese free themselves from aggression, to keep their institutions democratic and allow them the freedom of decisions to decide what their fate may be. When there I saw that lies were perpetrated upon me. But I didn't realize things until I got back to the United States. And the whole time there, I justified all the means to reach a certain end.

MODERATOR. Are there any more questions from the press?

FLOOR. Yeah, could you give us your age and rank?

MEYROWITZ. I was a Specialist Fourth Class, E-4. My age is twenty-five, and I go to the University of North Carolina, where I'm a student.

FLOOR. And your unit?

MEYROWITZ. Was the 1st Brigade, 101st Airborne, C Company, 502nd Infantry.

FLOOR. What was the certain end you say you justified all the means by?

MEYROWITZ. I think it was the fact that I had been told somewhere along the line that we were helping the people. You know, we were helping them to free themselves from communist aggression. And I would—myself, I was brought up in a small town where everything was put in a Manichean dichotomy of democracy—good, communist—evil; and I think you're inculcated with that, and propagandized with that idea. I sincerely believe that I was programmed to think like that, and didn't realize it until after the actions had occurred, which were just completely unnatural actions. I never thought I could kill a man, and I did. And I don't understand why. He was unarmed, completely unarmed.

On other occasions if somebody was firing at me I'd think it was something different, but this man was completely unarmed. And that—it's murder in its truest sense.

FLOOR. Do you think we could have got it if you would have done it in this way, spared the villages, spared the people and not shot that man, if the whole Army would have pursued that course, and then you could have gone about your fire fights, do you think that would have been effective?

MEYROWITZ. What I think—do you want me to say this, I'll say what I think was effective. I see no legal, moral, ethical, diplomatic, right, privilege for the United States to be in South Vietnam. Since I've come back to the United States, my major area of studies is Asian studies, and I've done a great deal of research and reading and listening and talking, into the why, wherefores, and hows the United States got into Vietnam. They've progressed from a state of just advisers to a state now of war. And so I sincerely believe that even if these incidents hadn't occurred, and I had been just a straight infantryman with nothing happening to me, I'd still feel the same way. That it's an illegal, unmoral, unethical act.

FLOOR. Don't go there at all, don't even bother to attempt the military problem? Is that what you're saying?

MEYROWITZ. I'd say yes. America has no right to intervene militarily in that country.

MODERATOR. All right, in the interests of time we've got to move on.

THIRD SESSION

MODERATOR. The Congressman-elect from Maryland, Parren J. Mitchell, is here to listen to the testimony and perhaps make a statement. He also represents today Representative John Conyers of Michigan.

Our first witness this afternoon is Doctor Gordon Livingston, a 1960 graduate of the United States Military Academy at West Point.

GORDON LIVINGSTON

LIVINGSTON. My name is Gordon S. Livingston. I have proof of that in my driver's license. I don't have any of my military documents, so that what I say in that regard has to be taken on faith or checked up on.

I graduated from the Military Academy in 1960, went into the infantry, served with the 82nd Airborne Division as a lieutenant. In 1960 through 1962, I applied for and received a five-year leave of absence without pay to attend medical school at my expense. I graduated from Johns Hopkins in 1967, and following that took an army internship at Walter Reed General Hospital. I volunteered for service in Vietnam with the understanding that I would return to Walter Reed following my tour to undertake a residency in psychiatry. I received training in the Foreign Services Institute, a State Department affiliate, before going to Vietnam, which included 150 hours of language training. I also received training at the U.S. Army Aviation School as a flight surgeon. I went to Vietnam in 1968, with the rank of major, and was assigned as regimental surgeon of the 11th Armored Cavalry Regiment, at that time commanded by Colonel George S. Patton III.

Although I went to Vietnam as I guess what might be described certainly as a career officer, and with what might be described as a qualified supporter of the war effort there and with some sense that I had perhaps something to contribute in a useful way, what I found when I got there was that the rationales which I had been led to believe justified our presence in Vietnam—essentially being two in number, that we were there to ensure self-determination to the Vietnamese, and, secondly, to prevent a communist takeover in that country—were in no sense justified or vindicated by the nature of our effort there. Now we've all heard testimony this morning of the most heinous and brutal war crimes. I can add to that testimony to a degree from my own personal experience, but I don't want my message to be lost in recitation of yet other forms of violence toward the Vietnamese. These occur, and have been documented well, and I'll document at least one instance of that in my testimony. But what is more important, and what I want to do most of all is broaden the scope of what we're talking about to include the other, more pervasive forms of dehumanization which mark our—characterize—our presence in Vietnam, and which lead, and which create a climate in which the extreme sorts of cruelty, which we've been exposed to today, can occur. This spectrum of dehumanization of which I'm speaking might be seen to start out at the level at which the Vietnamese can be thought of—as they are by practically all Americans in Vietnam—as being of no consequence, as being subhuman in some sense. And, for example, of being referred to as gooks, and slopes, and dinks, and of being treated at best in an indiscriminately inhumane way, whether it's in a fashion that our troops drive, or indiscriminate firing into villages, or whether it's the more calculated kinds of atrocities that we have been talking about today. But what I want to do and what I want to say, is to emphasize that these atrocities, which are obviously, I guess, the primary interest, of the greatest sensation value, do represent just one manifestation of this very, very broad spectrum of this inhumanity and dehumanization that marks our effort there and makes a mockery of our national objectives.

Now, specific examples from my experience in Vietnam, include such things—and show the breadth of participation, the fact that it's not just a few GIs here and there doing it, but a very pervasive kind of thing. For example was an incident in which a helicopter pilot in our unit, flying a low-level reconnaissance—one can imagine how low

level by my telling you that he ran down two women who were riding bicycles down the road. Now, it's difficult to establish whether or not this is an accidental happening. I can tell you from my interview with the pilot that he himself was somewhat in doubt. What was clear however was that he attached no significance to the act, and what was clear in the subsequent events is that the Army didn't either because what happened was that these women were killed—absoluely innocent civilians—and the pilot was temporarily grounded, a board of inquiry was convened, and he was exonerated. And there was never any real doubt about that issue. It was not considered, you know, to be a terribly important thing.

During a period of my service in which I served as a medical officer in the emergency room of the 93rd Evacuation Hospital, one evening a young boy who had been hurt in an automobile accident was brought in, a young Vietnamese boy. It was the obligation of American military medical installations to provide care to any Vietnamese who was injured as a direct result of American action. If it was not a direct result then it was up to the discretion of the surgeon in charge whether or not the person would be treated. The nature of this boy's injury were fracture of both bones of the lower leg, of which one of them was very badly comminuted and exposed. It made it clear to me that unless he obtained very definitive orthopedic surgery the leg would be lost. We had the capacity to provide that surgery, the orthopedic surgeon had nothing else to do, and refused to perform the operation. The nurse announced the boy's arrival as being that of just another gook, and the surgeon refused to operate. The boy was evacuated to the province hospital and there's no doubt in my mind that he lost his leg as a result.

Some of the more calculated forms of brutality, as we go up the scale, I guess could be illustrated in a couple of slides that I have and we might now show.

Slide 1.

This occurred on an operation conducted by the 11th Armored Cavalry Regiment in the village of Hoa Loi I in December of 1968. The prisoner being tortured there was a detainee from the village and the people administering the water torture—that is, pouring the water successively over his mouth and nose to induce a feeling of suffocation—are members of the National Police field force. These are South Vietnamese troops, but what is significant is that this was a small detachment of South Vietnamese who were working for the 11th Armored Cavalry Regiment and this activity was sanctioned by American officers up to and including the rank of Lieutenant Colonel. The American involvement in this fits, of course, with the sorts of things we were talking about earlier today where the Vietnamese sometimes are the instruments through which the brutality is mediated, but the American involvement cannot be avoided.

And now I'd like to see that other slide.

Slide 2.

I think it becomes explicit in this slide, when the intelligence gathered in this case was the revelation that there was a bunker nearby which the prisoner stated contained two of his fellow VC and offered to take us to the bunker. You'll note in that picture the distinct absence of Vietnamese. As we began to approach the bunker, the gentleman in the center in the camoflage fatigues carrying the shotgun is an American National Police Field Force adviser, a civilian. When I approached him about the earlier water torture and my feeling that this was in direct violation of a whole bunch of rules of warfare, he seemed surprised at my raising the question and stated that it seemed like a moot point to him since when they got the prisoner back to province headquarters they would subject him to what was euphemistically described as the "Bell Telephone Hour." And I think considering the testimony we heard this morning I don't need to expand further on what that meant. The other Americans are evident in the picture and I think make the point that I'm trying to make, which is that the level of involvement of Americans in this kind of thing is evident.

So, and then let me give you one final instance of the pervasive nature of this involvement. I think everyone has some sense of the physicians's role as being that of a noncombatant. It's so defined in the Geneva Convention. But I will tell you of a conversation I had with a medical corps lieutenant colonel, who at that time was the chief of anesthesiology for U.S. Army Vietnam. At the time I had been ordered by my commanding officer to inquire about the possible use of sodium pentothal in the interrogation of prisoners. When I approached this medical corps anesthesiologist about that he said that he would certainly be happy to assist us in that regard, but that his suggestion was that we might use Sucsoneal coline, which is a drug administered during specific surgical procedures which has the effect of paralyzing all the voluntary muscles in the body—the most profound effect of which, of course, is to stop respiration. The nature of the drug is such that it can be titrated in very small quantities, it is quickly reversible so that the effects of it can be transient, and his view was that this would be a very effective interrogation technique, to inject a small quantity of this into the prisoner, producing this paralysis of the respiratory muscles, reverse it, and prolong it as necessary to get the information. Well the fact that the proposal was not transmitted by me and was not acted upon, at least in my area, I think does not alter the main point, which is that everybody, literally everybody, is involved in this. And to say that the people who commit war crimes or who conceive them represent a small, aberrant minority is really what I think is very incorrect. I think it's a very pervasive and widespread kind of ethnic, and has very important psychological roots in how the whole war is being run in terms of disregard for Vietnamese lives, indiscriminate destruction, and so on and so on. But that essentially is what I had to say about my time there.

MODERATOR. Gordon, as a principal staff officer for Colonel George S. Patton III, what was his attitude toward the treatment of prisoners and to the Vietnamese in general?

LIVINGSTON. Well this raises another issue, which is the role of the professional military. It's easy to make a whipping boy of the professional military for what has happened in Vietnam, and in a sense unjust because the professional military has been asked to execute an essentially—in many ways, an impossible kind of mission. They've gone about it with the traditional military techniques, and the price for the nation has been very high indeed. Now I think Colonel Patton represents the prototype of the professional military persons. That is, the individuals who as individuals have profited very highly by what has happened in Vietnam. That is, when they say, for example, that no one hates war worse than the soldier, well all right, now, when you're a Pfc. or a specialist 4th class in the middle of the jungle, I think that's easy to support, but if you're a professional officer then Vietnam's the road to success, there's no other way to look at it. One goes over there and gets the requisite command time, gets the requisite number of decorations, and his career is a success—and can't be a success without them. Therefore there's a great deal of clamoring for things like command time and so on. Well I think also what it produces is an emphasis on some method by which a commander's performance can be assessed, and that criterion in Vietnam happens to be the body count. And regardless of what protestations are made about the importance of the pacification effort and so on, the fact is that score is kept on the basis of the body count. This is what Colonel Patton was interested in, and this, I think characterized our failure. And I'll cite one example of what I'm talking about in terms of prisoner interrogation. Although Americans are flown directly to large evacuation hospitals by helicopter when they're wounded, North Vietnamese and VC who were wounded were brought to our regimental command post, where I was asked to provide some level of care, obviously not definitive surgical facilities or anything, but just intravenous drips and morphine, and whatever, to stop the bleeding, so that they could be interrogated. Well a wide variety of things happened. There was an essential conflict between my perception of the issue, which was to provide medical care, and the command perception, which was to gain intelligence information. So that for example on one occasion I was told by Colonel Patton when I informed him that a seriously wounded prisoner in my opinion was not likely to survive a lengthy interrogation, his response was, we just need to keep him alive for a few moments so we can question him, and after that he can die, it doesn't matter to me.

Well, that kind of an attitude is what I'm talking about. And the fact that I don't have any stories to tell of Colonel Patton personally torturing prisoners, or personally shooting a wounded prisoner or anything like that doesn't alter the fact that when the pervasive kind of attitude toward the war finds that sort of expression, then all the excesses that we've been hearing about today are inevitable. There's no way to get around them. So it's—even the chaplain was involved. Even the chaplain was asked to pray for a big body count, at the nightly briefing, which, you know, for anyone who's read Heller is straight out of Catch 22. In that case it was a tight bomb pattern; in Vietnam it was a big body count. And he did so—which is more important. But—and again now, what I'm trying to show is that the involvement here is very, very broad, and it does no good to just select out a few people who personally participate in excesses.

MODERATOR. Questions from the press?

FLOOR. In the nature of our relationship with the Vietnamese, on the example of the water torture there, did any American officer have the authority to stop the Vietnamese village policeman?

LIVINGSTON. Yes, and in fact did, eventually. It was stopped when a sufficient protest was raised, and it was stopped by an American. But the fact was that it had been tolerated up to that point, so that it was clearly an American operation under American control, and the South Vietnamese police were acting under our direction, that's right. So that there was no doubt about who was in charge of the operation.

FLOOR. Aren't there many instances where torture is condoned because we just have to hand these people over to the Vietnamese and it's their show and not ours?

LIVINGSTON. Well, that's the rationale. But as demonstrated in the slides, we're perfectly willing to make use of the information gained, so that while we may—if we're not pouring the water that may give us some sense of being in some way not morally involved, I guess what I'm trying to point out is that that is really the ultimate in self deception, if we really believe that.

FLOOR. Where is Colonel Patton now?

LIVINGSTON. He's a brigadier general now, and I don't know where he is. He went from Vietnam to the Army Aviation School at Fort Rucker.

FLOOR. He was a lieutenant colonel at that time?

LIVINGSTON. He was a full colonel.

FLOOR. Can you tell us about the chaplain praying for a big body count in more detail. When did this occur?

LIVINGSTON. Well, it occurred, I think, about February of 1969, and the specific words of the prayer went as follows. The standing order of the regiment was to "find the bastards and pile on." That was printed on signs in every bivouac area. And that, in fact, is what the chaplain prayed for when asked to pray for a large body count. He said, "Help us, Oh Lord, to fulfill the standing order of this regiment. Give us the wisdom to find the bastards, and the strength to pile on."

FLOOR. When was this?

LIVINGSTON. February, 1969.

FLOOR. Would you repeat that again—slowly, slowly.

LIVINGSTON. "Help us, Oh Lord, to fulfill the standing order of this regiment. Give us the wisdom to find the bastards and the strength to pile on."

FLOOR. Did any body say Amen?

LIVINGSTON. Everybody felt amen. I think I——

FLOOR. Was that true about his Christmas cards?

LIVINGSTON. Yes, well the Christmas card is another issue. Again, all of these things being in a way symbolic, but I think illustrative. Now the Christmas card being referred to was in the Christmas of 1968. Colonel Patton was given by the commander of the reserve cavalry troop a color photograph of a North Vietnamese bunker that had been hit by a 750-pound bomb from a B–52, and what it essentially showed were a series, or a collection of dismembered bodies lying near a shell crater. It was in full color, and Colonel Patton was sufficiently impressed by this photograph that he placed it on a Christmas card over the inscription "Peace on Earth, Colonel and Mrs. George S. Patton," and sent it to a variety of people, one early recipient being General Creighton Abrams. When General Abrams saw the card, he, I think as Colonel Patton did not, quickly appreciated the explosive political implications and ordered him to stop sending them out. So that I think probably a total of perhaps ten or fifteen were sent out. But again, now, the significance is what kind of a view of the world does that imply, to be able to do that sort of thing. That was written up in the New York Times *Magazine*. I think Jack Anderson got a hold of it, and so on.

FLOOR. What Christmas was this?

LIVINGSTON. It was Christmas of 1968.

MODERATOR. One more question from the press.

FLOOR. In your references to Colonel Patton, was that a quote you were talking about?

LIVINGSTON. Yes. "Just keep him alive for a few moments, few minutes, so we can question him. After that he can die, it doesn't matter to me." That is an exact quote. I wrote it down at the time. I wrote down a lot of other quotes too, but because as this became more and more evident what was going on, it just obviously deserves some documentation, and so I kept a rather meticulous journal, and wrote down those things at the time they happened, so that I would not——

FLOOR. Do you remember what the body count you were supposed to get was at the time of that prayer? Evidently there was some kind of quota or something like that.

LIVINGSTON. No, to my knowledge there was never a quota established in that unit. The body count was rewarded, but I don't think we ever got any directives to produce a certain number of bodies each——

FLOOR. Did you hear any references to the use of anthrax on barbed wire?

LIVINGSTON. No.

MODERATOR. Okay, in the interests of time we've got to move on.

FLOOR. Are you a doctor now?

LIVINGSTON. I'm a resident in psychiatry at Johns Hopkins Hospital.

MODERATOR. Thank you, Dr. Livingston.

GREG TURGEON

MODERATOR. The next witness is Greg Turgeon, of Minneapolis, Minnesota.

TURGEON. My name is Greg Turgeon, and I enlisted in the Marine Corps in 1966, May, for two years. Went to San Diego, Camp Pendleton, for basic training, graduated as a rifleman, and then had two months of language training in Camp Pendleton—Vietnamese—and was sent to Vietnam. I arrived in Vietnam in December 1966, and left Vietnam in January 1968. My function—maybe I should tell you what unit I was in. I was in 3rd Battalion, 7th Marine, 1st Marine Division. It was an infantry battalion, and I was part of the S–2 section, intelligence. My formal title was sort of a Scout-Linguist, and what that meant was, I was supposed to act as a relay for intelligence from the line companies back to battalion. I also had responsibility for anywhere from one to three Kit Carson Scouts—which were Viet Cong defectors who worked with us—and worked with the line companies in their combat patrols and operations.

First thing I'd like to say is that it doesn't take any inhuman being to perform the acts that everybody has been talking about so far. I consider myself an average person, and I consider most of the people that I worked with in the Marines average people.

The first incident I'd like to relate happened about March 1967 on Operation De Soto, which was in around Duc Pho area. We had captured—not captured, we had picked up some people, detainees, about three men, age about thirty or so, and we began questioning them. During that time a helicopter flew in and our battalion commander, who was a lieutenant colonel, came down, and was interested in what information we were getting out of these people. We weren't getting very far at all. We were beating them slightly at that time. He instructed me to take one of the prisoners down into this ravine with this scout dog, which is like a German shepherd. It was a vicious dog, it had to be muzzled all the time. We brought this prisoner down into the ravine. His hands were bound behind his back, and then the muzzle was removed from the dog and he was shoved into the dog. The dog leaped on him and started biting him and this kind of thing.

This did not result in any good information either, so the colonel instructed one of our combat engineers to take some detonation cord—which is a cord about the size of this wire here, it's an explosive in itself. He was to tie it around a tree, set a fuse and blow it up. The tree maybe was about this big around/gestures with hands, showing diameter of approximately seven inches/ and it toppled over. Then the combat engineer was instructed to tie another piece of det cord around the prisoner's neck, and attach about a minute fuse to it. The pin was pulled and the fuse went and by this time the prisoner was willing to talk, and it was taken off. That's one instance of the type of technique which was sanctioned—not only sanctioned but ordered—by a lieutenant colonel.

I was in on quite a few interrogations. Most of them were out in the field. They were just preliminary interrogation to more or less determine who I thought was suspicious enough to be sent back to a professional interrogator. I was not a professional interrogator. But I have witnessed on one occasion, about May of 1967 in Dai Loc area, a professional interrogator to use the radio to get information. The crank radio, with electrical wires hooked up to this person's ears to get information. But most of the time it was just beatings and this kind of thing to get information out of somebody.

To get off the treatment of prisoners—these people, by the way, I should mention, were just detainees; and all that means is that they may know something about Viet Cong activity. Maybe there were some Viet Cong moving in that area, and these people were living in that area, and we assumed that they might know something about the Viet Cong. It did not imply that they were Viet Cong or were sympathetic to the Viet Cong, but just that they knew something about their activities. These were primarily what the professional interrogators interrogated. Very seldom did we pick up any actual hard-core Viet Cong or NVA.

I'd like to move on out of the treatment of POWs a bit—except for one more, excuse me, one more incident which happened about October 1967, and we were on a patrol and we picked up an old man about sixty years old, and he was beaten to death on the way back into the compound. He was just a suspect. There was no real information about him that would lead us to suspect him as a Viet Cong, and we just told—the person who had beat this person to death—just told the officer back at base camp that this person had fallen off the tank.

Well, there's many, many incidents I could recall, but it's just repeating most of the things that have already been said by everybody else. And so I'd just like to leave it here, and—anybody have any questions?

FLOOR. You said that you don't characterize yourself as an inhumane man. Now how do you explain how otherwise humane people commit inhumane acts?

TURGEON. Okay. Well, I think it's mainly what I call brainwashing in the military training, and also that most of the people are pretty young and easily impressed by any propaganda that the military might give them. And it's just the whole nature of the war, the atmosphere, etc., that just makes an ordinary person degenerate.

MODERATOR. If there are no further questions, we'll go on to the next witness, Richard Altenberger.

RICHARD ALTENBERGER

MODERATOR. Richard, would you first state your name and unit, and the time you were in Vietnam?

ALTENBERGER. My name is Richard Altenberger. I was with the 173rd Airborne Brigade, separate, in Vietnam from May 1965 to August 1966.

MODERATOR. Would you just briefly describe some of the experiences in Vietnam with your combat unit?

ALTENBERGER. Well, I was with the Aviation Brigade, and when I first arrived at Bien Hoa with the brigade, in May, I was a driver for the aviation battalion commander, and every day the commanding general of the brigade would have a briefing. After several months in Vietnam, after one of the briefings, our company commander came back to our hootch and he said that the general put out that whenever a unit would go through a village, nothing would come out alive—animals, domestic animals, cattle, crops, everything would be destroyed.

I had some slides, but they got misplaced so we can't see them.

And then I was, I transferred onto a helicopter as a door gunner, and I seen the general's orders carried out. They'd go into a village, burn it down. I can't say I seen any women or children executed, but villages were destroyed. That's about all my activities over in Vietnam.

MODERATOR. Could you give us approximate dates, within a month or so, of these policies of destroying these villages?

ALTENBERGER. The approximate date would

be about the end of July, when the order came down that the villages would be destroyed.

MODERATOR. What area of Vietnam, roughly, was this policy carried on in?

ALTENBERGER. Well, we were in the Bien Hoa area; we worked in the Ben Cat area. Three times we went into the Iron Triangle and cleaned it out—every time it was supposedly cleaned out.

MODERATOR. Are there questions for Richard?

FLOOR. What happened when you came into a village and you found a population?

ALTENBERGER. I was not with the infantry, I was in aviation, I flew with the general in his helicopter.

FLOOR. Did you ever hear him give any orders, from the air, the aviation helicopter, as to what to do with the civilian population?

ALTENBERGER. No, the general was on a sidebeam radio, which he had—he was in contact with his ground troops and only his ground troops could hear him.

FLOOR. I'd like to pursue that just one step further. Did they ever send helicopters down to remove the people, make them into refugees? Was that your experience?

ALTENBERGER. We have moved refugees into camps—take them out of villages and put them in camps.

FLOOR. Did you ever hear the general ask for larger body counts, or make references to torture, or the use of the field telephone, any things of this sort?

ALTENBERGER. No.

FLOOR. Did you ever hear the general make statements to things that you now feel were wrong?

ALTENBERGER. No, except to annihilate villages.

FLOOR. What did the general say?

ALTENBERGER. Well, like I said. At this briefing he said all villages, domestic animals will be flattened. Animals, people—nothing would come out alive.

FLOOR. As a door gunner, what orders were you under?

ALTENBERGER. Well, as a door gunner, we were instructed not to shoot until we were fired upon. As I say, my experience in Vietnam was very limited compared to the fellows that talked before me. Flying with the general, you don't see much action.

MODERATOR. Can we have one more question?

FLOOR. When you were flying with the general or in any other command-post-type vehicle, did your craft ever receive orders or a request to come into a heavy fire zone and evacuate American wounded, and then refuse to do so?

ALTENBERGER. No. As a matter of fact, I'll put a point in for the general. He went in and took some people out.

Floor. Did you ever carry prisoners of war?

ALTENBEGER. No.

FLOOR. Were you a door gunner on a CFC ship, a radio ship?

ALTENBERGEG. Yes.

MODERATOR. Okay. I'm sorry, we're running so far behind, we'll move to next witness, Bob Connelly, and then after that we'll have a presentation by the two psychiatrists that are on the schedule. I'm sorry for these changes, but the session this morning was longer than we anticipated.

BOB CONNELLY

MODERATOR. The next veteran who will be testifying is Bob Connelly. Bob, would you state your name again slowly, and tell us who you are?

CONNELLY. My name is Bob Connelly, I was with the 2nd of the 8th Cav, 1st Air Cav Division. For the first nine months, nine and a half months over in Nam, I was an infantryman, and the last two months I worked with G–2 division headquarters in Phuc Vinh, and I was working as an operations secretary keeping the daily journal. I was over there from April of 1969 to April of 1970.

I'd like to start out with the first incident I saw over there which was on LZ Carolyn, and it was on the date of May 6th and 7th. We came under a ground attack on this LZ. It started at 1:00 at night—which was a habit they had, of starting late—and it went till 5:00 in the morning, when dawn started to come. After that we kept out our artillery barrages called blocking forces to keep anybody from clearing out of the area until we could get enough daylight to move out. When the daylight did come, we moved out and we started rounding up, counting the dead, rounding up wounded, and taking prisoners. Out of this there were thirty prisoners taken, but there were also between fifteen and twenty prisoners that were killed in the field there. They'd come out of their foxholes in the field there, like they'd come out of their foxholes or whatever they were in and they'd start yelling "Chieu Hoi, Chieu Hoi," which is "surrender," and they'd start yelling this and they'd get shot down—depending on who was there and what their feelings were. And a lot of the wounded were, just weren't bothering with, so they were eliminated too. This kind of thing carried out more or less while I was there. We took about ten prisoners the whole time I was over in Nam and out of the ten of them, five of them were killed out in the field before they were even evacuated, depending on whether we had a place to move them out or if we'd have to carry them with us for a while. If we had to carry them with us for a while, it just wasn't worth the trouble. And we had out of these one that was wounded, was Medvacked; and as soon as they left the ground, they were gone for about a minute. I was operating as platoon ITO at the time on the Medvac net, and I received a call from the helicopter pilot that I could increase the body count by one from this ambush, because the man had fallen out of the helicopter.

MODERATOR. We heard Professor Nielands speak to the problem of tear gas and CS gas used in Vietnam. Did you have any experience with that while you were over there?

CONNELLY. Yes, I did. Well, as our unit went, which was typical of the cav, every person in the unit was required to carry three gas grenades, CS gas grenades, plus we had the grenade launchers which also carried ten rounds of CS. And then we had this new thing that came out, which was a tube about this long, about three feet, and it was called persistent CS, and any time we came across any kind of village-bunker complex or anything else, we popped a fuse on it and left it in there. This stuff we were told was supposed to last from six to nine months, depending on the weather and when the monsoons came. And we used the stuff extensively, and, like, if we'd get a contact, like in a bunker complex, this happened four or five times, the first thing we would do when we opened up, we'd fire CS into this, and start calling in artillery and then just lay on a barrage of small-arms fire with the machine guns and weapons, and as we did this, as they came out of the bunkers from the CS, we just cut them down.

MODERATOR. When they came out of the bunkers, how were they coming out? Did they have tehir weapons, were they firing, or—

CONNELLY. Every now and then one would come out firing, but the majority of the time they'd come out there, they were holding their eyes, they couldn't see what they were doing. They were coughing, gagging, screaming, and we got them.

One thing that I found as a discrepancy is when I got this rear job back at G–2, in the operations center. I was typing up the daily journal, which is the 1st Air Cav's history and becomes a permanent record on operations of all troops for the day, and where the units were located, what their plans were, and everything else. This stuff was coming through me as a clerk back there. While I was out in the field, we had a Chieu Hoi bird, which is a psychological operation in which they try to talk them into surrendering, and if they surrender they send a bird down to pick them up and take them in for interrogation and then put them in a POW camp. Well, while we were out in the field I was on the battalion net—this is this platoon RTO again—and word came across on the net: there were fifteen of these people out in the field. They wanted to know if we could get to them. We were three klicks away and couldn't, so then there wasn't any way they could get the bird down there, because they were in a small field down there, waving at it. So they called in a cobra gunship, and then it was fifteen KIAs. When I went back to the rear, it had no mention of the Chieu Hoi bird or anything. When I started going back through the old journals, looking up actions and such I'd been in out in the field, it just had down: the gunship spots fifteen NVA in the field, fifteen KIA.

Also, another discrepancy I ran into over there was, we were operating off LZ Becky, around the end of August—this was in III Corps, Tay Ninh, in the Fishhook area. It was heavy concentration of NVA there, and it was right near the Cambodian border. And we logged up and we moved out, and we were sitting within a klick of the border, and we'd send two platoons over at a time for five-day periods on this log. We did this for three times. The platoons went over into Cambodia, they went in about 1 to 2 klicks, and as they'd set up at night—the reason I know it was Cambodia was since I was platoon RTO, I was map man and called in our night locations. So we called in artillery fire, got the spotting rounds, then I figured out the coordinates, plotted it on the map, and called it in for a night log so the battalion would know where we were at. Well, somewhere along the line things got switched around, because when I went back to division headquarters and looked it up, the coordinates had us anywhere from 1 to 3 klicks inside of Vietnam. We had never left Nam as far as they knew. Somewhere along the line between battalion and division something got changed around.

And another difference I found back there was like on body count. Like we'd get one killed out in the field, and back there they'd have two or three marked down on the daily journal.

MODERATOR. Are there any questions?

FLOOR. Throwing CS gas in bunkers—was this part of your training in this country?

CONNELLY. The only CS training I had in this country was in basic, when they gassed us in a gas room.

MODERATOR. If there are no further questions, we'll move along.

ROBERT LIFTON

MODERATOR. Our next presentation will be given by Dr. Robert Lifton, I believe—who recently—in January, as a matter of fact—spoke before Senator Cranston's subcommittee on veterans affairs. Dr. Lifton is a psychiatrist, well known. He has written several books, one was the winner of the National Book Award in science, that book was Death in Life, Survivors of Hiroshima. He's also the author of Revolutionary Immortality. Dr. Lifton is here to speak to us and speak directly to the psychological problems involved in the soldiers' committing war crimes in Vietnam.

LIFTON. Let me first just give you my background, and then maybe a few general remarks or observations on the psychological issues, and I hope you'll raise questions of your own. Some of you have already raised in connection with other people's testimony, and I'll try to speak to those. I've lived and worked in the Far East for a total of about seven years over the past eighteen or so, mostly in Tokyo, in Japan and in Hong Kong,

but I've also made two trips to Vietnam, one far back in 1954 and one during the summer of 1967. I've also served as an Air Force psychiatrist in the Korean War. My kind of work that I do in general has to do with psychology in history, and the interplay of the two, and also with what we call extreme situations, situations that are unusually intense and that deal with death, and with life and death situations. And that includes work I've done in Hong Kong with Chinese thought reform, or so-called brainwashing, and also includes the work I did in Hiroshima that was mentioned, study of survivors of the bomb and psychological effects of the bomb. In addition to that, during the last year and a half or so, I have talked extensively to Vietnam veterans, mostly in informal dialogue rather than in a formal research fashion, about their experiences in Vietnam. I've tried to understand these from the standpoint of the psychology of the survivor, which I'm much interested in and tried to develop in my work on Hiroshima. Right now I teach at Yale Medical School as a professor of psychiatry.

I want to say first that one way to look at what goes on in Vietnam is to see the entire situation there as atrocity prone. It is an atrocity-prone situation. As so many men have said here so truly today, it does not require an abnormal person to commit atrocities. Atrocities are the norm, they become the adaptive, the well-adjusted form of behavior in Vietnam. One has to get a picture of ordinary moral standards being turned on their head, so that in many ways it takes the unusual man—somebody who is in some way idiosyncratic or not too well adjusted—to avoid atrocities. This is really turning things directly on their head.

I had occasion to talk to a man who had been at My Lai, who had not shot at all, and sure enough it turned out he was not too well adjusted in many ways. He was kind of a loner. He was not in with his group. So one has to get a picture of a total reversal of ordinary standards both morally and psychologically. This results from many things, including the sending of young Americans to a very alien place, fighting really against the ordinary people of a country, and being able to make no distinction between ordinary people and guerrillas or so-called enemies.

One point to make that I learned in my talks with returning Vietnam GIs, veterans, is the extent to which some of these atrocities were committed as in a dream, in a kind of dreamlike state. That is, when they would describe what they did or saw, groups of people would be going about in a situation where they weren't focused sharply on the details of their landscape. Of course they knew what they were doing, but they were not responsive or focused in a direct and sharp fashion as they might be in ordinary life. And they themselves would describe the situation as dreamlike, in terms of lost-ness and dislocation, which again grows out of the very nature of our involvement in Vietnam.

I'd also emphasize very much what I call psychic numbing. Psychic numbing is merely a kind of desensitization. It is very much connected with the sort of brutalization that's been described so eloquently by so many who've testified here today. In other words, as they said earlier, to cover your ass you must also cover your mind. You must not feel. And in Vietnam one undergoes a process of psychic numbing, both in service to survival, physical survival—because one has to do the things that are expected of one in one's unit, one cannot "rock the boat," as some have indicated, therefore one falls in with the atrocities. But one also must keep alive psychologically, and to do that, one cannot afford to feel. And psychic numbing moves very directly and quickly into a form of brutalization in which one ceases to be aware of the humanity of any Vietnamese, and indeed one ceases to be in touch with one's own humanity.

I would stress also very much, because this is the legacy that veterans bring back, and that they have to cope with when they return to this country, the enormous fear, rage, confusion, and frustration that GIs feel in fighting in this war. Again this more psychological and personal side has not been brought out so much in the testimony today, and I want to emphasize it. They can't find the enemy most of the time. They can't trust anybody, or trust any indications, whether in the landscape or in other Vietnamese who are supposed to be their allies. There are no guidelines, no reliable signs of either safety or danger, and there's no structure to the whole war. Again, you don't have battle lines; you don't have rules or customs of combat, the way you do in an ordinary war, as opposed to a guerrilla war like this one. This leads to this combination of fear, confusion, rage, and frustration, and it leads to a desperate need for an enemy. Under these conditions it becomes almost inevitable to make all Vietnamese the enemy, or to take, as happened at My Lai—and it's been very well documented—as well as elsewhere—as documented here—to take elderly women or small babies, or whoever they might be, are the enemy, who has finally been made to stand still and lined up and engaged. And that is quite a deadly form of illusion.

Actually, deadly illusion is what characterizes our whole involvement in Vietnam. And I'd very much want to emphasize the relationship between the illusions surrounding our entire intervention in Vietnam—those are historical and political illusions—and the illusions associated with atrocity that I have described and that others today have described. In other words, the individual GIs sent to Vietnam under the illusory claim that there's a viable American mission to stop communist invaders from the otuside, when actually, of course, as we all know, it is a revolution that's both nationalistic and communistic, from more than forty years standing. And moreover, it's an internal revolution, a civil war, in its beginnings, in that country. Also the illusion of fighting side-by-side with a democratic regime who share American democratic ideals. I don't have to tell this audience what an illusion that is, and that in this sense we have in essence merely a despotic and suppressive, inefficient and corrupt regime that we fight alongside. Now I mention these historical and political factors because they are absolutely inseparable from the illusions which produce war crimes.

The ultimate illusion has been referred to a number of times; I want to refer to it again in a psychological fashion—that is, the illusion of the body count. I've said elsewhere, and I repeat here, if a fair history is written about the Vietnam War, and what happened to Vietnam and to America, the central theme of that history will be the body count. Everything that's wrong, that's psychologically illusory and that's morally evil in our involvement there is wrapped up in the phenomenon of the body count. First, take the illusion of the count itself. Well, we heard: it's a totally unreliable count. Bodies are either counted or they're made up, because that becomes the criterion for success. Even if the numbers were accurate, you well know, any of you who've studied guerrilla war in any way, realize that a body count tells you nothing in guerrilla warfare, because for each body you kill, that may give rise to ten or twenty or one hundred new guerrillas, depending upon the sense of what you're doing there and how you kill that particular person. And of course, there's the issue of which bodies you're counting. That's the ultimate issue. We learned very vividly, from the details about My Lai and the details testified to here today, that a good number, perhaps most, perhaps the great majority of the bodies counted in the body counts are bodies of innocent civilians. So there's the illusion of the body count being enemies when they're clearly bystanders—civilians, women, children, old men, what have you. So the body count is illusory in a statistical sense; it's illusory as an indication of military progress in a war in which there is no military progress and no chance of military victory unless one totally pulverizes the entire country; but most of all in a moral sense. Think of what it means when you kill innocent people indiscriminately and then proudly count their corpses on behalf of an allegedly virtuous mission. Well, this is a form of moral schizophrenia, and the ultimate moral illusion

What about the psychological legacy? I think it's apparent from what I've said, at least some idea of it—and I don't want to go on too long here about it, but clearly vets who come back, and those in the audience who are vets know this all too well, have to live with and cope with all of these factors that I've just described. They're survivors of this extreme situation, but it's a very tainted situation, they can't help but feel that they carry some of this taint, as they tried to convey to you, I think, so well today. They must, like all survivors—and I learned this very vividly in Hiroshima, also I've learned it from the literature of concentration camp survivors—they must in some way cope with the situation they've survived and what they have done in order to survive. Because much of the brutalization is in the name of the struggle to survive. In the case of surviving a war, any veteran must examine his war, what he did in his war in order to survive, and what meaning or significance or justification he can find in what he did, and ultimately in the war itself. Well, in this sense, this is another sense in which the Vietnam War is very special, because it's probably the least justifiable of any American war that we've ever entered upon, and it's impossible for any veteran—even if he comes out a hawk—to really feel a deep sense of justification of a necessary job, well-done, with meaning and significance. That just doesn't happen.

Now he may feel a psychological need to defend the war, because that may be a desperate struggle for finding significance in the war, wanting to find significance in order to in some way justify the suffering that he's gone through. Or he may, in a way that I think is a more positive and constructive fashion, try to look directly at the true nature of the war, as the vets who testified here today have done, and to look underneath and expose the illusions in the name of a process of rehumanization, or re-sensitization. And that's a very desperate and difficult struggle, I think, for Vietnam vets.

I guess I'll close by saying that this process of adjustment, or really re-humanization and finding their way in American society, can never be smoothly or perfectly achieved. There is no clear path to resolution and people are bound to remain troubled, bitter, resentful toward their own country, again no matter how they feel about the war, because they can't help but feel in some way victimized by some strange and unworthy cause. And what may really be the worst legacy of all then from the Vietnam War, in terms of its psychological impact on veterans but also upon the rest of society, is the widespread loss of faith in the moral legitimacy of the country and of its purposes and institutions, and in a way a similar loss of faith in life itself.

And that's a lot covered over a very brief span, but I'd be glad to respond to any questions people have.

FLOOR. Doctor, could you speculate on anti-social behavior of returned Vietnam veterans? For instance, do they have more difficulty than others in relating for instance to their wives, to their children? What difficulties do they encounter with blatant or subtle racism in this country? Do they tend to justify violence when they encounter it here?

LIFTON. Well, these are all very important questions, and the returns on these questions simply aren't in yet. But there are some indications that there are lots of problems already occurring. After all, the pattern of psychic numbing is not that easy to dramatically overcome, just because you happen to return to the United States. And there's lots of indication that many veterans retain strong patterns of numbing in their relations right in their family. There are a lot of indications of family difficulties, difficulties in relating to their wives and children, parents. It's hard to say about anti-social behavior, but there will undoubtedly, and are undoubtedly a group of veterans who find it difficult to really get out of the habit of killing, and who in a desperate effort to in some way put together and justify what they have done, are attracted toward continuing violence. To some extent, that is true after every war, it may be a little bit more true after this war.

And about the issue of racism, and I don't want to leave that out either, racism was of course a very important factor, it is still in Vietnam, because it enhances the pattern of dehumanizing the enemy. You can make your enemy more into a thing, if you have some reservoir, potential reservoir of racist feeling toward him. Now in coming back, if one happens to be a black GI and comes back to this country, his bitterness is likely to be multiplied just that many fold and he'll undergo all the patterns that I've described for GIs in general but will have an added element of a sense of having been maltreated and victimized by his country, or his people having been maltreated over decades for a very long time. And I think we'll also find all kinds of psychosomatic and psychological disturbances. But I think most likely the majority of vets will be in an in-between situation where they will not necessarily seek psychiatric care, will not necessarily engage in anti-social behavior, but will remain deeply troubled, maybe partially incapacitated in various ways.

FLOOR. Dr. Lifton, the illusions that you spoke of that are the very foundations of the war, about there being a democracy to defend there, about there being invaders, are these illustrations cynically foisted upon the soldiers by people high up or would you say that everyone up to and including the President of the United States is subject to these illusions?

LIFTON. Well, unfortunately I don't have access to all those high-ranking psyches, but I think it's a mixture of an illusion born of our particular ideologies, the overwhelming force of a very simple—I'd say three elements in our ideology that lead us to this situation. One is communism as pure evil, no matter where it arises and in what way; American attitudes abroad as pure virtue, especially in stopping communism; and a very important element to technicism—a worship of technology—and a viewing of the most complex historical and political issues—here a forty-year-old revolution, of the kind that I've mentioned, that other people have written about in more detail—as "a job to be done," with a kind of technical out, you look at the job, how do you get the wherewithall to do the job and how do you do it, and often with very technical means in ways that I've described. That plus an element of cynicism—ideological fervor and then a kind of cynicism in defending what one considers to be an ultimately justified ideological position. I think they combine.

FLOOR. What exactly do you think that a person's experience in Vietnam, that is in terms of the institutions he has to relate to there, and the things he has to do, contribute to psychic numbing? Do you think that that might be a preparation for a lower level of behavior in the United States, for instance? You know, one of the parallels you might draw is, in Vietnam you have the two prongs of loyalty, that is, you die not only for your country but you die for the Cav—you know, for the 1st Cavalry Division. Now in the United States you eat your heart out not only for your country, but for General Motors. Do you think there is a parallel?

LIFTON. I see, you think the kind of loyalties that are asked in this country have a parallel to that. Well, yes to some extent. There is a certain parallel to all small or medium-sized group loyalty. Sometimes the immediate group can really take over one's entire landscape, as you are implying. And when you are in Vietnam, I don't think you think so much about the glories of the nation but rather how your unit will survive as a unit and how you can live up to your responsibilities to the guys around you. I think that the pattern you mentioned with General Motors is very much parallel. I think it's true in all advanced industrial society, not just in this country, and I think it's a tradition of war, also, to develop very intense small-unit loyalties, and it's a condition of any situation where survival is threatened.

FLOOR. Would you please clarify the action of the individual soldier at Vietnam when you say that he is ready to kill an innocent woman or child or man? Isn't he under orders to do that? Or you impress me as if he was doing that under his own individual judgment. I'd like you to clarify that.

LIFTON. Well, it could be either or both. There can be orders, as some vets testified earlier today, to kill everything that moves, and therefore to kill everyone in a particular village. Or without those orders being directly given, there can be implicit in the knowledge of GIs that this is okay if you don't get caught. What I'm saying is, in addition to that general atmosphere that's created from higher up and from the nature of our entire involvement in Vietnam, there develops a psychology among GIs which grows out of desperation and fear, rage and confusion, and also—what I didn't mention but which is very important—the loss of buddies. When you lose buddies in a war it's an overwhelming experience of loss and guilt. You are a survivor in that immediate sense, and you have to in some way find significance in that buddy's death, and find a way of giving significance to his death, giving meaning to it. And in wartime the traditional way of doing that is by plunging into combat and getting revenge on the enemy. Now in Vietnam you can't find the enemy, or you don't know who the enemy is. It's very hard to get any direct revenge. It's very easy to be simply enraged and overwhelmed by your own rage and guilt, and to seek the first Vietnamese and take it out on him as if he were the enemy. So all those situations converge on that sort of behavior.

FLOOR. I have a two-part question. You spoke about the illusion system and the need for an enemy. You mentioned the black veteran who returns and how he might act this out. The first part of this question is, what extent would this need to have an enemy enhance or facilitate anti-black feelings on the part of white veterans? The second part of the question is—well, I have to give a little background to this. I would not be disturbed so much about the future of the men who testified here this morning; they are getting something out of their system. But you said that there will be a group of men who will neither seek help nor rid themselves of this. Is there anything that we could do, collectively, in terms of sort of defusing the psyche of this guilt, or the hostility, of the feeling of—well, I needn't push it any further.

LIFTON. Right, now I understand both questions. The first question is to what extent this need for an enemy—can it lead white GIs to seek in black GIs that enemy, or at least toward any minority group. You mean in Vietnam or subsequently?

FLOOR. Here in America.

LIFTON. Right. Well, I think that it can. I think that one danger, especially in those returning GIs who do not in any way make an effort to confront their experience but rather seek to bury it, ignore it, deny it, and justify it without coming to terms with it, there is a danger of moving toward what might be called chauvinistic politics, in which they will move toward right-wing causes, try to scapegoat a particular minority group and see in them all the causes for the country's troubles rather than the true and more fundamental causes that lead to the war, the war itself and so on. This doesn't mean that it will be true of the average veteran at all. It does mean that there may be a group of veterans who take this direction. It is one direction that a survivor of this kind of situation who does not, as you say, attempt to come to grips with his own experiences, could take.

FLOOR. Would I be safe in saying then, that Nam has the real potential for enhancing racism, which is already extant in this country?

LIFTON. Absolutely, it does. After all, there is a tradition in which veterans come back from wars and then defend war, defend war-making in general. That is a kind of veteran survival ethos, that is all too traditional. You join certain kinds of veterans groups who become associated with chauvinistic politics of this kind—which tend to scapegoat people. And in this country it's likely to be blacks because they are frequently scapegoats for so many things, and that is very much bound up with the return from war. After the Vietnam War, the tendencies are likely to be stronger because the frustrations are stronger.

Now it's hard to say how to avoid that. We need enlightened attitudes in order to try to avoid it, and one way I see is the sort of thing going on here, which has to be expanded to a much broader scale, in which things are brought into the open. A country like a person has to dig, has to sort of descend into its own purgatory, the truth of what it has done and been, in order to emerge from it. I think that, for instance, many vets individually here will be strengthened as human beings for what they've done—not just here, but general spirit with which they come to terms with the most difficult and painful sort of material and experience. And I think the whole country has to in some way struggle toward that effort of confrontation of what the Vietnam War really is. That's easier said than done. But I think we have to continue to think and write, not only about atrocities, incidently, but to put them in some perspective; because when people are hit over the head with atrocities and only atrocities, unless they are given some perspective or some understanding or interpretive understanding, they are likely to be turned off. And then they undergo, the audience undergoes numbing, or else they are likely to get angry and to defend the integrity or whatever of their country and deny them. Still, I think the whole experience must be faced.

FLOOR. This man here asked a question about the leaders of this country, and how this relates and how the individual feels. I had Thanksgiving dinner at the White House. I'm a Vietnam vet at Walter Reed. And due to my political feelings I was kept

at a table far enough away that I couldn't actually hear what was being said. On the way back, on the bus, a man that *was* at the table—or rather the kind of person you are talking about, that justifies his actions—he, quote "I like the man that talks like that," speaking of the President. A man that is willing to go in and save these GIs, speaking of the raid north of Hanoi and that president, Nixon—quote from this man said that "all North Vietnamese are barbaric." End of quote. Now, I mean, if you can call people barbaric, or dinks or gooks, and you justify it in yourself when you have leaders in this country that go around and tell the ironworkers or the hard hats that it's justifiable for people to beat up college students because your patriotic duty is coming in now, this is a feeling of patriotism—it wasn't right. This happens to be Agnew's speech a few weeks ago, reprinted in the ironworkers' magazine. I think that when you go to this level of rhetoric, I just don't know what to think about my country.

LIFTON. I much agree, I don't think it requires any further comment. The statement is really one of the ways in which leaders, by their own tendency to dehumanize whole people and in a sense dehumanize themselves as well, really extend the process across the whole country. They have that influence, and I think that's true. That is why one has to at every opportunity recreate Vietnam, all Vietnamese including perhaps especially North Vietnamese and Viet Cong, as human beings in terms of their struggles, and to face what we have done to them and to ourselves.

FLOOR. In 1954, there were supposed to be elections in 1954, and I've read some things that were written by President Eisenhower that said we couldn't have these elections because 80 per cent of the population would have voted for their national hero, who was our ally in World War Two, because he was a communist. Now our foreign policy when we're dealing with communism, people, if they were to have brought tractors over there instead of tanks. I mean, they could change the government three times a week, as long as you win over the civilian population.

FLOOR. Dr. Lifton, do you see a problem of national guilt and humiliation parallel to that of what postwar generations in Germany went through in this country, in our postwar period, as we continue to reveal U.S. war crimes without providing a solution?

LIFTON. Yes, it's very hard to know how to evaluate large-scale guilt or issues like national guilt, but certainly one can say that we see already in this country a widespread national struggle with, first of all with defeat, because we haven't and can't and won't win the war in Vietnam—of course, the worst outcome would be if we tried to, in a complete sense—but also with guilt and confusion, and I think that the young in this country have already responded profoundly to that, to those emotions. I think the rest of us too are experiencing them. It doesn't mean that everything that has happened—the so-called generation gap or at the university campuses—is a direct result of the war, but the war certainly did mobilize and intensify and in a way poison whatever was going to happen in a broad social/historical sense. Whether one would compare it exactly with Germany is hard to say. There are parallels, in terms of the widespread psychic numbing that is now being broken through to some extent as much of the country, more and more of the country, realizes that there is something terribly dirty that we have been involved with there, and this kind of inquiry that we are having today becomes more and more possible, and more and more responded to. I think that things can go either way in a country that does that. There are bound to be profound problems. There can also be elements of wisdom if one can try to cope with it, but it will take decades to deal with.

MODERATOR. *Just a few more questions.*

FLOOR. Does the psychic numbness have an *a priori* basis, in your estimation?

LIFTON. What do you mean?

FLOOR. Before experience. Does the psychic numbness have an *a priori* basis in soldiers in Vietnam?

LIFTON. Well, I think of the situation in Vietnam, that kind of extreme situation, a situation dominated by illusions as I tried to describe, will create elements of psychic numbing in anyone. But then different people may have different degrees of it or different susceptibilities to it based upon prior tendencies.

FLOOR. Do you see the problem as coming from an American base?

LIFTON. Yes, to some extent there is much in American life that tends to numb one, whether it's large organizations, forms of racism, relationship to technology in this country—which is a source of very great numbing as people are beginning to realize and write about.

FLOOR. Which would have the greater priority, racism or technology?

LIFTON. I don't see it as either/or. I think that—you know Sartre has written that when you get a combination such as the kind we have now in Vietnam, of a revolution and guerrilla war fought by revolutionaries in a technogically underdeveloped country with intervention by an outside force from a highly developed, highly advanced technological country, you're bound to get a situation that leads to genocide. And that's true even independently of racism. However, there tends to be elements of racism that are added to that situation, because underdeveloped people tend often to be non-white and highly developed countries, technologically, tend to be white. So the element of racism contributes to it. I think it would be possible without the racism, but the racism intensifies it. I wouldn't say either/or.

MODERATOR. Just one last question.

FLOOR. Dr. Lifton, do you see a relationship between the frustration of the left in this country and its inability to end the war and the rise in the use of violence among some elements of the left?

LIFTON. Very much. I think that there are many reasons for the increased militancy of the left, and for violence on the part of a small fraction of the left, though—and one has to add that—it is a tiny, minuscule amount of violence compared to the violence officially perpetrated by the government in Vietnam and elsewhere. But I think that that violence on the left, insofar as it does exist, has to do with a sense of the sort of moral inversion that I mentioned in this country, in which things are stood on their head, and a tremendous frustration and impotence in terms of altering the path and the policy, along with a more generally violent climate that the country takes on, as the illustrations that I mentioned are defended not only in Vietnam but defended at home. After all, much of the uprising of the left, primarily nonviolent, is an effort to puncture the illusions and protest the war. In putting down that protest, in whatever way it's put down, there is a reaffirmation, so to speak, of the illusions, and a defense of the illusions. And defense of illusion in that way is likely to lead to violence. And I would emphasize the increasing violence of various kinds that the government is becoming prone to, and is a greater danger in the future on the basis of illusion.

CHAIM SHATAN

MODERATOR. We now have with us Dr. Chaim Shatan, who is a New York City psychiatrist, who will also speak briefly to the problem of psychological effects of war crimes on the GI.

SATAN. I'd just like to mention briefly that I was in Canada during the Second World War, and I was in the Canadian Officers Training Corps, in the Royal Canadian Air Force Reserve, in the Royal Canadian Army Medical Corps. After the war, I worked in veterans' hospitals for two years, including one year as a psychiatrist. In 1956, at the time of the drownings at the Parris Island Marine training camp, I did a study of the drownings and of the Marine ideology that was being invoked to justify them at that time. Since it was 1956, I was unable to get the study published anywhere, even in a socialist journal.

What I'd like to do is to focus in more detail on some of the psychological processes that go on inside people when they're prepared for the roles that Dr. Lifton was describing so eloquently. I think it's important to get a picture of how this comes about, because I think that we're all potentially capable of it, given the right circumstances. To put it another way, although what's been done to the Vietnamese while saving them from communism is now becoming better and better known, we haven't faced the fact that many of the two and one-half million American Vietnam veterans, although alive, are themselves victims as well as executioners. For example, a door gunner wrote to us, "I want to forget what death spasms look like, and what a rocket sound like. They suffer the defeat, but we're paying the price each minute we live. We carried out the orders. We can never forget the look in their faces as they're put to death. I'll never forget." A former Army medic insisted that no one could stand all the truth about Nam, that the revulsion would shake the fabric of everything. He said, we're lied to and deceived, used, betrayed, and even our leaders are blind. Death and evil in quantities that are beyond imagination. He also says that three years after leaving Vietnam, he feels that war is still his spiritual condition within, the prevading fear is still with him, the psychic exhaustion, the unendingness of some things, never forgetting, loving a dead place in himself, which remains permanently dead, because of Vietnam.

So I think we're entitled to ask at what spiritual and psychic cost to themselves were some Americans enabled to become mass executioners. How do even good men or men who want to be good, learn to do this? How do they learn to rack up the illusory casualty counts to earn promotions for their commanders? I believe that the American people and soldiers have been gradually habituated to accept torture, then atrocity, later massacre, and finally, though not yet, genocide. This habituation has been fostered whether wittingly or unwittingly by the nature of modern combat training in general, and by the unique character of this particular war.

So first I'd like to say something about modern combat training. This has been vividly depicted in a number of journals and books in the last few years. One writer, Pierre Boulatte, photographed the first two months of West Point training, the most humiliating time of a cadet's life, when he's called a beast, and whipped into shape by unmerciful harassment and scolding. This is referred to as West Point's proven method, interestingly enough, by Major-General Koster who was then—who recently resigned as commandant of West Point after having been for a while mentioned as a possible—for possible indictment in connection with My Lai.

West Point's proven method subjects each beast to such tremendous physical and mental pressures all at once, that he must shed much of his individuality to cope with them. He is taught unquestioning obedience of all military orders. Later, he works off the strain by shouting, "Hate, Hate!" at his taunting instructor during bayonet drill. While being

stripped of his individuality, each beast has a monumental task to replace this personality with something else.

There's a hint of the underlying psychological process when Boulatte reveals that the humiliations and indignities are inflicted on the beasts by a group of selected senior cadets led by a king of beasts. The upper classmen, who were beasts once themselves, are eager to give as much as they once had to take. In the Marine Corps this process is called "harassing the troops." The long succession of assaults and insults, like those formerly inflicted on the upper classmen themselves, slowly wipes out individual human dignity. Spit-polishing of boots and floors, privates forced to eat cigarette butts if an area hasn't been policed to the sergeant's satisfaction, rifle inspection, drill marching, and so forth. All accompanied by a clear cut impression that the GI and the officer are totally unequal.

This proven method has several effects. In the first place, the trainees are forged and welded like component parts into a single organism, like a human centipede. Mass human protoplasm, the unit becomes a complaint instrument, a thing, a tool. The inculcation of discipline trains each soldier to regard himself as only one cell of this larger organism, without his own will. Military drill compels the habit of obedience, all the cells respond to the will of the commander, even if he's not himself present. By robbing them of independent thinking, drill trains men to carry out various movements as second nature and stimulates them to develop a feeling of corporate strength, of moving together as one man. Therefore, it's only logical that the commanding officer, the CO, should have the powers of summary punishment as though he alone were the conscience of this organism. Of course it's also taken for granted that some of the cells must die at the will of the commander and that the life or death of any one cell hardly matters to the collective body or unit.

A second effect of this proven method of training is that the crushing of each man's spirit culminates in his psychological habituation to a lot of human suffering, his own suffering. Though this suffering is less obvious than that due to a mushroom cloud, it's the first step in preparing him for genocide. By learning to devalue himself as an individual, he learns to devalue all human life. As one Korean War Marine wrote, "It is suggested that we take out our resentment on the enemy later." Picture that, a thousand men with persecution complexes.

A third effect of this proven method, one thats perhaps among the most subtle and maybe perhaps the most important, can be best summarized by the phrase, "if you can't beat 'em, join 'em." The frustation and mistreatment of the GI in training is accompanied by his being allowed only one outlet. Only one avenue of compensation remains for him to take care of his frustration, and this is to pattern himself after those who are training and persecuting him.

He learns to take them out by frustrating and dehumanizing the stinking gooks, the foreigners, just as he is himself dehumanized. Like a child playing dentist, he will try to impersonate his tormentor, he will try to imitate the officer's or the NCO's cruelty and aggression. He acts as well as talks like his drill sergeant or NCO. This change from passive submission to his superiors, to active subjugation of his inferiors is the soldier's central means for surviving the unpleasant stresses he is compelled to endure.

To sum it up, obedience flows not from understanding but from mental mimicry. The external prohibitions and the commands and threats of his training are absorbed and built into the soldier's conscience, altering it sometimes beyond recognition. He can now defend these ideas and these commands, because they are now his own. As a result of becoming a fragment of a bigger unit and of adopting the attitudes of his superiors, the GI also becomes very dependent on his superiors. Like a child, he expects them to think for him, to know everything, and he endows them with great powers.

Now I'd like to say something briefly and connect it afterwards with what I've just said about some of the ways in which this war is so different and so unique in American experience. In the first place, it's a war that's conducted by a mega-corporation, the Pentagon. As General Walt, the Assistant Commandant of the Marine Corps, has said, restraint and concern for the people are nonexistent. This is also the first computerized war, a war in which the destruction of human beings and resources is equated with progress. The figures are nationally advertised, like the gross national product, the managers consolidate their power by increasing their productivity, and the product is the dead and wounded on both sides. Of course some of the products are quietly shipped home in Reynold's Wrap coffins. I think that it's important for us to note that not since the Nazis has a government judged success by the number of foreign human beings it kills. Officers, like Brigadier General George Patton, worship death as much as did the high priests of the Aztec skullracks. This is a different war in another sense, it's a perpetual guerrilla war. Now Henry Kissinger has said that a cardinal maxim of guerrilla war is that the guerrilla wins if he doesn't lose. A conventional army loses if it doesn't win. Now Napolean, who was one of the earliest practitioners of counter-insurgency, discovered in the Spanish Peninsular War that his only real weapon against the guerrillas was terror. And terror, permanent and universal terror, is the one true counter-insurgency weapon of the U.S. in Vietnam, regardless of the means by which it's applied.

Now one of the things that happens to the GI as a result of the application of terror in Vietnam is that information has begun to leak out recently of the following important facts. U.S. terror tactics have been leading to an escalation of Viet Cong terror tactics by booby traps and mines, so that in the past few weeks 60% of U.S. deaths in action have been due to booby traps and mines. This has been borne out by medical officers, who say that the bulk of the injuries they're now getting are from booby traps and mines, perhaps four or five times as many as only four or five months ago.

What I'd like to say something about now is how these combat experiences lead to feelings of vengeance on the part of the GI and to scapegoating. If the circumstances are sufficiently extreme, if enough chronic resentment is generated in the GI by goading from his own authorities and also by the experiences his buddies have had, and if only one channel of expression is available, the GI can become habituated to inflicting ferocious cruelty on others. A medic who spent the year in Vietnam and returned three years ago, vividly documents how the GI learns that his value is only a cut above that of the gook, that his life may be just as marked for extinction. He may actually serve his highest military function as a corpse, for when cover is a premium, a corpse can give excellent cover. This medic documents a visit to an apparently friendly village in which one man is blown up by a mine, the second officer is so destroyed that only his head and shoulders are found, a sniper is shot—a sniper shoots a man through the heart accidentally because the bullet happens to penetrate the zipper of his armored vest. After he lists all these, he then asks rhetorically, "Would you mind if we burned that village down now in a zippo party?" Well he doesn't burn that village down, what he does instead is that he subtly takes it out on some of the Viet Cong wounded. He gives an example of putting a tourniquette on a wounded Viet Cong's leg. Then he says, "No one could complain that I hadn't treated him, but a pressure dressing really would have been better; gangrene wouldn't have been so inevitable. I also didn't waste any morphine on him. The boys punched him around, and pretty soon the gook told us everything he knew."

A central factor in the brutalization of the GIs is that like the guerrillas, the GIs live like fish in the sea, but for the GIs it's a hostile sea. There's a total absence of structure, which Dr. Lifton referred to. There's a feeling that the enemy is on all sides, that death comes from everywhere. It is utterly impossible for a scared GI in the dark to instantly discriminate between the non-uniformed foe and the civilian populace with whom they are intermingled. This form of environmental stress, the relative absence of meaningful patterns of cues, of stimulation is similar to being shipwrecked or being brainwashed. It has been studied both experimentally and naturally. It's been called sensory deprivation, but I think a more accurate term is sensory dislocation. As a result of losing the normal cues which help him judge what's going on around him, the GI can develop intense restlessness, suggestibility, hyper-alertness, hyper-suspicion, his thinking can deteriorate, and in extreme cases, he may become depressed, confused, and may even develop delusions and hallucinations. Lack of speech enhances all of these distortions of external reality, even more.

Now the way in which all of the defineable goals and guidelines are missing in Vietnam has already been described and I won't repeat them. I just want to say that obviously this process adds to the GIs confusion and to his mounting fury and frustration. As his fury and frustration mount, his leaders can permit only one outlet, revenge and vengeance against the subhuman gooks, any gook. Accordingly, even South Vietnamese soldiers are devalued as human beings. Their hospitals are given blood considered unfit for American usage, morphine, is not wasted on them, the saying is, "No gook is ever an emergency." General Westmoreland's rules of engagement instruct the troops to use their fire power with care and discrimination. Such rules are patently absurd. They sound like a description of operating room techniques. Moreover, the examples set by officers in the field have far more prestige and authority for soldiers than mere words. Accordingly the combat soldier, seeing the rules of engagement flutter on all sides, is much more influenced by mere gook rules, body counts, and free fire zones.

The free fire zones is an original U.S. invention in counter-insurgency. It probably plays one of the biggest parts in habituating the soldier to terror. After the population of an area is forcibly removed, he can burn everything that stands, and shoot everything that moves, whether a North Vietnamese soldier or a child. In the ferocious climate of the free fire zone, General Westmoreland's surgically precise rules are a farce. When you have a PhD in advanced fear, you shoot first, and investigate later. I won't go into what was already said about retaliating for the loss of one's buddies. Suffice it to say that it works in with all these other items that were mentioned.

To summarize, I think when you look over this whole process, the process of training, the process by which a soldier is brutalized and dehumanized himself, a process by which he learns that his life is not much more valuable than that of the enemy—step by step these processes lead to situations like My Lai. GIs who have been out in the field which they call Indian country, are natural-

ly the most indiscriminate in their killing of villagers. They obliterate whole villages. Other veterans bear out some of the testimony which has been given today; the most vicious atrocities are usually perpetrated after someone has been hit by a sniper or lost a limb due to a mine or booby trap. Often the burden of a heavy field pack and the searing tropical sun can be enough to act as the last straw and set some GIs off on a vengeful course. These results are in line with one of the consistent finding of modern psychiatry and of combat psychiatry in particular. Nearly every man has his breaking point under enough stress, and if the stress permits a violent attack on the outside world this is at least as likely to occur as is an inner emotional upheaval of psychiatric symptoms.

In other words, we have to ask whether given sufficient stress every man has his Eichmann point. Psychological research on obedience has shown taht even without war most men will tend to follow instructions to harm others if the instructions come from people in authority, and if the situation is one which makes the tormentor dependent on the authority. In combat authority is so absolute, and the context of dehumanizing Orientals so pervasive that mass murder becomes easy. The punishments for disagreeing with authority and the rewards given to and by those in command for killing, promote killing even more. Both the policies and the rewards come down the chain of command from the very top and many examples of this have been given. This step by step process becomes a logical development. It can begin very slowly, it can begin with something like John Sachs' story in *Esquire* of the GI who is overcharged for a soda by a slow broad, but decides not to shoot her after all. He lets her go. Step 2 is that when he questions some villagers, he may beat up an old man and release everyone. Step 3 is questioning some villagers, beating up the old man and then killing him. Step no. 4 is wiping out a whole village. And when Captain Medina orders an accurate count of civilian casualties this order is at once countermanned by General Koster from his helicopter overhead. The more responsibility was taken by someone at the general officer level. For My Lai was only one of many instances of terror, only one of many instances of this permanent and universal terror, terror designed for its mass psychological impact by the policy makers at the very top.

I'd like to read you one quote before stopping. "There's a strong temptation to dismiss the atrocities as an incomprehensible aberration that cannot have any possible bearing on normal lives and times. The truth is that they represent a new and different chapter in human experience and one from which we may learn new dimensions of human capacities for evil and good, selfishness and devotion, and that they are a logical if horrible development." I wanted to quote this to you, because this quote is not about My Lai, this quote appears in a book publish in 1947, *The Other Kingdom* by a French journalist David Rousette, describing the experiences in the concentration camps. I think it's very important to notice how closely these same words can be applied to the news about My Lai and similar atrocities because it's not impossible that we could set out on the same course as the Nazis once did.

FLOOR. Doctor, could you tell us anything about the veterans you met with and the relationship between their service in Vietnam and their use of drugs? When I was there, like young people, perhaps sixty to eighty per cent of the men smoked marijuana. I went back there this summer and I found that, you know, like guys were getting into very hard drugs such as heroin and we're getting thousands of heroin addicts coming back to the United States. Could you tell us if you know something about this?

SHATAN. I think you know more about that than I do because I've had contact with relatively few Vietnam veterans. The work with veterans I mentioned before was work with veterans of the Second World War.

FLOOR. When I was over there, when I first got there—but it really didn't affect our operation—40 per cent of my company smoked it continuously. As far as methodrine, they could get that from the hospital in quart bottles if they wanted it. We didn't have a drug problem, we didn't have any restrictions over its use.

MODERATOR. I'd like to thank Dr. Shatan. Before closing today's session, I'd like to announce that the inquiry will continue tomorrow. Testimony will begin at 10:00 a.m., and there will be a number of GIs whose testimony will detail the air-war activity in Vietnam.

FINAL SESSION

MODERATOR. Good morning. I'd like to welcome you today to the final session of the National Veterans Inquiry into War Crimes in Indochina. At this final session we will have the eyewitness testimonies of seven Vietnam veterans.

DON ENGEL

The first veteran who will be testifying this morning is Mr. Don Engel, a former Marine captain and pilot.

ENGEL. My name is Donald Engel. I'm a resident of Buffalo, New York. I am twenty-six years old. I joined the Marine Corps in 1964, August of that year. I went to basic. From there I took tests and went to Pensacola for flight training. After about twenty months of training, I was commissioned a Second Lieutenant in the U.S. Marine Corps and I received an MOS as helicopter pilot. Six months later I arrived in Vietnam. This was in November of 1966. I went over there with the 262nd Unit. While there I flew over five hundred combat missions, mostly in the I Corps and DMZ.

Approximately April of 1967, I was working a two-plane light out of Khe Son. We got done at about five o'clock in the afternoon and I was eating my Charlies—C rations—up on a bunker, just looking at the countryside—Khe Son is on a plateau and you have a pretty good view, especially south. There's a little village down there called Long Ve. I was just watching and all of a sudden I saw two F-4s, phantoms, coming out of the west, which would have been Laos at that time. These planes—it's pretty easy for a pilot to pick out planes, I mean it's your job and you know, you're afraid of everything that moves when you're in the air so there was no doubt about recognition. Although there was some question about it later, but it was resolved. These were two F-4s. Right south of this Khe Son, like I said before, is this town called Long Ve. Now, I'm very familiar with this town because we would resupply there just practically every day. There was an American advisory unit there with Montagnard—oh, I wouldn't know what you would call them, Popular Forces or whatever they call them, I'm not too familiar with the terms.

Well, anyway on this particular day they were—they were—we put them out in the field—they were on an operation—for about two hundred men with the American advisers and the only people left in the village were older men, a small detachment to guard. It was an armed village, it had a helicopter pad clearly marked, about a 30-foot-wide circle with a big white H marked on it. It was really distinguishable from the air. These two F-4s—and it was not a free fire zone, besides that, you had to be cleared to fire in this area—these two F-4s just came out of the west and pickled their bombs on this village, just lowered, really lowered the boom. Of course we scrambled immediately, just tried to pull out the survivors. We flew until one o'clock in the morning, until the fog got too dense and we couldn't bring anybody out any more. The only thing that actually we could fly that late was because of the fires, I mean it just lit up the whole sky. We pulled approximately one hundred and fifty casualties out of there. Most of the people we just left because they were dead. And—that, that was just about the worst thing I've ever seen, you know. It was just women and children—they had like—they were just burnt. They used CBUs on them, nape, everything you could think of.

MODERATOR. Don, what are CBUs? I don't know that everyone is familiar with that.

ENGEL. These are cluster bomb units, they're called. When they detonate they throw out little bombs about—oh, I don't know—four inches in diameter, and these explode in turn, they're definitely anti-personnel. And in a village like this, a flat village, they did one hell of a job, there's no two ways about that.

MODERATOR. From your knowledge of the situation, Don, was there any reason why these, why the village was bombed. Was there any action, any military operation taking place there?

ENGEL. No, definitely not. At this time, especially in this area—these people had no clearance, first of all. Apparently—I don't know if they thought they were in Laos, if they thought they were in North Vietnam, because this is right up in the corner of South Vietnam and if you travel, you know, 600 knots, I'm sure they won't know where they were all the time. Well anyway, the next day there was a sort of unofficial inquiry into it because everybody really got uptight, considering that these were all friendly forces, and definitely a friendly vill. You know. So the old pacification people came in and started giving out money to survivors and—but there was an Air Force general there, and a Marine general and a captain—a Navy captain—and these people were all trying to put it off on the other. In fact, it got so ludicrous after a while, they were trying to tell me, are you sure they were F-4s, are you sure they just weren't MIG 21s or your painter flight. It was ridiculous, you know—there were no MIG 21s in South Vietnam at that time. Anyway, it turned out that these planes were—they were grey color and I though they might have been Marines, because this is the color of their F-4s. The Air Force uses camouflaged F-4s. It turned out that they came from Thailand. But, I think that the pilot—I read a blurb about it a month later—I think the pilots were grounded and that was as far as it went. Grounded for maybe a week or two. Very ridiculous.

MODERATOR. Did this investigation result in any, in any action? Was any situation resolved, do you know?

ENGEL. No, not at all. A little sidelight: the Special Forces people, I guess, ended up bearing the brunt because about three weeks later, a team was murdered in their beds in the village. I can't understand why though. But this is what happened.

MODERATOR. Don, I have here that you flew missions into Laos. Would you tell us something about that?

ENGEL: Yes, I can. This is—I started flying missions into Laos in about, I think, February of that year—this is in 1967 again. I guess they liked—they wanted you to get familiar with the area at that time. So they gave you two months off. They started sending us up to a place called Hue—Phu Bai, which is in the northern part of I Corps, about 7 miles south of Hue city, Hue citadel. And while there they made us paint our aircraft, all markings, took away our identification, made us sign papers that we'd never

reveal what we did. Everybody, almost every 46th pilot in I Corps got a chance in the barrel, it was like he would go up there for two weeks and then get two months off and then go up there for two weeks. It was like dreaded, everybody hated it. I mean, just about every pilot knew about it, it wasn't very top secret at all, but it was supposed to be. We used to work with the Special Forces team that was a battalion of Chinese mercenaries, they call them Chinese Nungs. They were paid soldiers, they used to bail them out of the Cho Lon district of Saigon, which is the Chinese district. At that time Chinese didn't have any rights at all in South Vietnam so they, these people were mostly sixteen or seventeen years old and they would pay them on the incentive basis. Gear, so much money; rifles, so much money; mission, so much money; and they were very well paid compared to the South Vietnamese Army. While there, so we would go in there—what was happening in Laos that they were so concerned about was of course the Ho Chi Minh Trail, or the highway they were building back there was quite a unique highway. It was probably better paved than Highway 1. We put ninety-man forces of these Chinese mercenaries with American advisers and they would go in and cut the road—interdiction—would usually last about nine days, if they didn't get in trouble, but usually they got in trouble. And then there was like a scramble to get them out all the time. We also supplied Royal Laotian battalions in Laos. This was a mistake on the blurb that was handed out: it says American, permanent American bases; these were not American bases, these were Royal Laotion Army troops. But also at this time of course Laos was a neutral country, and I think we still claim we don't use American military men in Laos, which is a lot of crap.

FLOOR. What year was this?

ENGEL. This was in 1967. But it was going on in 1966 also. And I'm sure it was going on even before then. I was also contacted by Air America when at the close of my tour, to fly for them, which they operate mainly out of northern Thailand into Laos and Cambodia. I didn't want it. I just couldn't fly over there any more.

MODERATOR. Are there any questions for Mr. Engel from members of the press?

FLOOR. You mentioned something about two Special Forces troops being murdered by the—

ENGEL. Yes, these were the advisers for the Montagnards at Long Ve.

FLOOR. Why were they murdered?

ENGEL. Why were they murdered? Well, these people were a little ticked off about all their women and children being killed when they were out on a mission for the Americans. So about three weeks later—their advisers, they just killed their advisers. Of course, right after that, there was—they started getting real hot up at Khe Son, and so everybody started pulling back anyway, so they didn't really give a damn about the village anymore. It wasn't useful to them any more.

FLOOR. Do you have any idea how many people were killed?

ENGEL. Oh, yes. It's got to be, I think that one hundred and fifty was a conservative estimate. And the reason for the high death rate is because we had no place to take the wounded, we had to take them back to Khe Son and the fog rolled in, we couldn't get any aircraft in to get them out of Khe Son, and there wasn't proper medical facilities, there was just a reinforced company, I believe, at Khe Son at the time and it was I think maybe one or two doctors.

FLOOR. Have you ever heard an explanation of why this place was attacked?

ENGEL. No, there was no explanation. In fact, they knew they blew it. That's the first time I ever seen the brass get so excited. They—I mean, there was other things that happened over there, and that was just passé, but they knew they blew it this time. They really got upset. But then they squashed it.

FLOOR. Would you say that this village was a Montagnard village?

ENGEL. Yes.

FLOOR. Do you remember the days that you took troops into Laos?

ENGEL. No, I flew into Laos, as I said, close to twenty times. You get a little time in and a little time off. There's one particular incident which is quite interesting. A body snatch. An American soldier was killed, one of the advisers there, and they couldn't get the body out at the time so they left the body in the landing zone, the LZ. He was there about three weeks, he was completely bloated and booby trapped, because we would take pictures of him every day. So the major of the Special Forces team had this fabulous idea of going in and said we'll just go for the skull. Because of the teeth, he was afraid he could be identified with the teeth. And he had all sorts of grappling hooks and of course the body was deteriorating at this time and they were going to put us gas masks on so they could stand the stink. I refused the mission, I was relieved, I was sent back to my squad. I don't know if they ever did it or not.

FLOOR. How far did you penetrate into Laos? Did you go over the /inaudible/ river there?

ENGEL. No, we—I'd have to look at a map, I'll tell you the truth. But it wouldn't be more than 10 miles, 15 miles into Laos at any time.

FLOOR. Did you have any LZs over there?

ENGEL. Not that good. No. And there were also the opposite, we had a lot of trouble. We lost a lot of aircraft going to Laos. It was really, you know, it wasn't a very good deal, everybody wanted to stay away from it, they avoided it. We used a conglomeration—we were the only ones who weren't volunteers, first of all, everybody else was volunteers for this mission. You used Army gunships, Air Force A–1s, Sky Raiders, because they can stay on a target a long time. And the only reason they used Marine medium helicopters was because at that time there was no troop-carrying helicopters in the I Corps. The Army's wise. This was an Army operation. The name of the operation by the way was Shiny Grass. It was SOG.

FLOOR. Shiny Grass?

ENGEL. Right, that's the code name and the official name was SOG. And I believe it's still going on.

FLOOR. What's the name of the troops?

ENGEL. This is the name of the team, the battalion. This is their code name.

FLOOR. Where were you before Pensacola?

ENGEL. I was going to the University of Buffalo before I joined the Marine Corps in 1964. And I went—when I joined the Marine Corps I took a test and I went to Pensacola, I was commissioned out of Pensacola, I never went to Officer's Candidate School at Quantico.

FLOOR. Did you ever know what become of these guys? You said it was a hassle, like, getting them out sometimes. Did you ever have any idea what happened to them on the ground there? Were they effective or ineffective, did they always meet stiff opposition?

ENGEL. Yes, most of the time they did meet stiff opposition. It was a very heavily guarded road. It was—in fact, one particular day we lost five aircraft trying to get them out. This is including fixed-wing. We lost two A–1s.

MODERATOR. Thank you, Don. At this time I'd like to make note of Mr. Hans Frank, who is here as an observer. Mr. Frank is the Secretary General of the International Commission of Inquiry into U.S. Crimes in Indochina, and Mr. Frank is here today observing our inquiry. I've been asked to announce that he will be available for comments, interviews, etc., during the day and during the noon lunch break. We can now have our next veteran. Griff, are you going to introduce him?

GARY THAMER

MODERATOR. Our next Vietnam veteran will be Gary Thamer who served in the Air Force as a forward air controller in Vietnam.

THAMER. My name is Gary Thamer. I was a sergeant E–4. I was assigned to the 19th Tactical Air Support Squadron in Ben Wha. From there I was assigned to a—I was a radio operator with a forward air control team with the 11th Armored Cavalry Regiment.

In November of 1967—I was there from 1967 to 1968. In November of 1967, the unit was going on Operation Santa Fe. A free fire zone was declared which included part of Highway 1, it was just east of a city called Swan Lac. I have no idea if the population of this area was told that a free fire zone was declared in that area.

The first day that I had got word that this area was a free fire zone, a Vietnamese in a Lambretta motorcycle, which is the usual type of transportation they use over there, was found driving down the road. There was nothing unusual about the Lambretta, the man was not armed, he was not carrying anything on the Lambretta. But considering it was a free fire zone, the pilot decided—he saw this Lambretta, I notified the Army, the Army sent out two helicopter gunships, and they eliminated the Lambretta. The Lambretta was exploded with machine guns and the man was killed.

In January of 1968 we were operating out of Loc Minh which is very close to the Cambodian border. The unit sent a long-range reconnaissance patrol into Cambodia. About 10 kilometers inside of Cambodia, the long-range reconnaissance patrol received fire, enemy fire. They were pinned down. The pilot who was flying the aircraft called to me and said that he wanted some immediate air strikes. To get these air strikes I had to send in coordinates that were in Vietnam, to get the airstrikes. Three squadrons of F–100s were sent up there, bombed the area, and the Army finally sent helicopters in to extract the LRRPs, the long-range reconnaissance patrol.

Later on, in April of 1968, we ran an experiment in War Zone D. It was a classified operation. I don't know exact details of the operation. I was on the radios when it took place. What happened was, a number of HC–130 cargo aircraft loaded with aviation fuel, barrels of aviation fuel, flew over this one area of War Zone D. They dropped the aviation fuel onto the ground, and then an aircraft went over, threw napalm onto it, and started a gigantic fire. What the idea of it was, was to start a large enough fire so that you could burn out a huge, huge area of War Zone D so that we would not have to send troops in there to root out the Viet Cong, we'd just burn them out. This experiment didn't work too well. I guess it had just rained, the jungle was kind of wet and the fire wasn't very sustained. So the area that was burned was not that large. We never tried it again because it was not that effective.

Another thing I'd like to talk about is the use of cluster bomb units. We did use cluster bomb units extensively over in Vietnam. And the policy was that CBU would be used at any time as long as American forces would not be moving into the area after they were used. The reason for this being that there was a high dud rate of CBU, and that if Americans would go in there, this would constitute a hazard for them. They were afraid that these CBUs would explode on them. But as long as any American troops were not going into the area, these CBUs would be used extensively.

FLOOR. Does that mean that if South Vietnamese troops were going into the area they would use CBUs?

THAMER. I never really worked with the

South Vietnamese so I didn't really know, but we never took them into account if that's what you mean.

FLOOR. Did you go with these long-range patrols into Cambodia?

THAMER. No, I didn't. I was just a radio operator.

FLOOR. They were radioing back to you?

THAMER. Yes, they were.

FLOOR. Did you observe any incidents of Viet Cong terrorism? Was the only terrorist activity that you observed American? Or were there also incidents of terrorists activity that were North Vietnamese?

THAMER. Well, the only real terrorist activity that I'd seen on account of the North Vietnamese was in Lay Khe, when a zephyr group went into the officers club and he had central charges on him, and exploded them inside the officers club, killing some officers. Other than that I was usually with the headquarters unit. We did not spend too much time, the cavalry did not spend too much time in populated areas. We usually fought out in the jungle itself. And as far as terrorist activities, they usually occurred in populated areas, so I didn't, I wasn't exposed to anything like that too often.

FLOOR. Do you know anything about the rules for establishing a free fire zone?

THAMER. No, I don't. All I do know is that when they were established, we just got it that they said, "This is now a free fire zone," and we were told what area it was. The S–2 for the regiment would tell us, but he didn't tell us the day that it would go into effect. Supposedly, they were supposed to warn the people in the area that a free fire zone was going to be declared. But I never knew of any time when they actually did.

FLOOR. Was Colonel Patton your CO?

THAMER. Yes, Colonel Patton was my commanding officer for the last month I was in Vietnam, not for the whole time.

FLOOR. Did you ever see him in action?

THAMER. No, I didn't. I was being processed out most of the time that Colonel Patton was there.

FLOOR. You said that CBUs were not used in areas where U.S. troops would go?

THAMER. They were going to be moving in right after the bombing attack.

FLOOR. How about—was that your unit policy or—

THAMER. That was our unit policy. Because we were armored, in vehicles, and it would have taken a pretty heavy toll on the vehicles.

MODERATOR. If there are no further questions, we'll move on.

STEVEN HASSETT

MODERATOR. Our next witness will be Mr. Steve Hassett, who served with the 1st Air Cavalry in Vietnam.

HASSETT. My name is Steven Hassett. I spent three years in the Army. I enlisted in February, 1966, in the Army Airborne Program. I went through basic training, advanced infantry training, airborne school. I then went to Vietnam for a year, where I served as an infantryman with C Company, 1st Battalion, 5th Cavalry Regiment, 2nd Brigade, 1st Cavalry Division, Air Mobile. During my year as an infantry man I served as a machine gunner, as a machine gun squad leader, as a rifle squad fire team leader, as a rifle squad leader, and my last month as an acting platoon sergeant.

In my unit, throughout the year I was in Vietnam, I noticed that we consistently used a very high degree of fire power in everything we did. Most of my year, I spent in Bin Dinh Province on the central coast of South Vietnam, which, to my knowledge, was the second most productive rice-growing area in Vietnam. And it was our standard procedure to call in massive artillery fire, helicopter gun ships, and air force jet strikes if we had the slightest suspicion that there were Viet Cong or North Vietnamese in any village we went into. We would usually do this even though we had no evidence of any enemy presence in these villages.

I can think of one instance when we were moving out one morning in about my eighth month—it would have been about May of 1967. We moved out one morning and one of our patrols received some light sniper fire early in the morning, killing one man and lightly wounding another. For the rest of the day we moved through a very populous area at a fairly fast pace—calling in air strikes and artillery in front of us in what amounted to a wall—a wall of fire preceding us as we moved through the area. We moved through for a distance of any where from 3,000 to 5,000 meters, calling in this artillery fire, with artillery fire and air strikes on our side. All this for one or two snipers. We leveled this area. We burned all the little clusters of hamlets we went through. We went through this area so fast we did not have time to search the huts or anything. We just lit them as we walked by, threw grenades in all the air shelter bunkers that were characteristic to that area—almost every civilian household had an air raid bunker. In the evening, when we went to bivouac, there were approximately 150 to 200 civilians following us, directly behind us because it was the only safe area. All the area in front of us and to our sides was still being pounded by artillery fire and air strikes.

As we bivouacked for the night, we killed all the livestock we could find in the area—cows, water buffalo, and pigs and then we drove the civilians off by firing shots just over their head and into the ground just in front of them. I don't know what civilian casualties there were that day, though I would be very surprised if they were light, with the amount of fire we brought in on them and the indiscriminate use of the bombing. I'm sure many people were hit. I know just from my own experience, a pilot in a jet fighter can't distinguish too well what the target is on the ground. During that day, my platoon got strafed on one occasion as we were crossing open rice paddies, strung out in a file on a rice paddy dike, and I don't know how we could have been more clearly revealed as American troops than we were at that time. Yet we were strafed twice by F–100 jets. Reactions like this were fairly typical. To one sniper round or, again, even if we suspected something to be there, we would be able to call in artillery and air strikes at this basis and we did it—we did it for the entire year I was there.

As for our treatment of civilians, I didn't see that much open mistreatment. It was quite common for us to slap civilians around if we thought they were moving too slow or kick them if they did not respond to our orders and, of course, we didn't speak Vietnamese—they rarely did respond to our orders. If we told them to clear out of an area or we were trying to round them up for interrogation to be moved back—this was something we frequently did—if they were slow we kicked them, hit them with rifle butts. I've seen Vietnamese interrogators with us pistol-whipping suspects.

I remember one occasion, we were operating just for a period of about one week up near Duc Pho—you've heard the name before, some of the people that were in the Americal have mentioned it. This was before the Americal moved in there. We were the first Army troops up in the Duc Pho area. We had replaced the Marine unit. We were sweeping down the peninsula that led into the sea and two women and one or two children were wounded by one of our grenades. We were grenading all the civilian air raid bunkers again. We would just walk up to them, shout, "Come out, come out" in Vietnamese into the bunker, wait about ten seconds, fire a few shots in there—wait a few more seconds and flip the grenade in. Every bunker we did this to. One bunker—some women and children came out. A man went to flip a grenade in and it bounced off the jamb—the door jamb of the bunker—back into the women and children, wounding them—wounding two women and two children—one of the women quite seriously. Our company commander refused to allow the medic with us at the time to give the woman treatment. I don't recall whether or not the medic *wanted* to give her treatment, but I remember the company commander made some sort of statement to the effect that leave her be, that the other civilians could carry her along and when we bivouacked for the night, which would have been in a few—in about two more hours, we would get her evacuated on a supply chopper. She died as the other civilians were carrying her along. We did evacuate the other woman and the one or two children.

As for body counts—the pressure in my unit was as intense it was in any other unit to produce a high body count. For a while, in my first few months there, they were offering a three-day pass to An Khe to anybody who killed, made a confirmed North Vietnamese or Viet Cong kill. By confirmed—it had to be reasonably sure that the man was an enemy soldier. You just couldn't go out and kill a woman and say it was a Viet Cong. Though I know of a few cases where women were killed in operations and they were counted as Viet Cong in the body count, but the individual soldiers received no credit.

As for treatment of prisoners, I know in one instance, shortly after we had been in a major battle where we had lost about a third of our company, on the Cambodian border. The day after the battle—or two days after the battle—our battalion commander, a lieutenant colonel, called those of us who were—had made it through the battle together—there were perhaps sixty people there who had not been wounded and had not been killed in battle. And made a statement to the effect that he had felt that some of the people—one of our platoons had been overrun in this battle—that he felt that some of the people had been shot in the head at close range by the North Vietnamese who had overran them and because of this, he did not expect to see any prisoners from Charlie Company for a long time to come. We took this for what it was—just a blanket permission to kill prisoners rather than turning them in. Though we made very sparse contact for the next few months and I know of no cases in my company where anybody took a prisoner and killed him. Our contact was just too low.

In regards to protesting anything that we thought was a war crime—at the time, I know myself and everybody else there believed in what we were doing. When we burned a village we didn't question the order, we thought it was the right way to fight a war. It wasn't till my last few months that I began to think that we were being unnecessarily brutal in the field and that something was wrong in what the Army had told us to do and what we were doing—what the Army stated our mission was. A big phrase then was, "to win the hearts and minds of the people." It was becoming increasingly clear to me that you don't win the hearts and minds of the people by burning their villages and killing their livestock. But as an example of what would happen if people stirred up trouble or made waves, on one occasion, I antagonized my platoon leader, who was a second lieutenant—this was about my third month there—it was for an incident I won't go into—it was a minor incident, it had nothing to do with my reporting a war crime or with anything that would have affected his career, it was something I did. At any rate he became very antagonized. It was the same day of the battle where we had lost a third of our company. It was about three hours after the battle. As a punishment for what I did, he

put me out in a one-man observation post. This was within half a kilometer of the Cambodian border. For all we knew there was still a major part of a crack North Vietnamese battalion running around the area—that's what we'd been fighting earlier in the day.

He put me out as a one-man observation post with no radio. Now it's an unwritten rule in the Army that you never do anything alone when you're in Vietnam. You always take another man with you when you're in the field. If you go to the latrine you take another man with you. If you go to pick up your mail you take another man with you. If you go to put out a flare in the evening as you're setting up, you take another man with you. You never go anywhere alone. They sent me out alone near the Cambodian border with no radio. I would have been—there's no way I could have been—conducted an observation post or been able to warn them if I'd seen anything without this radio short of just running back in and saying that the Vietnamese are coming. I stayed out there for I don't know how long, perhaps a few hours, until the sun started to set and nobody had called in. For all I knew they'd forgotten me and on my own initiative I decided I had better get back into our lines before it got too dark or if I tried to get in someone would probably panic and shoot me. As I got back in, my company was putting on its gear and starting to move out. The lieutenant who had put me out there had apparently forgotten all about me. The men on my machine gun crew were—had said that they were just about to ask the lieutenant that to send someone out to get me when I came in, but apparently the lieutenant had forgotten about me. This is, like I say, this was a very minor incident. This happened to one or two others on different occasion, they were put out on one-man OPs without radios, and I've heard the threat used to a man who was questioning orders or something, that he would be a one-man ambush patrol at night. They'd just send him out there alone to be an ambush patrol on his own. Needless to say, you didn't want to make waves when this type of thing could happen to you.

MODERATOR. Are there any questions of Mr. Hassett?

FLOOR. I've heard from many servicemen that when a commanding officer would do stuff like this, that servicemen would when they were out in the field, just shoot him.

HASSETT. This type of story went around a lot, that people felt that way; I know of no specific instances of this. I do know, again referring to the one battle on the Cambodian border, our company commander in that battle was wounded quite seriously and he was evacuated and was replaced by a new company commander. Had he not been wounded, I am sure that I could think of at least a half a dozen guys in my platoon alone that would have shot him at the first opportunity. They felt that he walked us right into an ambush. I know of no other time when people were antagonized enough to perhaps shoot an officer, but I have heard rumors of this being done. And, of course, again, when I was there, I was in what was almost exclusively a volunteer unit who felt that we were where we should be and that we were fighting for a good cause, and I'm sure that as time has gone on in Vietnam things like this would be much more apt to happen.

FLOOR. You use the pronoun "we" kicked civilians, hit them with rifle butts, burned down their hootches, did you personally commit any of those acts?

HASSETT. Yeah, in my—it was about my eighth or ninth month that I began to realize that what we were doing was, Like I say, was inconsistent with what we had been told, and up until that time I was a pretty typical soldier. I'd slapped civilians around; I'd burned houses. My last three or four months on a personal level I refused to do things like this but, of course, it did not stop it from being done.

FLOOR. And what happened to you as a result of refusing to do things like that?

HASSETT. I just sort of got a reputation as an oddball. But at the time, I was, like, one of the most experienced men in the platoon and we'd had a very high turnover rate—I was one of the few people who'd stayed in that company for a full year without being killed or wounded or getting a bad case of malaria or something and having to be Medvacked and they needed my experience too much to do any disciplinary action.

FLOOR. What period did you say you were in Vietnam?

HASSETT. I was in Vietnam from August, 1966 to August, 1967.

FLOOR. You say—you were talking about that it was standard operational procedure and that's how you amassed fire support, and I'm very interested in this idea of—you advanced behind a "wall of fire." That in fire-fighting, there was a fire going in front of you and on both of your flanks. Do you think that any period you were going through these areas too fast to search them adequately or were you just traveling through them destroying everything, or were you actually searching for Viet Cong?

HASSETT. In the one case, I said it. We were going—we were just out to destroy. We were going through too fast to——

FLOOR. Every time?

HASSETT. It would vary. Occasionally we would move through on a fast sweep and just like glance in the house, if, you know, there was a rifle standing out in the corner, we'd see it, but we very rarely gave it a chance to—we very rarely went slow enough to make a thorough search of an area.

FLOOR. So, it is generally true that on a search-and-destroy operation, it was more destroy than search?

HASSETT. In our case, it was.

FLOOR. Was it definite in a free fire zone to always burn the village? To always destroy the village, always destroy life?

HASSETT. It varied. Generally, we always destroyed a village. Well, in a free fire zone. we always destroyed a village. Theoretically, a village in a free fire zone would be deserted, usually they would be, perhaps you'd get one or two civilians who'd come back to try and reclaim some of their valuables. Sometimes they moved—they had to move out quite fast. Most of the time when we went through and there were civilians there, we were not in a free fire zone.

FLOOR. Were you ever on operations which evacuated civilians from a free fire zone?

HASSETT. I've seen civilians forcibly moved, I don't know whether they were from free fire zones at the time or what. Most of the free fire zones that I knew that—as being clearly labeled free fire zones—were already established. And you could just tell, it was like a ghost town in what had been a very productive rice-growing area. I mean, you'd see hundreds of acres, whole valleys would be listed as a free fire zone from the mouth of the valley on back, and hundreds of acres of rice paddies would just be stagnant. The villages would be deserted. If there was anything standing we'd burn them. The instance that I cited earlier—where we went behind a wall of fire—was not a free fire zone, to my knowledge. It was occupied by civilians. Usually we used the rule-of-thumb that if the house was occupied, not to burn it, if there was civilians in the house at that very moment. Though quite frequently, a guy would come up behind a house, light the thatch roof and then walk around and look in the door and see civilians there and by that time all he could do was tell them to get out because once the thatch roof caught on the house went up in a matter of minutes.

FLOOR. In your whole year operating in Bin Dinh Province, during that time, at one time or another, what per cent of the province, would you say, had been covered by a free fire zone and had been destroyed in this way?

HASSETT. I couldn't say. As for destruction, it was quite extensive. As for what was officially listed as a free fire zone, I couldn't say.

FLOOR. Do you think the purpose of search-and-destroy was not just to search but simply to destroy? That you started at a free fire zone and you'd go through and, you know, you burn everything there and then you move to a free fire zone some place else and you go and burn that so that you get the people congregated around one place?

HASSETT. Roughly this is what happens. Of course, to my knowledge, American troops aren't equipped to adequately search a village anyway.

FLOOR. Why not?

HASSETT. You just don't know what's in it. I know of one case where in an area that was officially declared pacified, a man in my platoon took out a squad on a short patrol, went into a village and went into—saw a central rice storehouse and decided that there was too much rice in that village for the people there. This was—the man was fairly new in Vietnam—it was a pacified area—the village chieftain and two Popular Forces soldiers came up to him and protested his decision. It was also within a week or two after the rice harvest, after a biannual rice harvest, and presumably the amount of rice there had to last the village for six months. This man declared that there was too much rice, a helicopter was sent in and the rice was bagged and confiscated. A company commander and a battalion commander were aware of this decision. They were listening on the radios; he was talking to the platoon leader.

MODERATOR. Excuse me, we're going to have to move on now. Mr. Hassett is available for interviews.

KENNETH CAMPBELL

MODERATOR. The next witness will be Kenneth Campbell.

CAMPBELL. Good morning. My name is Kenneth Campbell. I was a lance corporal with the First Marine Division in Vietnam. I was a forward observer, an artillery scout observer for Bravo Company, First Battalion, First Marine Regiment, First Marine Division. As a forward observer my job was to support the infantry company that I was attached to with artillery fire. As a Marine fighting in Vietnam, well prior to going to Vietnam, I went through the usual basic training in the special school for FOs. The things that I was taught were such things as, "the Vietnamese are inferior"; they were constantly referred to as slant-eyes, gooks, zips; and that there was little distinction between VC and suspected VC. And I was also taught in FO School that artillery was the greatest killer on the battlefield, and I was to use this whenever possible, and use it as much as possible. In mid-August of 1968 my company was at a place called Con Thien, which I believe is familiar to quite a few people. In Con Thien there is an observation post called OP 1. From this observation post I observed two villages north of the demilitarized zone. These were not in the DMZ; they were north of it, actually in the southern part of North Vietnam. I observed these villages through a pair of ship's binoculars, which are quite a bit more powerful than regular binoculars; they are 20 by 120 power. And these villages were approximately ten miles away, but through these binoculars I could see them clearly.

Upon observing these vills, I went back to the FSCC bunker, which is the Fire Support Coordination Center. I went to a lieutenant there, who was at the time the officer in

charge of the bunker. He was a personal friend of mine because he served as the FO team's lieutenant when I first arrived in Vietnam, and then he was switched to the FSCC post after I was there for about three or four months. I mentioned the fact that I saw these vills and asked to fire on them. He gave me permission to fire on them, and I told him that they were—that there didn't seem to be any kind of enemy activity there. But being as they were in a free fire zone I thought maybe I could fire on them. And he said yes, I could fire on them, and a good reason for firing on them is because they supply the NVA with food and support and that they were indeed the enemy also. So I went back to the observation post and I called in—directed—heavy artillery on these two villages. I directed 8-inch high explosive rounds, 175 millimeter high-explosive rounds and with mixed fuse. That is, a variable time and quick fuse. The variable time fuse would set the round off approximately twenty meters above the ground and would send shrapnel down and out, and the quick fuse would go off on the ground on impact. I fired both these missions, and observed the firing and I would make the approximation of about twenty-five, maybe even more, hootches destroyed, and I could actually see farmers, women and children, running from the exploding rounds, and some of them not making it. I believe that approximately twenty people didn't make it to safety.

MODERATOR. Approximately when was this?

CAMPBELL. This was in mid-August of 1968.

MODERATOR. And what did you see when you were looking through those binoculars?

CAMPBELL. Before I called in the strike?

MODERATOR. Yes.

CAMPBELL. I saw two individual villages, several thousand meters apart, and I saw people walking through the rice paddies. It looked like they were working. There were water buffalo walking through just like any normal Vietnamese village.

MODERATOR. Did you see any arms or ammunition?

CAMPBELL. No, I didn't.

MODERATOR. How many rounds did you call in on the two villages?

CAMPBELL. That's hard to say. I called in quite a bit. A Marine battery of 175s consists of four guns, and I think maybe including the adjustment rounds, maybe twenty rounds of 175 and maybe about the same number of 8-inch. That's including both missions.

MODERATOR. Would anybody from the press like to ask Mr. Campbell a question?

FLOOR. Yes. He called in this artillery fire in August of 1968. Here it is 1970, and you're reporting it now as something that was wrong to do. What happened to you between then and now that changed your attitude toward this?

CAMPBELL. Well, one thing that changed my attitude toward it was immediately after firing I—my radio man was with me at the time, he didn't seem to take to the incident too well, to the actual firing. He didn't say much but he didn't look like he agreed very much with the idea, which gave me second thoughts. And after that, I thought quite a bit about it and I never fired any more missions on unarmed vills for no other reason than that they were supplying the enemy with rice. And after I got back from Vietnam I really started thinking heavily amout it. I just came to the conclusion it was all wrong and that I must have been temporarily insane to be doing something like that. But the more I thought about it the more the whole thing was insane; the whole war was insane and this was common procedure and for an FO to wipe out a vill was one of the biggest things he could do over there. One of the, you know—it was like an honor to be able to really wipe out a vill with artillery and to show how great destruction is with artillery.

FLOOR. Do you consider this an atrocity, Mr. Campbell?

CAMPBELL. Yes, I do.

FLOOR. You said that you were told in FO school about the omnipotence of artillery. Can you think of other ways in which this kind of doctrine, this mystique was directed at the people using it?

CAMPBELL. I'm not sure I understand the question—other than the artillery schools?

FLOOR. Yes. Did they indoctrinate you in the artillery school with the idea that artillery is the weapon in Vietnam, that artillery and air support are principal weapons?

CAMPBELL. This didn't cease in FO school. I worked with officers in artillery at different times when I was in Vietnam, and this kind of indoctrination continued there. It was done—this type of indoctrination was pushed because they wanted us to have pride in the unit we were in and the type of unit we were in. So I guess that's why they did it.

FLOOR. The other thing is, who got the body count in this particular incident. Did anyone get the kill credit for it?

CAMPBELL. The artillery battery that fired it got the credit.

FLOOR. For killing thirty people, right?

CAMPBELL. Well, it was approximately—I couldn't say thirty, I'd approximately say twenty.

FLOOR. How far away was this village from your observation post?

CAMPBELL. Approximately ten miles.

FLOOR. Ten miles away.

CAMPBELL. Yes.

FLOOR. So you counted approximately twenty body count from——

CAMPBELL. Ten miles away, that's correct. The reason why I could count so accurately was like I said, these binoculars were very powerful. They were 20 by 120 ship's binoculars. They were not something you could handle with your hands. It was built on a stand, and they were heavy—they must have weighed about thirty pounds. If you can picture a gigantic pair of binoculars weighing thirty pounds, they were like a telescope only with two lenses instead of one.

FLOOR. Con Thien, in August of 1968, was a relatively peaceful place, is that correct?

CAMPBELL. Well, compared to what? In 1967 there was quite a bit of activity going on in Con Thien; it was being shelled daily. In 1968 it wasn't being shelled daily, it might have been being shelled every other day instead.

FLOOR. Given that situation what do you think the proper posture would have been for the artillery batteries in Con Thien?

CAMPBELL. The artillery batteries at Con Thien should have been firing at artillery batteries firing at Con Thien, not firing at villages.

FLOOR. Did you always know exactly where they were?

CAMPBELL. No, we didn't but we had—I don't know exactly how strong the intelligence, our intelligence, was, but there was always need to be firing at either suspected NVA batteries or else known NVA battery positions. Even when we knew where the NVA battery positions were, we still couldn't get them with artillery most of the time because they draw all these guns back into their positions in the hills. You could fire as much artillery as you wanted. Most of the time it wouldn't get to them.

FLOOR. Mr. Campbell, I'd be interested in your thoughts about the nature of the war?

CAMPBELL. My personal thoughts are that there's actually two types of people in the U.S. Forces in Vietnam. Those who actively participate in atrocities and those who are also taught this indoctrination but don't actually carry it out. But they don't act against committing atrocities when they see them, because they are convinced that this is a necessity of war and that it happens in every war, so why should they come out and say something against it—that's the reason these things continue to go on. Yes, I'm definitely against these atrocities being committed; I wish they would be stopped. And I hope that through my testimony and the testimony of the other people here at this commission, maybe the American people will wake up and realize these things are actually being committed and that this isn't some fantasy story being concocted just to get people like Lieutenant Calley off the hook. These things are being committed.

MODERATOR. In the interests of time we're going to move on to the next witness. Will you save your questions for Mr. Campbell until the end?

SAM RANKIN

RANKIN. My name is Sam Rankin. I'm from Billings, Montana. I served in the Peace Corps, 1966–1967, in India, graduated from Eastern Montana College in 1968, was drafted shortly thereafter. I was a combat medic with the 199th Infantry Brigade in Vietnam. 199th was stationed right outside of Saigon. The incident I'm going to relate to you this morning is one in which a hamlet in the Delta, about 15 miles south of Saigon.

We—on the night of June 14, 1969, that's on a night ambush—under the impression that there was a VC force that was going to try and cross the river and come into this hamlet to get supplies, so the captain of the company stationed two platoons on each side of the village and another where they thought the VC unit would cross the river and I was at the spot where they thought they would cross the river. As it turned out—I feel it's relevant to make the parallel between Army intelligence with this prisoner of war thing in Vietnam about a week or so ago—intelligence reports were approximately about three weeks old as we found out about after this whole thing happened. Anyway, we were under the impression that there was a VC unit in that area and we were all ready for it.

We were waiting to move into our final positions and while it got dark. And finally the two platoons upon each side of the village started moving into position and from a separate part of Nippo Palm, a jungle which was separate from the village, they received about ten to twelve of AK fire. No one was wounded, no one was killed—they took no casualties whatsoever. Of course, the first two platoons didn't know quite what was going on. They couldn't see where it was coming from and so on. They started shooting at the village, just a few rounds, just to see what would happen, see if they could get any return fire to be able to tell where it was coming from. They didn't receive any fire. They called the captain who was with my platoon, and asked him what to do, of course, and he said well, get the star light scopes which is a thing in Viet Nam which takes the available light and it makes it real magnified so you could see in the dark if there's any light at all. And they saw a lot of movement in the village.

Everyone was under the impression, especially that close to Saigon that all the hootches, whenever there's a fire fight or any kind of firing around, at people supposed to get into their bunkers inside the hootches. Everyone thought this was kind of funny—this was the rationale later—and we thought that the VC were moving through the village when they saw all this movement. Naturally they assumed it to be the VC unit. The captain got on the horn—radio and called the battalion commander and asked permission to get two gun ships in and permission was granted. The gun ships were overhead shortly thereafter. We still had received no fire from the village.

Along with the gun ships there was a firefly, which has a giant spotlight on the side and he flew around and every so often he would turn it on and there was definitely a lot of movement. So the CO gave the

okay for them to strafe the village with the gunships and they made about three or four runs firing mini gun fire and 2.75 rockets into the village. And of course, the hootches started to burn. I was about 1,000 meters away and I could see the people running about the village as silhouettes. Then the infantry unit opened up indiscriminately in the village, not heavy fire but the M–16 machine gun fire and M–16 rounds and a few M–79 grenades. Then the gunships came back in and expelled their load until they had just enough to get back to their base camps and they asked us if we wanted them to come back and we said no, that there wasn't much to come back for.

The village was just about destroyed by then. The next morning the two platoons that were on either side of the village were called back and the third platoon went in to survey the damage with the captain. I was the only medic along—senior medic—and there was quite a few wounded people. The serious ones had already gone to our base camps to be treated by our medical facilities. And we had to police up the bodies, pick them up, and help the villagers —they were all crying and coming at us and talking to us—I suppose they were asking us why we did it and so on and so forth. I counted about fifteen myself. Mostly children and old women. I found out later that all the villagers did have IDs and that they all did live there.

There was two that were in doubt, but most of the villagers verified that they were inhabitants and had lost their IDs or some such thing. So it turned out that there was no VC unit in that area. We also looked for the expended AK rounds and any AK weapons, and found nothing whatsoever the next morning at all. In fact, the captain called the three lieutenants and told them to collect all the souvenir AK rounds from the troops. Whether they were used in the subsequent investigation, which did take place, I'm not sure, but I think they were. We were also told not to discuss this incident until the investigation took place. It was obvious that there had been a big mistake and everyone was cognizant of the fact that there was going to be an investigation. The thing I heard about how the investigation turned out—it—this is hearsay—that the battalion commander was transferred. Now whether he was promoted or demoted in that move I don't know, but he did leave shortly thereafter. And that was the last of this—as far as anything official.

MODERATOR. Could you spell the name of the village and give us it's approximate location?

RANKIN. Can Glouc, fifteen miles south of Saigon—it's——

MODERATOR. What was the date again, please?

RANKIN. The 14th of July.

FLOOR. What year?

RANKIN. 1969.

MODERATOR. What was the official body count recorded that day?

RANKIN. Well, they never did call in a body count. Through the medical facilities, which was what I was concerned with, they eventually did get an official twenty-three dead, but I don't believe they ever did call it in as body count as such.

MODERATOR. What was the reaction of the men in your platoon—you were the men that actually went in and counted bodies. What was the reaction among those men?

RANKIN. It may sound trite, but disbelief. I'd only been in the country about three months and I really didn't know this thing—what a mistake it was, until November when I heard Captain Medina on the radio in Vietnam stating some particulars about the My Lai incident. I realized then that this thing did happen quite a bit and that—I was in the rear at that time, and I talked to quite a few of the soldiers, and it does happen quite a bit. So at the time—not much—I thought that was war—these things happen, but later on I realized what a mistake it was.

MODERATOR. In your experience as a medic with infantry units, did you ever have occasion to see how prisoners or detainees were treated?

RANKIN. Yes, I was a medic with American advisers—I believe it's called the Phoenix program. We went out on helicopters about twenty strong, mostly infantry and maybe a few military and intelligence officers, where there were supposed to be suspected VC holding out—just one or two in deserted villages and so on. We dropped down and would get them. And the military intelligence officers would treat them fairly rough—rough up, hit them, and so on and so forth, kick them; I never saw anyone murdered or extreme torture methods myself, but they definitely didn't treat them, I'm sure, according to the Geneva Convention and so on and so forth—what they were supposed to follow.

MODERATOR. Okay. Would members of the press like to ask Mr. Rankin some questions? We'll move on to the next witness, then.

PHILIP WINGENBACH

WINGENBACH. My name is Philip Wingenbach, I'm from Buffalo, New York. I spent two years in the Army—August, 1967, to August, 1969. I was a paratrooper, I was a medic with the 173rd Airborne. While with them I served with the 3rd Battalion, 503rd Infantry and E Troop 17 Cav. Like a Rat patrol. Gun jeeps. In February 1969—it was during Tet, the Tet holiday, their big New Year holiday, and we were headed from Bay Lok, the 173rd base camp right next to Bay Lok city, to an engineer compound which was about five miles down the road. While we were going through the city, people were celebrating, a lot of people drunk, and you know, having a good time, blowing fire crackers off which they always do during Tet. We were leaving the outskirts of the village, and there were people blowing fire crackers off and our second man in the second jeep opened up on the village with a .50 caliber machine gun. As soon as he started firing, everyone else started firing.

There was eight guns used—four M.16 machine guns, two .50 caliber machine guns, and everyone had .79 grenade launchers. We opened up on them for about twenty, thirty seconds as we rode by. After we got past the village, we stopped and we went back. There were people coming out of the hootches screaming, crying, "No VC, No VC, We're not Vietcong." We went up to them and there were people laying inside the first four hootches in the village. Dead children, women, men—we didn't count—we didn't even stick around, because we knew what would happen.

Guys in my unit just wanted to kill people, that's the way the 173rd was. They don't care who they kill, as long as they're Vietnamese, or gooks, as we called them. So, we left their village. The chief of the village made a complaint to Mac Vee: Military Assistance Command in Bay Lok City, and they brought it up to the colonel of the 3rd, 503rd battalion, who was in charge of the 17th Cav., it was a task force. And it was just whitewashed. All the guys in the platoon got together and, you know, said, we were fired upon. You know. Those firecrackers were AKs. There were no weapons found in the village at all. Every person had died. The village chief—count was eighteen, that they said, and there were six wounded. There was no weapons found. Every person that died had an ID card and they just whitewashed it. In the morning they called in every man to the battalion commander, one by one, in this inquiry. In the morning before everyone went in, the platoon sergeant had said at a formation, "You guys just remember the right story," and that was it, and it was understood. Nobody wanted to incriminate themselves so it was whitewashed.

MODERATOR. Phil, I'd like to try and emphasize one point. Did you or were you aware at all that you had received any enemy fire, or was there any resistance fire?

WINGENBACH. We said there was. We knew there wasn't. It was just a thing. One guy started it and the rest of the guys started it. The platoon leader had no control over his platoon now. Anyone could start shooting their weapons and everyone else got into the act because—you know, it was fun, it was fun to shoot people. That was the thing with the 173rd: they loved to kill. They had a big record over there. They were the first unit in Vietnam. When they first went over there—from stories I heard from guys, they used to—all the prisoners or all their body count, they used to take the patch and nail them into their foreheads to let the Viet Cong know who killed them.

FLOOR. When did this happen?

WINGENBACH. This happened in February 1969, right during Tet.

FLOOR. Did you fire into that crowd?

WINGENBACH. Yes, I did.

FLOOR. Have you told this story before anywhere?

WINGENBACH. No, I haven't.

FLOOR. Why have you waited until now?

WINGENBACH. I was indoctrinated pretty good through paratrooper school. And when I got over there, all the guys over there—gooks were gooks and you killed them. That's what they were for. So we did it. I didn't really bother me at the time. It didn't bother me until I started thinking what really happened.

MODERATOR. Excuse me. Perhaps we can continue with the questioning after Mr. Wingenbach has finished his testimony. He has two more incidents to relate. You were a medic over there, Phil. Did you have occasion to treat any wounded prisoners?

WINGENBACH. In December 1968, I don't know the exact date, it was about the first part of the month. We were in a short fire fight. Like in about twenty seconds they took four prisoners—we took our prisoners—and three were killed. I was working on two of the Viet Cong that we had shot, supposedly Viet Cong. They had weapons so I guess they were. The platoon leader comes up to me and goes, "It would be nice if those guys could die. You know, they got pretty thin arteries there." I told him, "If you want to"—I had just gotten in the country and it was like the first action I had been in and it was different shooting someone. It was pretty easy to shoot someone but to look somebody in the face and cut their arteries, I couldn't do it. So I told him to do it himself. I guess he didn't have the guts either. He called in the choppers and we evacuated our prisoners.

MODERATOR. You have another incident regarding a Montagnard village that you engaged?

WINGENBACH. In April of 1969 we were going down a road about eighty miles west of Phan Rang and we had three gun jeeps. I was in the middle gun jeep and there were two in the front. We were about fifty yards apart. Supposedly, the rear gun jeep got one round of fire from this area of a village. The first front two gun jeeps didn't hear anything. They started firing so we came back and the lieutenant ordered the guys to go in. I stayed on the road. I didn't go in with them. The just fired indiscriminately into hootches. No one was killed; nobody was in the village. There were livestock there. We found three old women in the field and an old man, that's it. No weapons, no nothing. We burned every hootch down and killed all their livestock which was about three water buffalo, chickens, and a couple of pigs.

MODERATOR. For no reason at all? Had you received any——

WINGENBACH. A rear gun jeep——

MODERATOR. One round——

WINGENBACH. Supposedly we had received one round. No one heard it—except the three guys on that gun jeep. I doubt it very much, I don't know.

FLOOR. What was the **name of your unit?**

WINGENBACH. 173rd Airborne Brigade. Also in May 1968, seven Viet Cong were killed in an ambush early in the morning and we were sent to pick up the bodies and—well, to guard them while the infantry unit was surveying the area. While we're guarding them a platoon sergeant and a couple of other guys were stringing the guys with ropes, the dead bodies, hanging them **around the neck,** from the feet—they were naked bodies—in the trees and taking pictures of them in the classical hunter pose, you know with your foot on top of his body. "Take that picture." That's what they were doing. I think—I'm not sure—we dropped the bodies off between an ARVN compound and a 173rd Airborne compound, the 3rd Battalion compound. I think—I'm not sure—they took the bodies downtown and laid them out on the sidewalk to show the people what happens to Viet Cong. They were multilated bodies completely mutilated.

MODERATOR. Excuse me, Phil—in the incidents you're relating, were there officers present? Were there people in a responsible position who would be controlling these types of actions?

WINGENBACH. Yes, there were. Officers loved to kill, too. They didn't—no one cared. Any Vietnamese was a gook or a Viet Cong. They didn't tell a difference.

MODERATOR. I think we can take questions from the press right now.

FLOOR. Was there ever any conscious attempt to put killer-type personalities or personalities who might be more prone to being ruthless in units like the 173rd?

WINGENBACH. The 173rd was an airborne unit and airborne-qualified people went into it. The airborne training you get is so indoctrinated. It's just a kill, kill, kill thing. The three weeks you go through in jump school—you know, it's always "The airborne's got to be the best. It's got to be the best and you got to have the most body count and you got to kill the most . . ." And you got to be the hardest, you know? "Airborne", and that's the airborne mentality.

FLOOR. Were any of the troops under the influence of marijuana?

WINGENBACH. Yeah, a lot. During these incidents, no, they weren't, but during the year I was over there, 173rd had a lot of people smoking grass, that's for sure.

FLOOR. What about legal counsel? Are you under legal counsel now?

WINGENBACH. No, I'm not.

FLOOR. Is it too late now to be brought up on charges?

MODERATOR. These gentlemen are civilians and they don't come under military jurisdiction.

FLOOR. You have no counsel?

MODERATOR. Yes, we do.

FLOOR. What's the name of your counsel?

TOD ENSIGN. I'm an attorney.

FLOOR. You represent the group?

ENSIGN. I represent them only in the sense that I'm safeguarding their legal rights.

FLOOR. They are immune from prosecution now, is that correct?

ENSIGN. Yes. Under existing law there is no jurisdiction once persons have terminated from active service. And I think I'll point out here just briefly, that even if it were possible to try civilians, the government, as you'll see from the three days of hearings, would have to try thousands, tens of thousands of Vietnam veterans.

FLOOR. What's the motivation to speak now instead of at that time? That you're immune from prosecution now? Everybody has been asking "Why now?" Is this the reason?

T. GRIFFITHS ELLISON. That's not necessarily true because one of the things, especially in the units I served in throughout the Marine Corps, is that enlisted personnel are told time and time again never to question orders. "Follow through the orders." If you have any questions after following through the order, whether it may be lawful or not, then ask the question. Now a lot of us asked questions after we followed those orders, but there was usually no follow-up, no investigations, nothing else. After the act has been committed, most everyone tends to forget about it.

LARRY ROTTMANN

MODERATOR. We'll again move on to the next witness, Mr. Larry Rottmann.

FLOOR. Where are you from, Mr. Rottmann?

ROTTMANN. My name is Larry Rottmann, Columbia, Missouri. Friday, August the 13th, 1965, I enlisted in the Army. After approximately a year I went to Infantry Officer Candidate School. From the period June 5, 1967 to March 26, 1968, I served as the information officer for the 25th Infantry Division, based at Cu Chi, Vietnam. My duties during this period were to be officer in charge of the division newspaper, division magazine, **division radio and television show, all other** 25th Infantry Division information-disseminating means. During this time I was also the escort officer for visiting newsmen including network television crews, which any of you who have been there know means spending a lot of time in the field because as soon as the information personnel come to the division, the first thing they want to know is, "Where's the action?" While serving in Vietnam I was awarded the bronze star **and purple heart.** I was honorably discharged from active duty as a first lieutenant on March 26, 1968. I'm the author of the 25th Infantry Division of Vietnam: A Combat History, published by McCall's Corporation, and a contributor to a book titled The Indochina Story, a documentation of the war in South-east Asia by the Committee of Concerned Asian Scholars at Harvard University.

Because of the nature of my assignment, which was one of McCusker's sub-lieutenants in the Information Office at the division, I'm able to verify a great deal the things he said about procedures and information business. I'll just take a few minutes to talk about one particular operation which all of you are acquainted with, that being Operation Junction City. It began February 22, 1967, and concluded May 16 of the same year. Although I did arrive in Vietnam in June of 1967, a month after the conclusion of that operation, I had many first-hand opportunities to visit War Zone C, in particular Tay Ninh Province where the bulk of that action occurred.

By June of 1967 the entire nine-hundred-square-mile Elephant Ear area had been declared a free fire zone, meaning that anything that moved in it would be shot, burned, or killed. Flying over that area in helicopters I could see how the defoliation had reduced the jungle to just barren soil and dead trees. You probably all know how a typical operation of this kind occurs, with air strikes and so on and so forth. I'll just give you a few figures. The Operation Junction City for the 25th Infantry Division began with B–52 bomb raids which dropped a total of 16,000 two hundred, five hundred pound bombs. There were also 1,757 air support sorties by Phantom and Sky Hawk attack bombers. The jets expended 1,648 tons of napalm, 1,104 tons of other kinds of bombs, and countless hundreds of thousands of 2.75 rockets and machinegun fire.

After the prepping, the objects to be searched for by the ground crews: they looked for weapons, foodstuffs, medical supplies, bunkers, tunnels, or anything that could be of use to the enemy. Villages, hamlets, or any other signs of life were to be completely destroyed. Houses were burned, food confiscated, poisoned or urinated on; household items smashed, livestock killed or mutilated, banana trees and gardens destroyed, burned, uprooted. Twenty-one villages in Tay Ninh Province were destroyed during this operation: Af Trai Vai, Zamet—and I won't go through all of them, I have a list of twenty-one if you're interested. You can see them. I brought the map with me, the Joint Operations Ground Map, which you can obtain from the government map bureau, number 1501GNC487 which is standard issue to all ground combat units. I have the map here, I'll be glad to show it to anybody, as well as the villages, later on.

On the censorship itself, we don't have much time so I won't go into detail but I can tell you a partial list of things that never left my office. In other words, if **McCusker had written a story at brigade** or battalion level and it got as far as me—if it got through his PIO at that level and through his commander, if it somehow managed to get up to me—these are things that would never come through. Now some of this is changed, which you'll recognize, but this is as of June, 1968—March, 1968: ineffectiveness or mistakes of the Army of the Republic of Vietnam; handling, processing, interrogation or treatment of POWs; use of shotguns; use of flame throwers either hand-held or track-mounted; use of lethal or non-lethal gas, gas-dispensing methods or gas masks; young VC, female VC; Huey Cobra helicopters; information on the size, accuracy, range or effects of enemy 122-millimeter rockets; M–16 rifle malfunctions or deficiencies; extent or damage of U.S. casualties from enemy attacks; any story concerning enemy tenacity, courage or ingenuity; marriage of U.S. personnel and Vietnamese; U.S. soldiers' use of pot or drugs; conditions of U.S. military stockades; anything about the CIA or CIA-sponsored activities like Project Phoenix or Air American; anything about U.S. activities in Cambodia and Laos.

And to pause here for a few minutes. I was in Cambodia three times myself in 1967. It was not infrequent at that time for the United States to make incursions into Cambodia although not any more than ten or twenty kicks—kilometers—but it was a very frequent occurrence.

B–52 bombing errors; ambushes or defeats of U.S. units; bulldozing, burning, or other destruction of Vietnamese villages or hamlets; anything about troop morale, pro or con; information about captured enemy materiel was that of U.S. manufacture—weapons, food, clothing, *Playboy* magazines; the term "NFL"; napalm; enemy armor or helicopters.

One other thing I want to bring up is that we've had a lot of talk about the body count, who ordered the body count, where'd the body count come from, who have the orders to collect the bodies. As of March, 1968, it was **official MACV policy**—MACV being the Military Advisory Command Vietnam—no matter how little contact was made during any **given week, VC** losses would always be at least two thousand KIA per week. That figure has since been downgraded as you probably know to one thousand. One thousand is the magic figure, gentlemen. No U.S. killed in any given week, but there'll always be at least a thousand. Check it out.

To meet this figure each division was given an unofficial but very real quota of VC to report killed. During a visit by General Westmoreland in 1968, just the week following the beginning of Tet, I heard him tell the commanding general of the 25th Infantry

Division that the 25th Infantry Division needed to put more emphasis on "body count"—that's a quote—"bodies," end quote. The commanding general of the division passed on the pressure to brigade commanders who passed on to battalion commanders to company commanders to platoon leaders, squad leaders, and on down until every man was affected by this body count obsession.

Some U.S. units have large scoreboards on which the body count is kept. The unit that reports the highest body count gets public commendation. The soldier who kills the most VC by himself often gets an in-country R and R to Vung Tau, or even out-country to Australia or Hong Kong. I have seen GIs in the field get in fistfights over who shot what VC, since the reward could be five days in Honolulu with the wife and kids. I've seen instances of doubling, tripling, quadrupling, etc., just on and on and on, of enemy bodies. I've seen accidental and deliberate killing of women and children counted as bodies. I've seen water buffaloes and monkeys counted as bodies, and many times I've seen bodies counted where there weren't any bodies at all. I have had MACV officials call me back after submission of the Daily Situation Report—sit rep—and urge me to quote "dig up a few more bodies," end quote, we don't care how. And that does include digging them up: if you know where some are buried, go out, dig them up and count them. This had happened many times.

We're just about out of time. I want to bring up one further point. Many people here have asked guys on the panel: "This happened last year, two years ago, three years ago—why? How come you bring it up now? Why did you sit on it?" Well, after the first year if you come back, after the first year it's like shock, you know. Like you want to forget, like you don't want to talk about it, like you don't want to think about it. Like how many Vietnam veterans do you know who've had martial troubles, psychiatric problems? You just don't want it to happen—you just want to wipe that all out of your mind. But then after about a year it starts bugging you and you have to talk to somebody about it. So you begin by talking to your friends. If they're not receptive, you just keep talking to wider and wider audiences. You talk as far as you can, you talk to as many people as you can. You try to get the word out, you try to clear your head. Why do we speak up at all? Because we can't sleep at night, that's why. Because we can't sleep. Because we can't go to John Wayne movies any more and not cry. These are grown men we're talking about, men with real feelings, men who know what they did, what they participated in, but can't help themselves for feeling badly about it. It's the way it is.

A really significant incident to point this out occurred on the Vietnam vets' march over Labor Day from Harrisburg, Pennsylvania, to Valley Forge. That's probably one of the best-kept secrets in the whole world, but one hundred fifty Vietnam veterans marched that ninety miles on a blacktop road on a simulated search and destroy mission. One night I woke up—as is usual—in the middle of the night, couldn't sleep. Everybody was sleeping in sleeping bags and blankets all over this farmer's field—and I walked over to the can. As I walked, I walked through one hundred and fifty guys moaning, tossing, rolling, sitting up in their beds, smoking, doing anything they could to try to keep their mind off of it. We speak now because we have to, it's as simple as that.

I'd like to close what I have to say with this thing that I wrote. Maybe it'll help clear something up for you. I don't read it because I think it's great literature, but it's sort of like real history. It's something that I'd like to read. It's entitled "We Are All Lieutenant Calley."

"If you went, you too must share the guilt. The infantry man pulls the trigger that kills, the pilot drops the bomb that slaughters, the artillery man jerks the lanyard that maims, and the engineer plants the mine that mangles. But cooks, clerks, doctors, and chaplains are murderers, too, for there are no non-combatants in this war. Each soldier's presence invites, entices, demands enemy attack, and the haphazard retaliation has the inevitable result: My Lai, Ben Tre, Tan Phuoc Trong, Ben Suc; a half million Asian bodies, four deaths on each and every GI conscience. Have you ever met a happy Vietnam veteran?"

FLOOR. Mr. Rottmann, what do you know about the use of GV nerve agents in Vietnam?

ROTTMANN. I've heard that it's used.

FLOOR. On this fact sheet here, it says that you're going to make the first public disclosure of the presence of these nerve agents.

ROTTMANN. The disclosure was made in Boston last spring at an inquiry that was held there at that time.

FLOOR. By you?

ROTTMANN. Yes, it was. You can read it. It's in the *New York Times*, I believe.

FLOOR. Tell us briefly what you revealed then.

ROTTMANN. I just revealed that I had seen what I had seen what I believed to be and was told to be a nerve agent, at that time, at the Phen Ny airfield in Vietnam.

FLOOR. Used in what way?

ROTTMANN. Used in what way? To kill people. That's about the only thing it's good for. Some time in the fall of 1967.

FLOOR. Do you have evidence of how you know that the official policy is to have two thousand KIA?

ROTTMANN. I was told that over the phone.

FLOOR. By who?

ROTTMANN. By officials from MAVC.

FLOOR. What officials, though?

ROTTMANN. I don't want to name any names. It goes along with the whole philosophy. If you name a name you blame a person. We blame everybody.

FLOOR. That's a fairly serious charge. Do you have anything at all you can cite as evidence except that somebody called up on the phone and told you that?

ROTTMANN. Well, you can check the records and see. Just check the Pentagon release records every week and see if any time during that period the count fell below two thousand. Whether there was any U.S. casualties or not. Just check it out.

FLOOR. That has nothing to do with the charge, though. Can't you give anything to substantiate it?

ROTTMANN. I've been told that. I don't have it in writing. Okay?

MODERATOR. I don't know how this will add to the count of two thousand, but we will have testimony I believe it's tomorrow from a member of Army forces over there that in the outfit he served with, they went out on three-day forays and if they did not have a sufficient body count—approximately fifteen per unit—that they had to stay out in the field. Now if that doesn't indict body-count policy, I don't know what does because that order came from a colonel and was approved by a general.

FLOOR. I'd like to ask about your quoting William Westmoreland. When did this occur? What were the circumstances? He's visiting the 25th Infantry?

ROTTMANN. Right. Sometime following the Tet offensive, probably the first couple weeks in February. Things are pretty hectic then as you know. He did come to the division, he did speak to the commanding general at that time at a briefing in which I was present.

FLOOR. You heard that with your own ears?

ROTTMANN. My own ears, that's right.

FLOOR. Now what exactly did he say?

ROTTMANN. "Bodies." He wanted more bodies. That's B-O-D-I-E-S.

FLOOR. He said "I want bodies?" "More bodies."

How far were you from the general when you heard him say that?

ROTTMANN. Closer than you are to me. Ten, five to ten feet.

FLOOR. You were there as part of the official party?

ROTTMANN. I was the Division Information Officer. It was my job to be there.

FLOOR. He didn't say that to you, did he?

ROTTMANN. No, he did not. He said that to the general of the division.

FLOOR. Who was the general?

ROTTMANN. You can check it out. It's a matter of record.

MODERATOR. Gentlemen, I think the time has run out for the first session.

FLOOR. Did Westmoreland say any more about bodies than "I want bodies?" What else did he say?

ROTTMANN. The general conversation just continued along those lines: the fact that pacification was passed (these are not quotes, this is just the general tone of the conversation), that pacification, medcaps didn't prevent Tet, didn't prevent the enemy from launching an offensive. You could build all the bridges you want, it didn't delay the war.

FLOOR. When did this happen again, this discussion?

ROTTMANN. First or second week of February, 1968.

FLOOR. What was your rank, I'm afraid I missed that?

ROTTMANN. First Lieutenant.

FLOOR. Would you say that that's the policy now, that the emphasis remains on body count and not on—what do they call it—pacification?

ROTTMANN. I can't say. I haven't been there for a while so I can't say.

MODERATOR. Gentlemen, are there any other questions for Mr. Rottmann, or any of the other witnesses?

FLOOR. I was wondering if any of the other gentlemen can back up your emphasis on body count?

MODERATOR. I think they already have. Several witnesses have mentioned it today and more of the witnesses will be giving testimony about the emphasis on body count through the rest of the session.

FLOOR. Was that list that you were reading some kind of direction, an Army directive?

ROTTMANN. It was an Army directive. It frequently came down in a thing called The Kolonel's Kernels—both spelled with a K—from UCRV.

FLOOR. Do you have a copy of that?

ROTTMANN. Not a copy, I have some of the Kolonel's Kernels if you'd like to see them later on.

ROBERT OSMAN

MODERATOR. Our last witness is Mr. Robert Osman.

OSMAN. My name is Robert Osman. I'm age twenty-two. I went to Vietnam in the end of June of 1968, and I served there with Charlie One-Three—that's First Battalion, Third Marines, Third Marine Division—until the end of July in 1969. I was attached to 81 mm. mortars. I spent about two months with the guns, then went out as a forward observer with Charlie Company.

Now we operated mostly up in Northern I-Corps Area, in the jungles and mountains. The first contact I had with Vietnamese civilians in the vills was in the first part of December of 1968, when we participated in a County Fair Operation. This is the type thing where we moved out in the middle of the nighttime and kind of walk all over the flatland, and at a certain time around dawn we converge on a vill, and all of a sudden the people are like surrounded. They can't

go in, they can't go out. And then we set up for approximately a week, however long it takes, while the ARVNs come in and search the vill. The County Fair that I took place in, participated in, was kind of like a big gala operation as far as the Vietnamese were concerned. They brought in the ARVNs to search the place, there were public speakers, there were banners, flags, all sorts of rallies trying to gain support for the Vietnamese government I guess. However, they went through checking ID cards, checking civilians, and they had them rounded up in barbed-wire confines off in a different section, where they kept different classifications of the Vietnamese that they interrogated; they'd be the ones waiting for interrogation, Vietnamese suspects—Viet Cong suspects, excuse me. In these little compounds they had three or four little tin shacks set up.

This was in the desert. The sun was very hot, and the ARVN officers would interrogate the villagers in these shacks. The interrogations were conducted with rubber hoses. People were brought in—a few minutes later we'd hear them screaming. On one instance there was—I saw a Vietnamese girl, teenager, brought in. She came out about half an hour later completely black and blue. At the end of this operation they had a couple of six-bars, a couple of trucks loaded with Vietnamese civilians taking them away, and many of the villagers were running after crying, little kids running after mothers in the trucks, and I asked the Vietnamese interpreter just what was happening, and he said that these people were suspects, or people they needed information from, and they were taking them off for further interrogation, but they'd informed the villagers that these people were being taken off to be shot. This was my main contact with the civilians. This County Fair type operation was conducted regularly in the flatlands area of Northern I-Corps, up around what was called Leatherneck Square.

As I said, we spent most of the time up in the mountains. It was standard procedure to dig up any graves that we encountered. Frequently we ran into Montagnard villages, deserted mostly; any graves in that area, some quite old, with markers, we dug them up anyway. I don't know whether the bodies were included in the body count or not.

When we'd get a kill—well, on one particular occasion our company had been out on an operation, we'd sustained heavy casualties and we were coming back out of a valley, linking up with another company. Early that morning this other company had killed an NVA soldier. When we marched into their compound, they had the soldier crucified to a tree right next to the trail that we were marching in on. He was on their perimeter. He was nailed to a tree, he was wrapped around with det cord, he had C-4 packed on his head and a SHAPE charge was placed in front of him. After our whole company had marched inside the perimeter, Bravo Company captain had everybody gather around and they detonated the gook. There wasn't just any trace of him left. They wanted to get it over with because there was brass coming out in the field later on in the day.

MODERATOR. Bob, can you tell us what unit that was?

OSMAN. Yes, this was with Bravo Company and Charlie Company, First Battalion, Third Marines.

MODERATOR. Are there any questions now from the press?

FLOOR. You say he was nailed to the tree?

OSMAN. Right. Well——

FLOOR. What did you say he had on him?

OSMAN. Okay—he was nailed to a tree with his hands over his head like this. [Gestures, hands one in front of the other stretched above head.] He had det cord—which is detonation cord, it's an explosive—wrapped around his middle. He had C-4, which is a plastic explosive, packed on his head and placed on various parts of his body around the abdomen. And there was a SHAPE charge—it's a conical-type charge; I'm not sure what it's used for but it's pretty powerful—that was placed in front of him.

FLOOR. Was he alive?

OSMAN. No, he was not alive. He was dead.

FLOOR. And then your commander marched you in and you stood around this tree and then it was exploded, right?

OSMAN. Well, not exactly around. There was a lot of explosives. You see, he was by a trail that we had to march on to get into their perimeter, and he was nailed to the tree right by the trail. As soon as we had all marched in—it was the other company commander who had fixed this up as a surprise for us—and when we were all in then we stood up on the LZ and watched the explosion.

FLOOR. Do you know who nailed him to the tree and who rigged up the explosives?

OSMAN. Well, there were engineers up there. They were probably the ones to rig up the explosives. As far as who nailed him to the tree, I don't know individuals, there were individuals of Bravo Company, who had set up the perimeter.

FLOOR. American troops?

OSMAN. Yes, American Marines. This was under the directives of the Bravo Company commander.

FLOOR. What was the reaction among the troops when the explosion went off?

OSMAN. Well, first, when we marched by, the reaction was favorable. As I said we'd just been in an operation where we'd sustained heavy casualties, and when we saw this—ah—gook nailed to the tree, like, you know, wow, that's really great. Afterwards, when people started thinking about it—I know for myself when I marched by I thought, this is really cool. And then right after that, we were standing up waiting for it to go off, I was just thinking, you know—what are we turning into? What kind of people can do this?

FLOOR. You didn't think at the time of reporting that?

OSMAN. No. At the time I wasn't aware that there was anything wrong with it.

FLOOR. Well, you said that you were aware there was something wrong with it.

OSMAN. I mean, anything wrong legally.

FLOOR. Do you have any idea how old this guy was? How did he look, did he look like an old man, young man?

OSMAN. Well, he was an NVA, he was probably in his early twenties.

FLOOR. How was he dressed?

OSMAN. He had on NVA uniform. Just green fatigues and a shirt.

FLOOR. Grey fatigues?

OSMAN. No, green—green.

MODERATOR. Okay, thanks very much, Bob.

Before I summarize the National Veterans Inquiry, I'd like to introduce an active-duty Lieutenant who's been here before listening to the testimony, Lt. Louis Paul Font.

FONT. I'm Louis Font, an active-duty First Lieutenant, United States Army, stationed at Fort George G. Meade, Maryland. I've participated in this conference over the last three days, and my primary concern is that the testimony not end here.

I feel very strongly that something must be done with the evidence that has been gathered over the last three days. I think it would be very sad indeed, and a sad commentary on our entire society, if this material were simply to end up on some college shelf, some college library shelf somewhere. I think that it is incumbent on each one of us to try to do something to disseminate this information to the public. I feel this very strongly.

There seems little doubt that if a hearing like this had been held three or four or five years ago—and some of the testimony we have heard goes back that far—perhaps today we would not be having the My Lai trial. And perhaps My Lai would never have occurred.

Perhaps this testimony can be taken to Capitol Hill, in written form, or, even more hopefully, people may testify before some congressional committee. Perhaps this testimony can be used in some way directly with regard to the My Lai trial.

I'm an active-duty First Lieutenant, and there are several things that I can do, and over the next month or two I will be preparing and then executing one or more of the following options that are open to me. As an active-duty First Lieutenant in the United States Army, I am subject to the Uniform Code of Military Justice. Article 138 provides that an individual can complain and call for an investigation of his commanding officer. My commanding officer, of the First United States Army, is a man who was very heavily involved—whose unit was very heavily involved—with regard to some of the testimony that we heard here yesterday relating to Cedar Falls Operation.

Furthermore, there is a ruling in the United States Supreme Court, *United States v. General Yamashita*. You may be familiar with this case. It holds, quite simply, that a commander is responsible for everything that goes on in his unit. And the Court went even further—to state that he is responsible whether he knows what is going on in his unit or not. I'm in process of consulting with legal counsel, and have been speaking with lawyers, and I may very well do something with regard to this precedent set by the United States Supreme Court in World War Two.

At any rate, what I'm simply trying to get across is that the hearings are nearing an end, and yet the war crimes continue; and that something should be done about this. And further, that what we have heard today are many incidents—different individuals, in many different places in Vietnam, but relating the same sort of information. It seems quite obvious that a pattern emerges. And that pattern, coupled with what I learned at West Point—that a commander is responsible for *everything* that goes on in his unit—makes it quite clear to me that what is going on in Vietnam is something for which someone other than a lieutenant, such as Lieutenant Calley and others, are responsible.

I feel strongly that if Lieutenant Calley is guilty of anything, then the generals, and perhaps even higher are far more responsible.

WE SHOULD FOCUS MORE ATTENTION ON RURAL AMERICA

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

Mr. SMITH of Iowa. Mr. Speaker, the farm situation, the rural situation, in America has been rather bad most of the time the past 40 years, but it is still bad and in fact there is some evidence that it is getting worse. As the rest of the Nation has progessed, rural America has not progressed with the rest of the Nation.

We have been hearing a lot about the urban problems in this country and to be sure we do have urban problems in this country. But it is high time that more people realize we also have serious rural problems in this country; and that serious rural problems are very much related to urban problems. In fact, to a considerable extent urban problems have increased because we have not been doing a good enough job of taking care of rural

problems. In the past 30 years, millions of people have poured from rural areas and smaller cities into the big cities. Since jobs, housing and pay scales have been higher in the cities all during that time, there has in every year been a flow of migrants toward the cities but the rate of flow has ebbed or increased according to the relative economic situation and the availability of services including housing. There are still millions of people in rural America who could migrate to the cities. In fact, 3 out of 4 in rural America today are not tilling the soil and in many cases have given up hope that they can return to farming as an occupation that will support a family. An even greter increase in migration can be expected unless the job, income, and services situation improves.

But instead of improving, the situation in rural America is becoming worse. The situation is becoming so bad that many farmers simply have no net income. Costs have been increasing every year. The cost of fertilizer is up 8 percent again this year. The cost of seed corn will be 50 percent higher than last year. Real estate taxes which largely pay for public school systems in many States have doubled in the past 5 years at the same time that the cash receipts from the sale of products has not increased. Cattle and hogs are bringing only about two-thirds of what they did a year ago. Yes, it is time both the administration and our colleagues in the Congress take full note of what is going on in rural America.

The recently released census information reports that 73½ percent of the American people live on only 2 percent of the land; and when one looks at what is going on with the people who live on the other 98 percent of the land, it is no wonder so many have crowded into the cities. A recent poll indicated that 83 percent of the people who live in urban areas said they would prefer living outside the central city and 55 percent said they would have chosen a small town or a more rural area.

Since it is so much in the national interest to spread the population more in this country, we should seriously look at the reason this imbalance in the population and the reason why most people live where they do not prefer to live. The reasons lie in the fact that people in rural areas have smaller incomes, their standards of living are lower and there is less opportunity to advance. In other words, there is an imbalance in the distribution of income, services, and off-the-farm employment.

In fact, many farmers also work off of the farm. Thirty percent work off of the farm at least 100 days a year and if they did not, their income would be even lower. In the 15 years from 1950 to 1965, farm output increased by 45 percent and farm employment was reduced by 45 percent. In the past 20 years the decline in farm employment has been 200,000 per year. While the decline in employment opportunities has been reducing constantly, 90 percent of the increase in jobs has occurred in cities with over 50,000 population. Migration patterns have followed the location of these jobs and the availability of housing and other services. It is now estimated that over 20 percent of the growth in the big cities during the last 15 years was due to migration from rural areas. Some have calculated that 550,000 jobs must be created in rural areas to offset the declining opportunities of employment in rural areas if this migration is to be stemmed in the near future. If jobs were as available in rural areas and wages the same as in the urban areas, it would have added $10 billion per year to the income and purchased power of the people from rural America and $2 billion per year to tax receipts of the Federal Government.

Furthermore, the people who are left behind in the county seat cities and smaller towns as their neighbors flood into the urban slums, face more difficulty because it costs more per person when fewer people support public services, a good educational and vocational training system, and adequate health care system, and other opportunities for an equal standard of living. In addition to that, when the younger generation leaves, it depletes the leadership that is needed in many of these areas for progress and for a long term look into the future.

When one looks at the difference in terms of health, education, and housing, it makes discrimination by residence very clear. In 1960, 80 percent of the urban residents lived in sound homes while only 50 percent of the rural people enjoyed the same conveniences. Forty-four percent of all housing units that lack structural soundness were located in rural areas even though less than 30 percent of all the housing units were in those rural areas. Almost 30 percent of the housing units in rural areas were without inside plumbing. Although we appropriated $100 million last year for rural water and sewer projects in areas that have arbitrarily been denied funds under other programs, $56 million of that was held back. Over 100 towns in Iowa alone have applications which have not been funded.

In the urban areas, the average resident completed 11.1 years of school while the rural nonfarm average is 9.5 and the rural farm average only 8.8 years. Because the cost per child is much higher in school districts with under 1,000 pupils and because vocational training courses require large investments and a substantial number of pupils per courses in each of the various trades, an equal chance for that kind of training has been almost out of the question.

At the same time that this disparity in services has increased, Government programs have been directed almost exclusively toward the large urban areas in nonagricultural States. Arbitrarily, towns of under 5,500 population were for years excluded from the benefits of housing programs and it has been extremely difficult for a person with a low downpayment to buy a house in a rural area. As people vacated houses in farm areas, young people who wanted to buy them and fix them up and commute to work found financing almost nonobtainable. Housing laws have been administered in such a way so that young people who want to buy a house with a low down payment, or to secure subsidized housing, almost had to go to a larger city than they wanted to live in.

Even the poverty program has discriminated against the rural areas in the use of its funds. Although the percentage of the low-income people is much greater in the rural areas, less than one-fifth of the OEO funds have been directed toward the nonheavily urbanized areas or the people from them. While 30 percent of the people lived in rural areas, 40 percent of those with incomes under $3,000, came from these areas. The average cash income of a farm family has been of about 60 percent of that of an urban family and the average nonfarm rural resident made only 85 percent as much as the average urban family. As a matter of fact, the average income of farmers working 55 hours per week is $2,000 less than an unemployed family is eligible to receive on welfare benefits in New York City.

I want to warn my city colleagues that there is still a large reservoir of people in the nonhighly urbanized areas who could move into these cities. A large share of the older men that are unemployed or underemployed have few skills and immediately need health services and other benefits which are already strained in cities too. It is in the interest of the city people to also want to do what we can to let people live in that kind of an area where they would prefer to stay. Those with the greater skills that were in the most demand have already migrated in too many cases; and while the ones that are left in almost every instance, do not want to migrate to the cities, unless the trend of the economic and social situation changes, many will be forced to do so. While a man may have been a highly skilled farmer, he is classified as unskilled in the city world of work and statistics show that migrants of rural origin who moved to the central cities in 1967 were more likely than nonmigrants to live in poverty areas. In fact, 35 percent of those living in poverty areas were rural-urban migrants as compared with only 25 percent who had been reared in the poverty area.

Production per man-hour has increased almost three times as fast on the farm as in the city but instead of reaping benefits from this tremendous increase in farm production, it has caused reduction in prices to offset any increase in the return from the higher volume. While the people of the United States use less and less of their income to pay for food, the farmers are getting a smaller and smaller portion of the food dollar. Partly due to this tremendous increase of production per person, rural unemployment rates are constantly higher than they are in urban areas. In fact, all of the gains in employment in the United States in 1969 were in the nonfarm areas. While farm employment actually dropped by 210,000 in 1969, total nonagricultural employment increased 2.2 million.

While the health services available in rural areas are less than in urban areas, the needs are even greater per capita. Twice as many people in rural areas per capita suffer from chronic health condi-

tions and 60 percent more per capita suffer from an activity-limiting chronic health condition. Twice as many per capita die from accidents and the cause of this is generally attributed to the lack of emergency services and medical personnel in rural areas. Rural areas contain a disproportionate number of people over 65 years of age and the lower incomes in rural areas combined with the sparse population situation cause residents of these areas difficulty in competing with residents of higher income, higher density areas for medical services. The 30 percent of the Nation's population in rural areas had available only 12 percent of the Nation's physicians and only 18 percent of its nurses, 14 percent of its pharmacists and 8 percent pediatricians. Private specialists and hospital staffs in the most urban areas exceed those in most rural areas by 1,300 percent. Four times as many of the rural population do not live within 25 miles of a hospital facility of 25 beds, and in many cases that hospital which is within the 25-mile radius does not provide emergency services. In most cases, a house call by a doctor, no matter how sick one is, is simply out of the question; and there are twice as many clinic man-hour services per week available to urban residents. It seems clear to me that, as a practical matter, to effectively provide any reasonable quantity of health services for these areas, we must encourage the establishment of clinics in the towns in rural areas. These clinics can be under the direction of, and in constant telephone communication with, a doctor in a county seat city; but they must be staffed with a family nurse practitioner and perhaps some other professional and paramedical personnel. The family nurse practitioner could provide well child and well baby care including making observations and checking for abnormalities. They can note growth and development of the child and routine evaluation of adults and other children, all of which can be studied in the office of a physician, where he can detect anything indicating a need for a personal observation. Such nurse practitioners can provide immunizations and counseling concerning the feeding of children and methods of maintaining regular health. They can screen patients and initiate therapy; in some instances they can cooperate with the public health agencies where an epidemic is underway or a mass immunization program is needed. They can track down those who react positively to tuberculosis and even provide house calls for the invalid and chronically ill patients who could be treated either by the nurse practitioners on the spot or with the help of a telephone call to and instructions from the physician when necessary. They would be capable of making observations relating to pregnancy, diabetes, congestive problems and make interim reports on the condition of patients who are under continuing and direct care of physicians. They could call on these patients more often than the physician would have time to, and therefore, when a patient needed immediate hospitalization or care of a physician they could determine this and provide that care on a priority basis. In the local clinic, the family nurse practitioner could culture organisms from a sore throat, conduct prenatal examinations, examine, clean and disinfect punctures, give first aid and they could, through a special telephone hookup, initiate an electrocardiograph examination for the physician's office or health care institution which may be many miles away and otherwise unavailable to the patient. Through this modified delivery system, the overworked physician could tremendously expand his eligibility to deliver health care to the family and go a long way toward remedying the serious present imbalance beween supply and demand which simply cannot be remedied by just any amount of money alone.

In spite of the fact that it is so clear that these medical services and reforms are needed so badly in rural areas, the major bills now before the Congress do not address themselves appropriately to this situation and instead are more directed toward big health institutions in large urban areas.

Mr. Speaker, I say it is high time that both the administration and our colleagues here in the Congress give greater appreciation to the fact that there are severe problems in this country in the rural areas and that the solution of these problems in rural areas is not only just as important as the solution of problems in the urban areas but that, in fact, there would not be as many problems in the urban areas if there were a greater equality of opportunity for income and services in the rural areas compared to the urban areas. It is time for everyone to have a greater appreciation of the fact that even greater migration from rural areas into the cities that are not equipped to receive them will surely occur if more attention is not directed to these problems which I have related. I strongly urge that all departments and all levels of Government give greater attention to the importance of this interrelationship and to realize that we do have problems in the rural as well as the urban areas of this country and that the problems in rural areas have in many ways gotten worse.

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

Mr. SMITH of Iowa. I am glad to yield to the distinguished Speaker of the House.

Mr. ALBERT. Mr. Speaker, I appreciate the gentleman yielding at this time.

I want to compliment the gentleman and others who are going to follow him for taking these special orders.

There is no part of the economy, there is no part of America, where a cost-price squeeze has been felt as much as it has been felt in the great agricultural sections of this country. Farm parity dropped to its lowest point since the great depression last fall. I am happy that the gentleman is discussing this matter in depth, and I desire to associate myself with his remarks.

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

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. ZWACH. Mr. Speaker, I would like to commend the gentleman in the well for his statement in depth on this particular problem of rural and countryside America. Also to compliment him on being a part of making a special order of this problem so that we can explore it in depth.

Mr. SMITH of Iowa. I thank the distinguished gentleman.

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

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. BURTON. Mr. Speaker, I must commend my colleagues Mr. MELCHER, Mr. SMITH, and Mr. ABOUREZK for their deep concern for the neglect of our agricultural economy, and particularly the effect it has had upon the family farmer. Too often we have seen large corporate agriculture become wealthy while the small farmer is driven from the land.

Today, while the farmer makes tremendous contributions to our economy, he has failed to receive a fair share of prosperity his labors have made possible.

Despite great increases in productivity, despite long hours of hard work, the individual farmer finds his income shrinking.

The administration has neglected rural America, has opposed or cut back many programs to help in rural development, and has not developed any meaningful new programs.

As one who represents an urban area, and who pays continually higher prices for the bounty of the land, it distresses me that my money is not getting back to the men who bring in the harvest.

One of the great sociological dilemmas of our time has been the change from a rural to an urban nation. Our urban areas are already strangling, and government policies which drive more families from the farm to the city create not only personal hardship, but also increase the urban pressures which threaten the fabric of our society.

Again, Mr. Speaker, I must commend Mr. MELCHER, who knows first-hand, and has taken a vital personal interest in the plight of our farmers. I extend my congratulations to him, and to others among my colleagues, who have taken the lead in seeking to eliminate this economic discrimination.

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

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. HUNGATE. Mr. Speaker, I particularly appreciate the statement made in the course of the gentleman's remarks as to the amount of urbanization in the country and the need of housing in rural areas and of programs in cities of under 5,500 which I think has long been overlooked.

When the Census Bureau tells us how many people are in urban areas, anybody in a town of above 2,500 is an urban city and a metropolitan resident. When anybody is either in a town of less or over 5,500—you do not qualify for housing and urban development relief. You

go to the Farm and Home Administration to get your aid for sewers and water projects.

So there is quite a gap between 2,500 and 5,500 for people who are considered by one agency to be urban and by another agency to be rural.

I would suggest that if we ever remodify that census definition, to have 5,500 and not 2,500 equal an urban area, we would find a substantially larger proportion of our people living in rural areas. In Missouri, and in Iowa and in the Dakotas I suspect it is difficult to realize when you are in a city of 2,600 that it is really an urban area.

Mr. SMITH of Iowa. The gentleman is quite right. I thank him for his contribution. It is true that there are inconsistencies, and in general interpretations are made against the rural areas.

Mr. ABOUREZK. Mr. Speaker, in 1933, parity stood at 67 percent, thousands of farmers were being driven from the land, and American agriculture stood in serious danger of collapse. Today, 38 years later, parity stands at 67 percent, thousands of farmers are being driven from the land, and American agriculture is in serious danger of collapse.

But there is one very important difference between 1933 and today. In 1933 we in the farm States did not stand alone in our battle for survival. The President and the Nation were united solidly behind us. There was no doubt in Washington then that the American family farm was worth saving.

Today we face the same threats we did during the depression, but nobody seems to care. The President obviously does not care. The Congress is not exactly up in arms. And all the American housewife notices is that the food prices are high.

This depressing lack of concern is the reason for our forum here today. I want to compliment Mr. MELCHER, Mr. SMITH, and Mr. SEBELIUS for their initiative in calling this meeting. They know, as few other Americans do, that the decline in our rural areas is approaching the terminal stage. They know that year upon year of ridiculously low prices and rising costs have forced thousands of our farm families off the land and into our swelling cities. Most important, they know that unless the present administration abandons its policy of total disinterest in the plight of rural America, there simply is not going to be any rural America left to be concerned with.

Mr. Speaker, the reason we are here today is to reverse America's disinterest in the plight of agriculture. The men who are participating in this forum are men whose understanding of our farm problems is truly impressive. Together they are qualified to discuss nearly every aspect of American agriculture, and to present to the American people the case for preserving our existing agricultural system. I am proud to have been asked to join in the presentation of this case.

As my contribution to our forum I would like to discuss just one small part of our existing farm program, the agricultural conservation program. Most Americans have never heard of ACP, but the trouble that ACP is in today provides a perfect example of how shortsighted administration decisions are contributing to the decline of our rural areas.

Despite its anonymity, ACP, is a conservation program that has taught the Nation soil conservation, reduced silt pollution in streams all over the country, placed millions of acres of unwisely tilled land into legumes and cover crops, created over 2 million sediment and water holding structures, and furthered the cause of conservation in a hundred other ways. And yet this program, the ACP, is in trouble today. In trouble not because of its failure, but because of a lack of understanding on the part of too many people about what that program is and what it does.

Others have spoken out in behalf of this program. Indeed for the last 15 years it has only been strong congressional defense that has saved it. On February 19 last year, JOHN MELCHER, of Montana, made a speech before this House entitled, "The Two Old Crows Are Back." In that speech he pointed out that ACP has been the cheapest sort of insurance against destruction of our land base—the most essential resource for survival.

Despite the brilliant defense of ACP by Congressman MELCHER, Congressman WHITTEN, and many others, the program continued to be misunderstood and is now apparently slated for extinction by Secretary Hardin.

Because it is misunderstood the best way to begin a defense is to try to explain the ACP in as simple terms as possible:

Through the agricultural conservation program, authorized by the Soil Conservation and Domestic Allotment Act of February 29, 1936, the Federal Government shares with individual farmers, ranchers, and woodland owners, the cost of carrying out soil, water, woodland, and wildlife conservation practices. The program is designed to meet both current and long-range production needs. The program is flexible. It has provided a fertility reserve, which was drawn on to increase production during the war to meet defense needs. It utilizes a farmer-Government partnership, which recognizes both the farmer's responsibility for protecting and improving his land and the public's responsibility for bearing its fair share of the cost. With the assistance of the agricultural conservation program, the farmers establish grass, legume, and tree cover; improve existing vegetative cover; establish or improve timber stands, build small dams for water storage; construct sod waterways and terraces; level land to conserve irrigation water; apply lime to make possible the growth of conserving cover; and carry out other needed conservation measures. The program provides emergency assistance to farmland damaged by drought, hurricanes, and floods. Through cost sharing, farmers and ranchers invest their own money, time, machinery, and labor, amounting nationally to better than half the cost of installing conservation measures. The agricultural conservation program assistance in the form of materials, service, and financial aid accounts for the remainder. About 85 percent of the funds used represent payments made for practices considered to have direct or indirect pollution abatement or control benefits.

The funds for the ACP are authorized annually by the Congress. The cost-share authorization for each year's program in recent times has been about $220 million. However, during the past 2 years the Congress authorized only $195.5 million. Program payments to farmers ranged from nearly $500 million in 1939 to $193.3 million in 1969. Program payments were reduced to $185 million in 1970 and the estimate for 1971 is $150 million.

The conservation measures carried out under ACP help assure our growing population an increased supply of clean water, an enhanced natural beauty, more opportunities for the enjoyment of outdoor recreation and other improvements in the quality of our environment.

Nearly a million farmers and ranchers in all States, and in Puerto Rico and the Virgin Islands install conservation measures each year with ACP help, and more than 2 million participate over a 5-year period. ACP cost-sharing is usually on a 50–50 basis. However, many farmers bear considerably more than half of the total cost of the practices applied on their land.

The funds authorized for ACP are allocated to the agricultural stabilization and conservation State committees on the basis of the conservation needs of the farmlands in the various States as determined by the Secretary of Agriculture.

The program is administered locally and to a large extent by local people. The ACP and its accomplishments are reviewed annually in the light of changing conditions. The annual program at the State and county levels is developed jointly by ASC committees, the Soil Conservation Service, and the Forest Service with the counsel of the Cooperative Extension Service, the Farmers Home Administration, State government conservation departments and commissions, and representatives of local agencies, particularly soil and water conservation districts, and nongovernmental organizations. The Soil Conservation Service and the Forest Service are responsible for providing technical program guidance to ASC committees as well as technical aid to farmers in carrying out conservation practices.

That, then, is the formal structure of ACP. It is a widely accepted, locally administered, grassroots program. But how has it actually worked?

From 1936 to 1969, 430 million acres of enduring grass or legume cover were established throughout the United States due to ACP. This cover provided needed soil and watershed protection with extensive antipollution benefits. During those same years, nearly 2,200,000 water storage reservoirs were constructed to control erosion, bring about desirable land-use adjustments, conserve scarce irrigation water, and to enhance fish and wildlife habitat. Other water developments, such as springs, wells, and pipelines, served another 116 million acres; 35 million acres were served by the con-

struction of permanent sod waterways to safely dispose of excess water, prevent erosion, and reduce pollution. Thirty-five million more acres were served through the creation of terraces to control erosion, manage water safely, stabilize land, and reduce pollution of streams. Finally, nearly 9 million acres were planted in trees or shrubs to control erosion, reduce pollution, or bring about needed land-use adjustments.

The direct benefits of ACP can be seen in every single county in America. No program has been so universally accepted by our farmers as has ACP. No program has contributed so much to cleaner air with so little fanfare. No program has done so much to reduce pollution of our waterways. Indeed, no program in the history of the world has achieved more basic conservation than has ACP. What is more, no program could have done all this as cheaply as ACP under its 50–50 cost-sharing arrangement with our farmers.

Despite this truly impressive record, we now learn that ACP is to be phased out by a new program, the rural environmental assistance program. USDA tells us that this new program, REAP, will improve on ACP by targeting funds on community wide environmental problems.

This, in my opinion, is baloney. Certainly there is a need for more funds to solve communitywide problems. But is it really necessary to find money for this purpose by throwing out a proven program that has contributed immeasurably to solving the very problems the new program is supposed to deal with?

I would like to know how many farm families were asked for advice on this idea of replacing ACP. It seems to me that REAP is just another example of a program that sprang full blown from some desk jockey in the Department of Agriculture. Like so many USDA plans, this one was concocted wholly without consideration for its effect on the family farmer.

For the administration to talk of scuttling ACP now is just another example of their basic insensitivity to the needs of the individual American farmer. That insensitivity spells financial disaster to thousands of farm families every year.

Mr. Speaker, the purpose of this forum, and of my speech here today is to begin to tell the administration and the American people that the farmer will no longer tolerate second-class status. We demand that programs like ACP not be casually discarded because they do not catch some cost-effectiveness computer's fancy. We demand that the parity concept be preserved instead of being replaced by a phony formula that pretends we are getting something when all we are really getting is poorer. Most important, we demand that the American farmer get a fair return for doing a job which is as hard as any other done by any group in the country.

Mr. SMITH of Iowa. I thank the gentleman for his contribution.

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

Mr. SMITH of Iowa. I am glad to yield to the gentleman from Texas, the chairman of the Committee on Agriculture.

Mr. POAGE. Mr. Speaker, I should like to commend the gentleman from Iowa and his associates for arranging this program today, because I believe it is a good thing that we may get together and discuss something about the effect of agriculture on this whole Nation.

I am afraid that the membership of this House, like the average citizen of this country, is not very well advised as to the importance of agriculture in our whole economic and social setup in this country.

We all know, of course, that without agriculture we would all starve; we would go back to hunting rabbits or armadillos. We know that without an efficient agriculture our living costs would be much greater than they are.

But what most of us do not know is that we have the most efficient agriculture in the world today or in any country at any time in history. What most of us know is that the average American housewife is buying food for her family for 16½ percent of the disposable income of the family, and that is the smallest percentage which has ever been paid in history.

Even today in other nations which are well advanced the people pay much more. The nations of Western Europe pay probably 20 to 25 percent of their disposable income for food. The Soviet Union pays probably one-half and in Asia they pay probably as much as 75 to 80 percent of all they make for having a very meager diet.

We cannot maintain, much less reduce the cost of food without an efficient agriculture. We cannot have an efficient agriculture without having a good many things which some of our people seem to feel we ought not to have.

You have to have a profitable agriculture to make it efficient, because agriculture today requires a tremendous investment and you have to have the ability to get that investment in both land and equipment. To do that you have to have credit, and you have to have an ability to pay back. That can only be available when we have a country which recognizes the importance of agriculture and is willing to pay the costs.

We have to have an agriculture in which people like to work. We have to have an environment in which people like to live. We are trying to improve our environment particularly in our great cities, and I think very properly so. I believe we have found in most of our cities that we have an environment which people do not like, and the cities are dying as a result thereof.

In the rural areas we must have an environment which people like or we will not have people working out there and assuming the hardships of agriculture. There are hardships as well as advantages, as we know. We will not have people there unless they feel that the advantages at least offset the disadvantages. That means we have to have a great improvement in our whole rural development program.

Mr. Speaker, I was pleased to hear the President a while ago suggest—and I do not know anything about the details, but I was glad to hear that he was suggesting that there needs to be some improvement in our rural areas, because obviously there must be improvement in living conditions in the rural areas.

The Committee on Agriculture is determined to take up that very problem. In fact, last week we devoted 1 day to a discussion with our long-time colleague, the Honorable Jim Smith, who is now the head of the Farmers Home Administration. We discussed with him the problems of his agency. I think the Farmers Home Administration is probably the most important of these agencies and has probably a more direct influence on living conditions in rural areas, but it is not the only agency by far that is concerned with this. There are a great many other programs and a great many other agencies involved in the welfare of our farmers. Too often this House does not understand the relationship that exists there.

We hope to bring a bill before you in the next few days that was passed out of the Committee on Agriculture 2 weeks ago which provides for an improved method of financing rural telephones, both cooperative and corporate. Too many of our Members will look only at what they see it might do to some utility company. We think it is absolutely essential to provide the same kind of facilities for rural areas which you provide for city areas.

Only this morning I had the opportunity to suggest to members of the committee that as far as I am concerned I think the most important thing we have before us this year is the question of improving conditions in rural areas and providing for the development of our rural areas. As far as I am concerned, I will not be satisfied until we do the job for all of the programs which will make available to the people in the rural areas all of those things that are available to the people in the urban areas. I believe that this can be done, and I believe we are in the realm of reasonable activity when we suggest that it should be done.

Of course, none of these things can be done without a return or a profit or money to handle it. You cannot have a nice home in a rural area unless you can make some money in farming. So our whole agricultural program must recognize that there has to be a profit in farming. You are not going to remake rural America by simply handing out doles, but you can remake rural America by enabling rural people to secure the funds needed and to provide a method whereby they can repay those funds.

That is what we are seeking to do in the Committee on Agriculture. We will bring you a lot of bills I am afraid some of which I think you will think are wild and unreasonable.

But I hope that you will give consideration to the fact that rural people have to make a living just like everyone else has to make a living, that they have to meet a good many problems that the people in the cities do not have to meet, and that they are entitled to

have substantially the same kind of life that the people in the big cities are entitled to enjoy.

We are not here to oppose the big cities. I have said time and time again that as far as our Agriculture Committee is concerned, we want to see the cities develop, if nothing more than from a selfish reason. Agriculture cannot succeed without customers. Our customers are in the big cities. We recognize we have a community of interest with those big cities, and we hope that they have a community of interest with the farm people of America, those who produce our food. When we recognize that, I think we will both be better off.

Mr. Speaker, in my opinion it is shortsighted to tell someone or to question them as to why they did not vote for a particular farm bill. There are a lot of people who have not voted for farm bills. I thought they were mistaken. On the other hand, for someone to tell me that I did not vote for some urban bill does not help either. Of course, I must admit that I have not voted for every urban bill which has come up. I have voted for a majority of them, but certainly I have not voted for all of them. I think we have to be discriminating and work together to improve the welfare of all America.

I appreciate the Members making available this time, those who have arranged for this discussion today. I think it is a very fine thing to focus attention upon the importance of those who feed and clothe America.

I want to again express my appreciation both to the gentleman from Iowa and to the other gentlemen who have participated in this discussion and to express my thanks and appreciation to them for their efforts.

Mr. SMITH of Iowa. I want to say that in my opinion everyone agrees that the gentleman from Texas, the distinguished chairman of the House Agriculture Committee, is one of the most knowledgeable men in America on the subject of agriculture, and I am sure everyone appreciates his comments during this discussion.

Mr. ANDREWS of North Dakota. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from North Dakota.

Mr. ANDREWS of North Dakota. Mr. Speaker, I would like to commend my good friend from Texas who speaks so eloquently and well for the farmers of America and, briefly, to add this: Our discussion today is not just for the economic well-being of the farmers of America. Sure, they are in dire economic straits, and we know this. We also recognize that the cities have economic problems as well. But I think if we build up the level of cash flow of our farmers and make our farmers more secure economically, it will help the cities also.

It is a lot cheaper for us to maintain families on the land than to force them off the land because of too low prices and move them into the cities where you have the grave problems of pollution, mass transit, and crowding requiring a large inflow of Federal sums. This is why we need more adequate funding for rural electrification. This is why we need more funds for telephone communications out in the land, and why those expenditures of Federal funds will actually result in great savings to the Federal Government by avoiding the necessity of having to spend to resolve urban problems. We will not be able to get families to stay in the rural areas unless they can enjoy central station electric power, telephones, and other amenities at the same price that the people in the cities are now paying, plus, of course, the most important need of all, having an adequate compensation for their labor, which means better farm prices.

There is a great demand for more adequate electrical service on our farms.

Let me briefly fill you in on the present status of our REA's. In recent months more and more rural electric systems are finding themselves facing problems never before encountered in applying for REA loans and in obtaining advances of funds on loans already approved.

Although REA Administrator Dave Hamil, in a speech before the annual meeting of the National Rural Electric Cooperative Association on February 16 said:

> At the beginning of the year we had 181 loan applications for $408 million. At the end of 1970 there were only 113 applications for $288 million on hand.

I think that if we study this matter, we will find that this statement does not reflect the heavily increasing need for REA loans.

As many of my colleagues know, REA publishes a quarterly list of applications for loans. In watching these lists and comparing them with announcements of loans approved, I find a great number of applications which were reduced in the loan approval or which simply vanished from the list. During the first half of fiscal year 1971, loans were made for a total of $9,652,000 less than the amounts in REA's list of applications. During fiscal year 1970, 167 applications were reduced by a total of $69,300,000 when the loan approvals were announced. This does not include 33 applications for $21.5 million which simply disappeared during the 18-month period. NRECA's loan survey, to which 883 systems responded, reports a total expected loan demand exceeding $1.1 billion over the 18 months from January 1, 1971. Figures reported by these systems indicate that the backlog of loan needs as of July 1, 1971, should be about $449 million.

Mr. Speaker, we do have a stake in the cities as customers, but I would like to say that the cities also have a big stake in us as their prime customers. There is no question but that consumers stand to lose the most if agriculture would be allowed to sink into a depression. In this country, the national economy starts with an agricultural base—a sound, vigorous agricultural industry interrelates with the automotive, fuel, chemical, and other industries that supply and service farmers. City workers have a vested interest in agricultural progress. In a direct sense, the steelworker in Pittsburgh and the automotive manufacturer in Detroit are partners in the agricultural effort. If the farmers of America can be well off so, too, will these major industries of America be well off.

Mr. SMITH of Iowa. I thank the gentleman for his contribution.

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

Mr. SMITH of Iowa. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Speaker, I thank the gentleman for yielding and commend the gentleman, and the gentleman from Kansas, Mr. SEBELIUS, for their efforts as well as others who are taking part this afternoon in this discussion in order to bring to the attention of the American people the tremendous service that American agriculture is giving to them.

It has been said that if it were not for such low prices, the people of this country would have a much higher cost of living because of higher costs for food and other agriculturally produced items. Therefore, I think the people of this country ought to be made aware of that fact. We should make certain that the people in rural America have the same standard of living and opportunities as those who live in the urban areas.

As others have indicated, the percentage of take-home pay which Americans spend for food is only a little over 16 percent. In countries like Canada, and industrial countries of Europe, the best they can do is 25 percent of their take-home pay used for food. In the Soviet Union and other Iron Curtain countries, about 50 percent is expended for food.

I think we should bear this in mind when legislation affecting rural America is considered. It is my feeling that the Agricultural Act of 1970 ought to be amended so that a payment of 32 cents per bushel for corn would be made even if the set-aside were set below 20 percent. I commend the Department of Agriculture for establishing the set-aside for 1971 at 20 percent in order that the assurance of 32 cents per bushel for corn would be fulfilled.

It is my feeling also that in the immediate future the Farmers Home Administration real estate and operating loans should be freed up somewhat, at least the Federal guarantee should be provided for a larger volume of loans in order that the capital will be provided to enable farmers to continue the amazing production capacity which the 200-plus million Americans enjoy.

Mr. Speaker, last Saturday, February 27, I addressed the Hastings Cooperative Creamery at Hastings, Minn., on a subject of great interest to the dairy industry. I shall include it at this point in my remarks:

EXCERPTS OF ADDRESS OF ALBERT H. QUIE AT THE ANNUAL MEETING OF THE HASTINGS COOPERATIVE CREAMERY, HASTINGS, MINN.

PROGRAM ON DAIRY LEGISLATIONS OF 1970

Prior to discussing the workload ahead, I would like to review briefly progress on major legislations enacted last year.

In the Agriculture Act of 1970, now Public Law 91-524, the major provisions of significance to dairying included:

First: A major provision was the amendment to eliminate the mandatory requirements to support butterfat under the price support law. The U.S. Department of Agriculture is now taking this new authority into

account in administering the price support program, particularly, the inter-relationship of purchase prices for butter and non-fat dry milk. As yet, there has not been sufficient time for decisions on pricing to impact the market.

Second: The Congress also approved extension of the Dairy Indemnity Law. Under this program, dairy farmers are reimbursed for losses resulting from milk being barred from markets because of minute traces of residue of pesticides, even though utilized in accordance with Federal regulations. Unfortunately, contamination can result from factors outside control of the farmer, such as winddrift of pesticide spray, contamination of purchased feed, etc.

For the first time, dairy plants also became eligible for such reimbursement. As yet, the U.S. Department of Agriculture reports that no claims have been filed by dairy plants. For the current year, $550,000 were allocated for this program for dairy farmers and dairy plants. Claims from farmers, however, are running at a rate of about $200,000 a year. For fiscal year 1972, the budget recommends $500,000 for this program: $200,000 for dairy farmers; and $300,000 for dairy plants. Because of increasing sensitivity relating to use of pesticides, this amount is minimal; and it may need to be supplemented later.

Third: Extension and improvement of authority for Class I Milk Base Plans. Across the country, also, dairy farmers are taking a look at the new legislative authority to determine whether or not adoption of a plan would enable them to better market milk in their area.

Fourth: Late in the session, the Congress also approved legislation, Public Law 91-670, authorizing use of pool funds under a milk marketing order; such funds would be used for advertising, sales promotion, education, and research programs to expand domestic market and consumption of milk and its products. Adoption of such an advertising program would require approval by a ⅔rd majority of dairy farmers.

In consultation with the dairy industries, the U.S. Department of Agriculture is developing guidelines for operation of the program. To adopt such a plan, representative voting is allowed by cooperatives. The law provides, however, that a mechanism must be provided by which any farmer who does not wish to participate in such a program can obtain a refund.

LEGISLATION AHEAD IN 1972

The Special Milk Program for children has been in existence for about 17 years. Under this program, more than 17 million children consumed about 3 billion half-pints of milk annually. This consumption represents about 3 percent of the non-farm consumption of fluid milk.

In 1970, the Congress enacted legislation to make the program permanent.

As on previous occasions, however, administrations—both Republican and Democratic—have attempted to kill this program by not proposing funds for the next year. Each time, Congress overruled such action; it approved funds; and the program was carried forward. Again in the budget for fiscal year 1972, no funds are recommended.

Believing this program is of real significance, not only to dairymen, but also to the nutritional health of the children of this country, I will make every effort to ensure that—in accordance with the authorization approved in Public Law 91-295—Congress approves funds to carry forward this beneficial program.

ALL CHILD NUTRITIONAL PROGRAMS

Over the years, the national school lunch, school breakfast, and other child feeding programs, have expanded until these now benefit more than 23 million school children annually. The child nutrition programs have proven to be highly effective and beneficial:

In the nation's efforts to improve nutrition, particularly among children; and

As good outlets for dairy foods purchased by the Commodity Credit Corporation under the price support program.

For fiscal year 1972, the administration recommends—and I am confident Congress will approve—funds for a moderate expansion of these imoprtant programs.

DAIRY SITUATION AND OUTLOOK; 1971

The nation's milk cows produced 117.4 billion pounds of milk in 1970, 0.9 percent more than the 116.3 billion pounds produced in 1969. This was the first annual increase since 1964. Last year's decline in cow numbers was more than offset by the rise in milk per cow.

With prospects for another small decline in cow numbers this year, milk production likely will rise again. However, higher feed prices may hold down grain and concentrate feeding and may slow the 1971 rise in milk output per cow from the 2.4 percent average of recent years.

Prices farmers received for milk last year averaged $5.69 per 100 pounds, up 3½ percent from 1969. The gain was due to a higher support level in April-December than in 1969 and to the strong cheese market.

Assuming no change in dairy supports or in Federal milk market order pricing, 1971 price increases likely will be more modest. However, combined with larger farm marketings, price gains will increase cash receipts from dairying above last year's nearly $6.5 billion which was in turn up 4½ percent from 1969.

Commercial disappearance of milk in all products was about the same last year as the 109 billion pounds in 1969, so larger milk supplies caused USDA to remove dairy products from the market equivalent to 5.8 billion pounds of milk equivalent, 29 percent more than in 1969. With increased production this year, little prospect of sales increase, USDA will buy more dairy products than in 1970.

Per capita civilian consumption of milk in all products declined to 560 pounds last year from 568 in 1969, as butter, cream, whole milk, and evaporated milk consumption was off. Cheese and lowfat fluid milk consumption continued to rise strongly.

EXPANSION OF FOOD STAMP PROGRAM

For families of limited resources, food stamps continue to provide an important supplement to nutrition and health. Although apparently it is hard to pin down, the U.S. Department of Agriculture reports that in communities utilizing large amounts of food stamps, increases occur in consumption of fluid milk and other dairy products.

Two years ago the USDA spent $250 million on Food Stamps, last year $610 million. For the Current year, Congress approved over $1.4 billion for the program. For fiscal year 1972, almost $2 billion is recommended in the new budget.

We recognize, of course, that there are some serious problems built into this program. For example, theft, counterfeiting and other abuses have developed. In addition, the food stamp system itself is not always the most effective or convenient way of serving the needy.

Until a better method is developed, however, this continues to be a useful program. Along with the stamps, there is also a need for renewed efforts to improve the nutritional education of recipients of food stamps to enable them to get maximum nutritional value.

MORE RESEARCH ON LIVESTOCK DISEASES

Occurrence of mastitis in milk cows results in great economic losses to dairy farmers.

Regrettably, there has not been adequate research for the development of an effective mastitis control program. For the current year, Congress has approved $743,000 for carrying research forward. In the new budget for fiscal year 1972, about $816,000 has been recommended. The Congress, I believe, should approve this minimal amount to help carry forward research in this area so costly to dairy farmers.

To protect the health of consumers and reduce costs to dairymen, also, the *brucellosis* eradication programs should be carried forward. As of now, about one-half of the nation's approximately 3,150 counties have been certified brucellosis free. About 98 percent have free or modified free certifications. Unfortunately, a previous goal of 1975 for eliminating brucellosis has now been set back several years.

To prevent unnecessary stretching out of the goal, however, I believe that the Congress should approve funds for FY 1972 equal to those of fiscal year 1971—that is, about $26.5 million—including funds for anti-TB programs.

BATTLE AGAINST IMPORTS

Over the years, dairy farmers and cooperatives, too, have found it necessary to carry on a running battle against excessive imports of dairy products.

Primarily, the problem has been one of foreign exporters circumventing "circumventible laws."

For several years, the dairy industry has advocated enactment of more effective laws that would establish a permanent quota on imports—irrespective of the form of imports.

In view of a strong position against quotas by both the administration and many members of Congress—as well as a need for avoiding a tariff-quota war among trading nations—the outlook for enactment of quota legislation for dairy products, frankly, is extremely dim.

Recently, however, we were successful in getting action by the Tariff Commission and the President to reduce the inflow of imports.

On the last day of 1970, President Nixon signed a proclamation placing specific quotas on foreign imports of low butterfat cheese, ice cream, animal feeds containing milk from milk products, and chocolate crumb.

QUOTA LIMITATIONS

[In millions]

Commodity	1970	1971
Ice cream	75	3.4
Chocolate crumb	15	4.7
Low-fat cheese	20	8.9
Animal feed	28	16.5

Originally, the Tariff Commission had recommended zero imports for several of these commodities. Though less strict, the Presidential proclamation represents a tightening up of limitation on imports.

Quotas are also needed for two additional products being imported in increasing volume. These are: Lactose; and cheese varieties priced higher than 47 cents per pound. Lactose import, for example, increased from 374,000 pounds in 1968 . . . to more than 4.2 million pounds in 1969, to . . . 4.22 million pounds in 1970.

To be excluded from quotas on cheese under 47 cents a pound importers have upped the prices on several categories of cheese. As a result, higher priced imports increased tremendously. Swiss-Emmenthaler imports over 47 cents a pound increased from 16.4 million pounds in 1969 to 23.3 million pounds in 1970—a 142 percent increase. Other category cheese over 47 cents a pound has increased from 16.3 million pounds in 1969 to 38.5 million pounds in 1970—a 237 percent increase in imports.

The Tariff Commission is being urged to take action to reduce this inflow as early as possible.

COUNTERVAILING DUTIES

Around the world, high dairy production is resulting in ever-mounting stockpiles of surpluses. Continually, they attempt to invade the U.S. market. Because such foreign products are often heavily subsidized—up to 60 cents a pound on butter, for example—it would be literally impossible for U.S. dairy farmers and cooperatives to compete. Section 1303 of U.S. Code 19 requires that duties on imports subsidized by foreign countries should be increased—in addition to the regular duty—by the amount of the subsidy. Unfortunately, the law is not being enforced.

As a result, the nation loses millions of dollars in duties each year. In addition, the displacement of markets for U.S. products by foreign imports increases the costs of the price support program. Failure to enforce the countervailing duties law literally amounts to a subsidy to producers in foreign countries.

Consequently, decisive action should be taken to enforce the law. In addition, it is important to ensure that the law, itself, not be rescinded or emasculated. In 1970, the House of Representatives approved a recommendation (as a provision of the trade bill), that literally would have made the countervailing duties law ineffective. Although the trade bill was not finally approved by Congress, it has been re-introduced again this year as a provision of H.R. 20; again, this provision would cripple the countervailing duties law.

Personally, I believe that every effort should be made to keep this law on the statute books.

CLASSIFYING DAIRY IMPORTS

Over the years, the Bureau of Customs has not been very accurate in classifying imports of dairy products. Last year, for example, it took a special hearing and ruling by the Federal Food and Drug Administration to ascertain that cheese imported as Monterey was really cheddar.

Consequently, a proposal has been made in Congress to authorize transfer of authority for classification of such imports from the Bureau of Customs to the U.S. Department of Agriculture. The Congress, I believe, should give it favorable consideration.

ENVIRONMENTAL POLICY

Across the nation—and rightly so—there is great and growing concern over the need to stop pollution of air, water, and land, and to preserve, protect and perpetuate a healthful environment for our citizens—now and for the future.

In the 92nd Congress, we can expect that this will again be a focal point of real significance. Legislation in this field, of course, will have far-reaching effects upon dairying and all agriculture.

President Nixon has sent to Congress a comprehensive package of 17 separate pieces of legislation relating to protecting and improving the environment. Many members of Congress, including myself, have introduced that legislation.

As legislation is developed, it is extremely important to find reasonable grounds between the extremes of (1) "let the public be damned" in flagrant pollution of air, water and other elements of the environment; and (2) equally unreasonable limitations on use of chemicals, pesticides, herbicides, etc., that would literally take all food off the market and cripple agriculture's ability to create new food.

Mr. SMITH of Iowa. Mr. Speaker, I now yield to the gentleman from Florida (Mr. FASCELL).

Mr. FASCELL. Mr. Speaker, I want to congratulate the gentleman from Iowa, NEAL SMITH, for causing us to focus today on the important agricultural issues which concern all Americans, rural and urban.

The contributions of farmers and farm interests to the greatness of our Nation cannot be underestimated. The discussion which we are participating in today emphasizes the essential cooperation between rural America and urban America and the strength which that unity has brought our country.

As the distinguished chairman of the committee, the gentleman from Texas, BOB POAGE, has said, we are not competitors in any sense of the word. The social and economic force of our agrarian heritage makes us strong, whether we come from a big city, as I do, or from a small town, or from rural America. I think it is important that we keep this thought in mind on this special day.

Mr. MCKAY. Mr. Speaker, I thank the gentleman in the well for yielding, and I appreciate what is being said in this regard and would like to associate myself with the others on this subject.

Having spent my early years in a farming area in the State of Utah, I have a great interest in the farm industry and I am greatly concerned with the problems the farmers face today.

The president of the American Farm Bureau Federation, William J. Kuhfuss, recently stated:

Consumers would be paying much higher prices for less food if it were not for the spectacular efficiency and high productivity of U.S. farmers and ranchers.

He pointed out:

Never has a fewer number of farmers produced such an abundant supply of quality food for a larger number of consumers at a lower percentage of the wage owner's take home pay.

I think we can be proud of the job our farmers have done in feeding our Nation. It is time we gave strong attention to the farming public and the growing number of problems these men face with a continuing cost-price squeeze.

Those in agriculture are not asking for handouts. They have led our Nation to its high standards and deserve a chance for a decent income comparable to that of other industry and urban residents. If not, consumers stand to lose the most as this Nation's national economy starts with an agricultural base.

There are many problems facing agriculture today and we must do something to improve conditions. In my district at the present time, there are livestockmen who have feeder lambs they must sell at 5 to 10 cents a pound less than cost and cattlemen face similar price problems. Even worse is the fact there are those in my district who have a 2-year crop of wool, some even with 3 years, who cannot get anyone to buy it even at a loss.

In my State of Utah there is great concern over inflation, parity, increased grazing fees, and high interest rates. Farmers rank as the hardest hit group in America with inflation increasing costs of over 125 percent in less than a generation. Texas, interest, costs of machinery, and land values jumped so rapidly in the 1960's that farm net income suffered greatly.

Many of those from the farms have been forced to move, creating additional problems, for these men are ofttimes unskilled in the work-force needs where they relocate. We must do something to keep young men interested in farming and provide incentives to keep farm families together. We must also provide adequate medical service for those on the farms. There are counties within my district without the services of a doctor. Help is needed and now.

Our farming segment also faces an ecological challenge—with the public very much concerned with the ecology. I am also greatly concerned as is the farmer. There are those who want to take away the chemical instruments of production that have been developed over the last 50 years. In my State, there are now legislative measures calling for a ban on various chemical agents for farm use and additional air controls are in use or are proposed controlling burning of areas covered with weeds or brush. Our Utah farmers will tell you that many of these controls are going away from reality. They state there is a lack of realization on the part of some that these controls will cut production and decrease the food supply thereby increasing the costs of food to the consumer.

I realize, as does the farmer, that pollution is a major problem that must be solved. The farmer does caution, however, that the always "taken for granted" food supply could be dropped to a point of national hunger if those farming helps were suddenly dropped.

My State also faces a problem in the loss of valuable farming land. We are losing some 20 to 40 acres per day of prime agricultural lands to other uses. Our State has only a million and a half acres of such farmland. We must all realize that we cannot create additional farming land. When we spoil it or ruin it, it is gone forever.

Our farmers cannot be ignored, Mr. Speaker. We have taken this segment of the public for granted too long. The contributions made to our country by the farmers and ranchers deserves more attention and recognition. It is my hope that the President will take another look at the farm program realizing this is one of the basic programs for our Nation. I urge also, Mr. Speaker, that this Congress take some deliberate and decisive action to curb inflation, control interest rates and to open markets for farm commodities so that the children of farmers who do not want to go to the cities may have the option of following the skills of their fathers.

I support and join with the gentleman from Montana (Mr. MELCHER), the gentleman for Iowa (Mr. SMITH), and the gentleman from Kansas (Mr. SEBELIUS), and I commend them for their efforts in this dialog. I wish to join with them in this assertion and in whatever we are mutually able to do in behalf of the great agricultural segment of our Nation.

Mr. SMITH of Iowa. Mr. Speaker, I yield to the gentleman from Texas (Mr. PRICE).

Mr. PRICE of Texas. Mr. Speaker, I commend the gentleman from Iowa (Mr.

SMITH) for reserving time this afternoon to discuss problems of the farmer and rural America.

In a very fundamental sense the farmer and the farm economy provide a cornerstone of the American way of life. Just take a look at these general indicators. First, employment: Farming employs 4.6 million workers. This is more than the combined employment in the transportation, public utilities, steel, and auto industry. Moreover, three out of every 10 jobs in the private sector are related to agriculture. Of these, 8 million people have jobs storing, processing, and merchandizing products of agriculture, and 6 million have jobs providing the supplies the farmers use.

Second, production: The sale of agricultural production assets represents about $50,000 for every farmworker. This is approximately double that of each manufacturing employee. Labor productivity of the American farmer increased by 6 percent a year during the last decade, while output per man hour in nonagricultural industry increased by only 3 percent a year during the same period. According to another measure, each farmworker produces food, fiber, and commodities for himself and 44 other individuals.

Third, consumption: The farmer spends over $38 billion a year for goods and services to produce crops and livestock. He spends another $12 billion a year for the same things that city people buy—food, clothing, drugs, furniture, appliances, and other products and services.

You ask what does the farmer do for me? Let me tell you. The farmer feeds the American people for what amounts to 16.5 percent of each persons disposable income. Contrast this to 1960 when food took 20 percent of our take-home pay, and to 1940 when it took 22 percent. Farmers also produce a rich and varied diet for our people. Last year, for example, every American consumed on the average: 182 pounds of beef, veal, pork, lamb, and mutton; 48 pounds of chicken and turkey; 188 pounds of fruits—fresh fruit equivalent; 260 pounds of vegetables—fresh vegetable equivalent; 563 pounds of dairy products—whole milk equivalent; 116 pounds of potatoes and 6 pounds of sweetpotatoes—fresh equivalent.

Moreover, when we go to the store we can choose from as many as 6,000 different foods—fresh, canned, frozen, concentrated, dehydrated, ready-mixed, ready to serve, or in heat-and-serve form.

Yet it seems paradoxical that with all the things that farming is doing for us and all the things that rural America contributes to our culture and our way of life, farmers do not share more fully in the abundance of our Nation. The following general indexes spell out this fact in grim detail:

First, income: Despite the fact that during the last decade the gross national product rose an average of 9 percent a year, farm income rose on an annual basis less than one-half of 1 percent.

Second, rural poverty: In the cities, one person in eight is poor. In the suburbs, one person in 15 is poor. In rural America, one out of every four persons is poor.

Third, employment: The rate of unemployment in rural areas is often two to three times greater than is in urban areas. Jobs in rural America pay less than comparable jobs in urban areas. There also tends to be far more unemployment in rural than in urban areas.

Fourth, housing: According to official figures, one out of every 13 rural houses is classed as unfit to live in. In terms of living conditions, over half the Nation's substandard housing is located in rural areas.

Fifth, education: Rural education often lags far behind its urban counterparts. Many rural schools lack libraries, laboratories, language facilities, and a wide education curriculum. Not only do rural teachers earn less money than urban ones, public expenditures per pupil tend to be less in rural areas.

Mr. Speaker, I bring these grim facts to the attention of my colleagues not in an effort to merely depress them and not in an effort to merely elicit sympathy for the plight of rural America. Rather, I bring these facts to the attention of my colleagues in an effort to focus, if I can, public concern and attention on the crying needs of rural America; needs that must be faced and met if the fullness and richness of this Nation are to become a reality for all our people.

Mr. SMITH of Iowa. Mr. Speaker, I now yield to the gentleman from Wisconsin (Mr. THOMSON).

(Mr. THOMSON of Wisconsin asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. THOMSON of Wisconsin. Mr. Speaker, I thank the gentleman for yielding. I want to commend those who have brought this matter to the attention of the House this afternoon.

Mr. Speaker, one never really appreciates how fortunate we Americans are until he travels abroad. As a nation, in contrast to most of the world, we have food to sustain us and enough clothes to keep us warm. In fact American food and fiber is so relatively cheap, we purchase our food by taste and clothing by fashion—and still there is more than enough remaining to sell overseas.

This wonder of the modern world can only be attributed to the success of the American agricultural community. Yet the man primarily responsible for this phenomenon, the farmer, rarely receives appreciation or his just financial reward.

My district, Wisconsin's third, covers a large portion of America's dairyland. For this reason I am particularly pleased the Nixon administration and specifically Secretary Hardin have seen fit to recognize and appreciate problems existing in one of agriculture's major sectors—the dairy industry. Their interest and actions have undoubtedly contributed toward maintenance of a healthy dairy economy.

If we review this administration's record on dairy, three important points emerge:

First, last year the USDA announced an increase in the support price on milk to the highest level in history—$4.66 per hundredweight; that increase amounted to 38 cents per hundredweight, the largest ever. It is no coincidence American dairymen now receive record prices for their milk; second, December 31, 1970, President Nixon announced new import quotas on certain dairy products. Any balanced appraisal will recognize the significance of the import reductions for the dairy farmer. Hoard's Dairyman, one of the Nation's foremost farm periodicals, published a pertinent and factual editorial on the President's action. Mr. Speaker, I would like to insert the editorial in the RECORD at this time.

The article follows:

PRESIDENT'S IMPORT ACTION A VICTORY FOR DAIRYMEN

It may appear to most people that editorial writers in newspapers and magazines are primarily critics of the contemporary scene. And this is probably true because commentary usually is directed to improving a current situation, implying that there is basis for criticism of the status quo.

But criticism should be fair. And we believe some dairy spokesmen have been manifestly unfair, and suspiciously political, in their statements criticizing the President for the import quotas he set December 31. Terms like "cruel insult," "drastic departure," humiliating," and "mysterious reversal" are clearly unwarranted.

The four products on which the President set quotas were ice cream, animal feeds, chocolate crumb, and low-fat cheese. Of these, only ice cream was a high-fat item. And fat is our greatest concern.

Last year, over 8 million gallons of ice cream came into this country. The President cut the quantity back 95 percent!

Next highest in fat was chocolate crumb used in candy. He cut these imports back to less than one-third of what they were last year.

Animal feeds, with no butterfat in them, were cut back about one-half. And skim milk cheese was reduced by about 8 percent.

Dairy leaders who really worked on getting the import quotas announced know that the President was under heavy pressure not to issue them at all. Friendly foreign governments, undoubtedly, pleaded for no action. The President, as he weighed his decision, probably had to look at considerations such as these: Military bases, allies with their soldiers fighting alongside Americans in Viet Nam, serious balance of payments problems, a friendly government in trouble politically, and nations buying feed grains and other products from us.

A lifelong Democrat who worked for months on the import problem is furious at those who criticize the President's action of December 31. He knows what it took to get the favorable White House decision. He considers the President's decision a major victory for dairy farmers. We agree.

Now, however, we don our critic's robe again. Further import control action definitely is needed. In response to any inquiry from the Ways and Means Committee of the U.S. House of Representatives, the Tariff Commission indicated last October that both cheese priced over 47 cents per pound and lactose are in need of attention.

In some respects the cheese problem is most serious because fraud and deceit have been demonstrated repeatedly and are well-known to government and industry.

Thus, we express our deep appreciation to the President for his decision of December 31 and urge comparable and even more vigorous import control action on so-called over-47-cent cheese and lactose.

Third, it is a matter of record that Secretary Hardin spent considerable time and effort in bringing the interested parties together on the dairy section of the 1970 Agriculture Act. While all concerned fundamentally agreed on implementation of the class I base plan, there were considerable differences as to specific provisions. I, for example, insisted that Midwestern dairymen be given access to all markets throughout the country. Fortunately, the Secretary took a positive role in resolution of these differences.

But this administration has done more than just assist the dairy farmer.

In February of last year hogs reached 28 cents. This high price encouraged many farmers to expand production so that by fall the law of supply and demand forced prices to a low of 15 cents. Almost immediately with the downturn in the hog market, the USDA began to purchase pork for use in school lunches and among needy families. At the same time, the Department of Defense began buying pork at two to three times the normal rate. From September 1970, to the present, over 125 million pounds of pork have been taken off the market, double that of any comparable period in USDA history.

It is obvious a healthy farm economy depends on export sales for, as of today, one of every four cropland acres grow produce for foreign markets. I have noted with great pleasure Secretary Hardin's travels throughout the world encouraging other nations to purchase American farm products. His efforts have obviously met with success. In 1970 the United States exported $7.2 billion worth of farm products, $300 million more than any previous year. Thus far in 1971, this favorable trend has continued.

In Wisconsin's Third District, as throughout most of the country, the agricultural conservation program was one of USDA's most popular and successful activities. Nevertheless, the program came under increasing criticism for a variety of reasons. Rather than abolishing ACP as past administrations had attempted to do, President Nixon built on it and refocused it into the new REAP program. It was a wise step; farmers will still continue to benefit under the revised program and the environmental value will be enhanced to an even greater extent.

While we can outline a number of positive steps the Nixon administration has taken to assist the farmer, I do not want to leave a mistaken impression. There is much to be done. The farmer still works the longest hours for the lowest wages and receives the poorest return on his investment of any segment in the American economy.

We must develop new approaches to the farm problem; we must develop new ideas and new thinking; and we must reject the assumptions which have made past farm programs failures.

Mr. Speaker, there has been much discussion of late in the agricultural community over the possibilities of farm bargaining legislation. I anticipate such discussion will grow rather than diminish in magnitude for I believe it possesses the greatest prospect of maintaining a healthy farm economy. Though I do not have a specific proposal at this time, I do want to emphasize that bargaining is the only method by which farmers will ever achieve full parity.

Until such a step can be implemented, however, I would encourage the administration to continue making positive efforts to improve farm income in line with existing programs. Foremost at this time is an increase in parity on milk to the full 90 percent permitted by law. Rising costs have forced parity from 85 percent in April, 1970, to 79 percent early this year—an average of approximately 82 percent. Recognizing that costs will again rise, 90 percent is a realistic figure and one that should be established.

While farm income is the single major problem, there are others with which we must come to grip. Any successful farm operation involves constant and heavy investment. I am pleased to note the trend toward lower interest rates, but it remains essential that small farm operators be granted an investment tax credit. Such legislation would permit the small farmer to modernize and compete more effectively; he would, at least, be partially spared from the strapping debts incurred by purchases of tractors and other machinery, construction of new silos, et cetera.

FHA farm credit programs have remained constant in the last few years with small increases in some areas. In calendar year 1970 for example, FHA provided $630 million in farm ownership loans, $275 million in farm operating loans, and an additional $90 million in emergency operating loans. Expansion of these programs is difficult, however, for the loans involved are directly from the Government.

In contrast, FHA housing programs have used private resources and Government guarantees to increase their activities at an incredible rate. Insured rural housing loans have risen from $133 million just 6 years ago to over 10 times that amount in fiscal 1971. This is an outstanding achievement and one that deserves recognition for its accomplishments in solving the problem of rural housing. Nevertheless, we should use the successful experience gained through private guaranteed loans from FHA and the Small Business Administration, and apply it to farm credit.

Farmers, as a group, have inadequate access to health care, for rural areas are notoriously lacking in medical personnel. Experience has shown that young doctors and nurses just do not gravitate on their own accord toward rural America. We must, therefore, locate and provide incentives to medical practitioners. Several members of this body, including myself, have introduced legislation to forgive debts incurred as a result of college when a medical practitioner locates in a rural area. I hope these bills receive expeditious consideration.

President Nixon is to be congratulated for urgently recommending passage of the rural telephone bank bill. It may come as a surprise to urban dwellers, but the "party line" still exists for all too many farmers. There is no reason for this situation to continue. The rural telephone bank bill will modernize existing service with little cost to the Government. Last year this legislation died in the House Rules Committee, but with a little effort we should be able to secure passage this session.

If in the event a farmer decides to move off the farm or his children decide to move into town, there should be employment opportunities available. It seems foolish that an individual who decided to leave the land should be forced to large urban areas out of economic necessity. Generally he does not want to leave the immediate vicinity nor does the urban center need more population. Nevertheless, this is precisely the situation we find ourselves in today.

It is painfully apparent that this Nation must make a concerted effort to disperse its population and its industry. Consideration, therefore, should be given to any rational proposal creating permanent jobs in rural areas. I would suggest as a first step, prompt airing of the Rural Job Development Act of 1971 and all similar bills. This legislation provides tax incentives to industries and nonretail commercial outlets for location or expansion in rural areas of declining population. While I would not suggest this to be the only approach, it appears to be the most real, reasonable, and popular.

Mr. Speaker, it is essential we improve the quality of life not only on the farm but in rural areas of our Nation as well. I was pleased President Nixon proposed as a portion of his special revenue sharing program, a $1 billion authorization for rural community development. This is a recognition not only of problems facing rural America, but of the future role these areas are to play. As the report of the President's Task Force on Rural Development stated:

> It is in the rural countryside areas that we can find generous resources of clean air, clean water, living space, recreation, scenic beauty, transportation potential, tranquility, and inspiration for tomorrow's people. And it is there that we can most readily and economically develop and preserve these natural resources in living harmony with man as our population expands in the generations ahead.

Mr. SMITH of Iowa. Mr. Speaker, I now yield to the gentleman from Colorado (Mr. EVANS).

Mr. EVANS of Colorado. Mr. Speaker, I thank the distinguished gentleman from Iowa for yielding. I also wish to thank the gentleman from Iowa, and the others who have spoken, for taking time today to speak out on what I think is an extremely timely matter.

So few people are left on the farms and on the ranches, and so long has this been true that those who now live in the cities, too many of them, I think, have now lost interest in the troubles and difficulties the farmers and ranchers face.

Mr. Speaker, I am inclined to believe, furthermore, that they have lost so much interest in this problem that the people in the cities have forgotten which end of the cow the milk comes from.

It is also tragic that as the population in the rural areas has decreased during the years, the problems in the rural areas facing the farmers and ranchers

who remain there have increased. At times I wonder why it is that people will continue in farming and in ranching when the returns are so few, and the labor is so much longer than that confronting the people in the cities, who can realize more with fewer hours of work, and with far fewer cares in many instances. As if that were not enough for the average farmer—and I am told that the age of the average farmer is now between 52 and 56 years—it is quadruply difficult for their young sons coming along who want to get into agriculture but who do not have sufficient finances to be able to do so with any assurance that they will be able to repay their loans in the years ahead. Many sons would like to follow in the footsteps of their fathers and are prevented from doing so by the economic facts of life, and the inability to support two families upon one farm. I know that after a few years of father-son operations in many instances some of them have had to separate, because the farm just was not earning enough to support two families.

I just hope that the plight of the American farmers and the American ranchers will come to the attention of the Congress and of the American people, because I am convinced of the absolute necessity for us to solve the many problems in rural America, just as it is in the cities, and that if we do not do this then we are in for very deep trouble not only in rural America, but in the cities as well.

The fact that in each passing year rural America finds that it cannot be productive and competitive as compared with those in the cities will I think in the end cause urban America to realize, and possibly too late, how much they depend on rural America, not only for their source of life and their clothes, but also because of the extent to which they are dependent upon sales to rural America of the many things they produced in the cities.

So, Mr. Speaker, again I congratulate the gentleman from Iowa (Mr. SMITH), and the others who have taken time to bring this to the attention of the Congress, and to the people in America.

Mr. SMITH of Iowa. I thank the gentleman for his contribution.

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

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. FOUNTAIN. Mr. Speaker, I want to commend my distinguished colleague, the gentleman from Iowa (Mr. SMITH), and those who collaborated with him, for getting this time to spotlight the subject of agriculture and the problems of the American farmer. Beyond any question, the farmer's plight is a serious one and needs to be spotlighted in every city, town, hamlet, and at every crossroad in America.

It is extremely regrettable that the press and representatives of other communications media are not present in the galleries at this time. If past experience means anything, what is being said here today will make no headlines. I am afraid it will not reach enough ears and eyes. Unfortunately, we in rural America are about to be forgotten.

I am sure all of us here today share the same concern over the failure of the President of the United States, thus far, to send any message to the Congress on the subject of agriculture. We did get a message today, partly in compliance with the Agriculture Act of 1970, but it completely ignores agriculture and the plight of our farmers. Instead the President's message today concentrates its attention on substandard housing in rural America, revenue sharing, governmental reorganization, welfare reform, health strategy, and the shortage of doctors—yes, in rural America, but nothing substantially basic—toward a more meaningful and abundant way of life for American farm families.

On the other hand, the President's reorganization proposal, to which he makes reference in today's message, which is allegedly on rural America, does away completely with the Department of Agriculture and relegates the needs and problems of American farm families to the jurisdiction of a number of agencies.

I am fearful that this administration has yet to learn that a prosperous America demands a prosperous agriculture.

In any event, let us hope that what is said here today will constitute a new beginning toward a better understanding of the totality of the American dream for all of our people.

Time will not permit us to discuss all phases of the problems and needs of American agriculture. Nonetheless, I would like to take this occasion to highlight some of the thoughts which I have heretofore expressed on other occasions and in other ways.

Thirty years ago it was possible for a man to get a start in farming for less than $1,000. Today that does not even begin to pay the starting cost.

According to the Commission on Agricultural Credit, it takes something like $250,000 to establish a farming operation that will provide a good living for a farm family—decent housing, clothing, transportation, and education. This $250,000 may sound a little high for a good efficient small farmer in our area, but no longer can one just suddenly decide he wants to farm and make a living at it. Those days are gone forever. Clearly, farming has become big business.

Farming today does not require as much manpower as it did a few decades ago, and that is a welcome development. Mechanization, electric power, commercial fertilizers, new crop varieties, and weed and pest killers have all helped to achieve this. But the amount of capital required to do an adequate job of farming has gone way up.

The experts tell us that national growth in the next 10 years is going to continue at a healthy rate in all areas of life—in business and industry as well as agriculture. Consequently, a lot of new farm capital will be needed and most of it will have to be borrowed, and from all appearances at high interest rates.

Although we are the wealthiest society history has ever known, it should be remembered that we are still far from being wealthy enough to do everything we want to do all at once, and to do it out of current income.

This means, I am told, that the credit crunch affecting farmers and everyone else will continue for some time to come. And so tight money is just one more big problem facing farmers in addition to all the others they have.

Agriculture statistics over the last two decades show how far mortgage debt has grown. In 1947, America had about 6 million farms with roughly 26 million people living on them. The total farm mortgage debt was $4.9 billion.

Today, we have nearly 3 million farms with only 10 million people living on them but the total farm mortgage debt is $28.7 billion. This indebtedness is good or bad, depending upon farmers' accomplishments. In fact, very few businesses ever got going or became substantial without borrowed money at one time or another. Responsible borrowing like responsible spending has helped in building America.

But, whether wise or not, that is the way many American farmers have kept going—by increasing their mortgages. They have borrowed against rising land values in order to get vitally needed machinery and other equipment, as well as to pay for their children's education and to improve their living conditions. In too many instances they have had to use up their capital investments because of inadequate income.

The average investment per farm doubled between 1950 and 1958, and then doubled again between 1958 and 1968.

It is still going up.

Consequently, we need to do some serious thinking about how farmers will finance their operations if investment needs keep on growing like they have. Is it possible that one day it may take as much as $1 million to go into farming? Where will this money come from? And what will happen to those farmers who cannot get it. These questions must be satisfactorily answered not just for farmers but for the good of all Americans.

Agriculture is, comparatively speaking, a newcomer on the national credit scene. Most farm loans are still made by individuals, not by regular lending institutions. But, farm economists expect this situation to change in the future as farming seeks vast new sources of capital.

Our farmers must have adequate supplies of the credit they need. The Nation cannot afford otherwise. Our people in the cities, towns, and hamlets of America must also be fed and clothed and housed. If farm financing is not forthcoming from private sources, it will have to be provided by public sources.

The Nation's leaders must remember that the farmer can afford to quit, but the consumer and the country cannot afford to have him do so.

Many big-city Congressmen, and apparently the consumers they represent, still do not seem to understand the

problems of farmers or our Nation's dependence upon them and a highly developed farm economy. Hence they do not appreciate the necessity for farm legislation in general and crop price supports in particular. This was quite evident during debate on the new farm bill last year.

Farmers still desperately need a press agent in our Nation's cities. All of the many farm organizations might well consider how they can cooperatively help to remedy this intolerable situation.

Farming—a tough business to be in these days—has no monopoly on Federal benefits. In fact, the list of business and industrial interests aided by the Federal Government in one way or another—by favorable taxes, accelerated amortization, loans, grants, tariff relief, or guaranteed prices—is quite long and extensive.

According to a recent study report, the list includes: primary metals, aircraft, missiles, research and development, utilities, railroads, airlines, shipping lines, trucking, banking, medicine, and others.

Opponents of reasonable farm legislation, designed to help insure adequate supplies of food and fiber at prices which give farmers a fair profit, should consider the beam in their own eye before attacking the mote in agriculture's eye.

Actually, the $3.5 billion paid out annually on crop price supports benefits consumers—every American—as well as farmers. In large measure, it is a consumer subsidy.

A look at the history of Federal benefits is most informative, I think. The first true subsidy began in 1845 when the Postmaster General was authorized to award mail subsidies with preference to steamships. But, even earlier than that, the very first Congress passed a law reducing tariffs by 10 percent on imported goods if the goods were transported on American ships.

A more modern case is the below-cost postage rate available to periodicals such as Life, the Readers Digest, and the Wall Street Journal. Life magazine benefits to the tune of $15.6 million each year, the Readers Digest by $9.4 million, and the Wall Street Journal by $11.7 million.

Mining receives benefits from favorable tax rates, stockpiling programs, and in some cases from guaranteed prices. The first guaranteed price program for a mineral began in 1878.

Various forms of transportation have been heavily subsidized on occasion. For example, the railroads were originally built with the aid of $429 million in grants and about $853 million in direct assistance. Subsidies were tremendous in the 19th century. Railroads have also received hundreds of millions of dollars in grants and loans in this century.

In addition, the American merchant fleet has cost the taxpayer $4.3 billion in recent decades. Air transportation costs, too. Development of the jet engine took about $2 billion in public funds and control of air traffic costs almost $1 billion a year.

The point I am making is that big city interests should wake up and realize they are attacking the wrong target and that farm programs are essential to the well-being of all of us. They should realize that their very survival depends on having enough good, wholesome food to eat and enough fiber to use and to wear. If benefits or subsidies are to be cut or eliminated—and all of we taxpayers share this dream—agriculture is not the place to start.

Hopefully, the time will come when price-support programs are not needed to give the farmer a better return on his heavy labors. But, farmers still do not have enough bargaining power in the marketplace. Until they do, a farm program—including price supports—is a basic necessity not only for them but for the rest of the Nation.

More needs to be done for farming, not less.

I wonder if our people, especially those in the cities of our land, really appreciate the extent to which they are dependent upon farmers for the food which keeps them alive.

I understand that the average American in a lifespan of 70 years eats 10,000 pounds of meat, 14 tons of milk and cream, 9,000 pounds of wheat; uses 26 million tons of water, 21,000 gallons of gasoline, and great quantities of other products from the earth, according to agriculture statistics.

When you consider these staggering figures and realize that now we have 205 million Americans to feed, nourish, and transport and that we may have another 75 million by the end of the century, you can see that the American countryside and the American farm simply have to be extremely productive in the years to come.

If our growing population is not to put an intolerable strain on the Nation's resources, then we must all work for a goal of sound growth—as individuals, at the courthouse and in Raleigh, as well as in Washington. Especially must we see to it that future growth in rural areas is sound and proper and balanced.

There has not always been the case either recently or in the preceding 100 years. For example, between 1945 and 1969 our national population increased by 45 percent, but virtually all the growth was concentrated in urban and metropolitan areas. During the same time, our farm population dropped from 24 million to just over 10 million.

This threw the balance between overcrowded cities and underpopulated rural areas even more out of kilter.

Meanwhile, the environmental crisis has developed and the experts say that a majority of Americans, urban and rural alike, now live near polluted water and are forced to breathe polluted air. And we in North Carolina are not exempt from the fruits of more and more people and imperfect technology. The engines which replaced muscle power on the farm and revolutionized transportation also, we must admit, brought along a few problems with them.

Consequently, as we get ready for those 75 million new Americans, we can be sure that the problems of the space-starved cities and the open countryside will greatly increase, unless there is ample opportunity for those who prefer to live and work in a fresh and wholesome rural environment. If the right kind of opportunity is provided, the tide of immigration to urban centers can be stemmed and maybe even reversed.

Again, I think it is appropriate for our big city friends to remember that while we need them for many of the conveniences of life, they not only need us, but they cannot survive without the food we in rural areas are able to produce.

While the overall job facing both rural and urban Americans is monumental, we ought not to become overwhelmed by it. The job can be done. Let us look at some things we have already accomplished.

Despite the doomsayers, despite alleged inefficiency, and despite alleged fumbling, somehow our farmers and agriculture experts have managed to create through their stewardship of soil, water, and forest resources the most abundant food supply the world has ever seen—plus safer drinking water for a higher percentage of our people than ever before, plus facilities for recreation unmatched in history, plus vastly greater opportunities for hunting and fishing—the supply of fish and game is greater now than it was in 1920.

Surely by now we have learned that simply building bigger and bigger cities is not enough. Now we should take the next step.

We should resolve to create a balanced environment—rural and urban alike—that is worthy of our Nation and people.

For many years, despite considerable discussion about the trend toward urbanization of our country, not enough has been done to bring about a balance in rural and urban opportunity and to stem the tide of migration out of rural areas.

In the past 10 years, U.S. farm population has apparently gone down at the rate of about 5 percent each year—an alarming figure. This adds up to a loss of about one-third in farm population since 1960.

Of particular concern is the fact that most of those who leave are in their late teens or twenties, just ready to enter into their most productive years. And when they leave their homes in rural areas, they carry with them a vast resource of human potential. In fact, the experts say that, on average, $15,000 has been invested in each one's upbringing and education.

That means a loss of $12 billion a year to rural areas, an amount which is, incidentally, many times the annual cost of the entire Federal farm program.

It matters not whether these young people want to leave home or not. Necessity forces them to leave and seek their fortunes in urban areas where the quality of life may not compare favorably with what they leave behind.

Almost by default—without necessarily desiring it—America is becoming an urban society. Seventy percent of our people now live jammed together in cities that cover only 1 percent of the land.

As a result, the social scientists are continually voicing alarm about the problem of overcrowding and its effects on human behavior.

If this trend is not reversed, it looks as if 80 percent of our people will be living in densely crowded big cities by the year 2000. And, if those who make such predictions are right, most of these will be crowded into only five supercities.

This just means compounding the pressing urban problems of today: smog, water pollution, housing, education, law enforcement, and so forth. And it also means more problems for the rural areas which lose population.

Of course, people must move if there are no jobs for them within commuting distance. And so, more must be done if we are to preserve a proper balance between rural and urban areas—a balance which I am convinced our people want.

There should be ample opportunity for people who want to live in the fresh air of the country to do so. Those of us from rural areas need to continue doing all we can toward this end. We should continue pressing for better public facilities such as roads, hospitals, water and sewer systems, and recreational areas and programs. By doing so, we will make our sections even more attractive to the vitally needed new industry and the new jobs which industry brings.

This is an important task for each one of us in the years directly ahead. We are not asking for rural favoritism, but we do want to change the national attitude of urban favoritism which has somehow been developing over the years.

Never before in the history of our Nation was it more urgent for urban and rural America to realize their dependence upon each other.

Never before was it more urgent for us to be "one Nation, under God indivisible, with liberty and justice for all."

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

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. OBEY. Mr. Speaker, I would like to take this opportunity to congratulate the gentleman from Iowa and the gentleman from Montana and the gentleman from Connecticut for organizing this discussion today.

Poverty is often thought of, as many of us here realize, in terms of the urban ghetto and in terms of our urban needs in an industrialized society. But I think if you really want to find poverty, if you want to find real deprivation, if you want to find a shortage of health care, if you want to find declining tax bases, and if you want to find people who are really crippled by inflation—you need look no farther than rural America.

I think those of us who come from rural America have a moral obligation to understand the tensions and to understand the deprivations that exist in many of our urban centers and across the urban areas of this land.

I also think the Members of this House who represent urban centers have just as strong an obligation to understand the tensions, frustrations, and deprivations that really exist in rural America and are clear to anybody who will just take the time to look at them.

Just 3 weeks ago I spoke on this floor about the economic situation today facing American farmers and those in rural America. At that time I said that situation was "one which can only be described as having gone from bad to horrible."

I noted, for example, that parity, in the traditional sense, has gone from 76 to 67 percent in 1 year. Even using the administration's trumped-up new definition, parity for our farmers has slipped nine points over the past 3 years.

Since my earlier remarks I have received additional information about our rural economic situation, including several year-end reports from the U.S. Department of Agriculture. There is nothing contained in those reports which gives me any more cause for optimism than there was before.

We learned, for example, that farm debt rose 6 percent in 1970, to a total of $58.7 billion. The USDA predicted, furthermore, that farm credit would increase in 1971, especially due to increased costs of production.

Production expenses rose from $38.4 billion in 1969 to $40.4 billion in 1970. As production outlays increased more than the rise in gross income, realized net income for the year slipped to $15.8 billion, compared with $16.2 billion in 1969. Furthermore, predicted the USDA, "production expenses will surely advance again in 1971."

Realized net income per farm was $5,392 compared with $5,437 a year ago.

Prices paid by farmers for production items, interest, taxes and wages rose 4½ percent in 1970, and farm wages alone rose 7 percent over the 1969 rate.

Imports of farm products were up 7 percent over 1969, and supplementary imports—those products imported which compete with products domestically produced—rose 11 percent over a year ago. Dairy imports in 1970, on a milk equivalent basis, were running 119 percent over what they were in 1969.

In spite of this bleak picture for the American farmer, the consumer fared much better. As Secretary of Agriculture Hardin pointed out a few days ago, the average American family spent a smaller part of its income on food last year, 16.5 percent, than at any time in recent history. And if the consumer is asked to bear abnormally high food costs in any specific area you can be sure that fact is not the fault of the farmer.

We can be sure, Mr. Speaker, that when our farmers are in economic trouble so are the rural communities which they support. And the facts bear this out.

More than 60 percent of all substandard housing is in rural areas, and nearly half of our Nation's poor.

Over 30,000 rural towns do not have any water systems, and 45,000 additional ones lack adequate water facilities.

Unemployment has been as high as 18 percent in many rural areas, and the Assistant Secretary of Agriculture has estimated that about $12 billion worth of manpower leaves the countryside annually.

In his recent message to the Congress on hospitals and health, President Nixon said that over one-third of our counties have less than one-third the national average of doctors per person. In 130 counties there are no private doctors at all. Do any of us have any doubt but that those counties are in the rural parts of our Nation?

A cross section of rural America would show empty farmhouses, farm equipment which is patched together because any replacement is too expensive, a farm population which is growing older, and large corporations trying to "buy in" when the inevitable "for sale" signs go up.

Mr. Speaker, unfortunately we could go on for quite some time outlining the problems which plague rural America. That, in fact, is why my colleagues and I are taking the time to bring this to the attention of the Congress today.

But certainly these problems are no secret.

The President has said, for example, that "the people who live in rural America have urgent problems which deserve our attention."

In November 1969, the Secretary of Agriculture announced that efforts would be made to deal with some on these problems.

Secretary Hardin said:

> Immediately, we will get to work on such problems as:
>
> The best means of creating new jobs and new economic opportunity for rural America;
>
> How to best adapt extensive manpower training programs to small towns and rural areas, and
>
> How to best insure decent housing for more rural people.

A beginning was made with the appointment of the President's Task Force on Rural Development, a task force which issued its report in March 1970. It is useful, I think, to look at some of their recommendations.

It recommended annual funding for rural water and sewer facilities adequate to meet the thousands of applications which are filed by rural communities each year.

It recommended food assistance in the form of food stamps, nutritional education, and school lunch programs.

It recommended Government-aided manpower training programs aimed at hiring and training both the unemployed and the underemployed in nonmetropolitan areas.

It recommended that all rural development programs assign high priorities to housing and health services.

It recommended increased financial assistance to students and colleges of medicine to train more people for work in the medical professions, and manpower training to develop supporting allied health technicians.

The response to those recommendations has been feeble at best, and I think a case can be made that, in practice, these recommendations have been almost completely ignored.

Instead of more funding for sewage and water system development, as recommended by the task force, the admin-

istration has submitted a budget eliminating all funds under FHA for rural water and waste disposal grants for next year.

Instead of providing for manpower training programs the President vetoed the Comprehensive Manpower Act which providing incentives to employers undertaking occupational upgrading programs.

In response to the recommendation for increased food assistance, the administration proposed an inadequate food-stamp program and, in next year's budget, eliminated all funds for the special milk program which provides milk to millions of schoolchildren each year.

In response to the need for better health facilities, more doctors and hospitals, the President vetoed one bill which would have provided funds for the construction and modernization of hospitals and other health facilities. And he vetoed another which authorized $225 million to assist hospitals and medical schools in relieving a shortage of doctors in general practice, those most likely to settle in rural areas.

In response to the need for housing, grants for low-rent housing and related facilities will be cut in half from fiscal year 1971 to fiscal year 1972.

Overall, funds for rural development and agriculture, as a percentage of the total budget, are at their lowest levels since 1961. In actual dollars the "Budget in Brief" estimates that we will actually spend less in 1972 for agricultural land and water resources than we did in 1961.

Mr. Speaker, I am just one of a number of Members of this House who are today trying to point out the problems facing rural America and the lack of action that has been taken to relieve these problems to date. However, we are also putting the Congress and the Nation on notice that rural America can no longer be ignored, and will no longer allow itself to be ignored. Neither the Congress, nor the Nation, nor rural American can afford it.

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

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. ALEXANDER. Mr. Speaker, this is the hour to begin in earnest to analyze agriculture within the scope of a national problem and abandon the outmoded, archaic rural versus urban attitude.

When a man and his family can no longer make a living on their farm in Arkansas and migrate to St. Louis in search of a job, the problem is not a rural one nor an urban one. It is a national one.

Since coming to Congress, I have been encouraged by the willingness of our colleagues from the cities and huge metropolitan areas to listen to the problems of those representing nonurban areas.

I want to compliment my colleagues who have come here today to show their concern for the problems of those Americans who have made agriculture their profession. And, I want to extend equal praise to my colleagues from the nonfarm areas who have invested time and energy in behalf of the farmer, his family, and the hundreds of thousands of nonurban residents whose prosperity is closely tied with that of the farmer.

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

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. LENNON. Mr. Speaker, I would certainly like to commend my distinguished colleague, the gentleman from Iowa, and those who are associated with him in securing this time.

Some of us are a little bit concerned when earlier this year the NFO brought to Washington a number of its members and tried to let the world know, and particularly our own Nation, what had happened in the swine industry and how prices had precipitously dropped to virtually zero and, yet, when you enter any major market in the United States, the prices for swine, however you might have bought it, was the same as it was last year.

There has been some suggestion in the news media about complaints and about the fact that prices of hogs are up. Frankly, I am happy that they are.

I remember years ago my first experience in Washington that there was, in fact, somewhat of a farm coalition in both branches of the Congress. But even in 1953 and 1954, I could observe that that so-called farm coalition was beginning to dissolve. It is no longer here.

Now our people who are so consumer oriented, and I will concede that it is a principle of this Nation today to protect the rights of the consumer, and with that I agree, but we must recognize that there will be no consumers of the things that keep people alive unless the few people, the 5 percent of people, in America today who are left and are engaged in some reasonable degree of profitable enterprise like farming.

I think we can spend a lot of time on this. There is a lot of work to be done, but we must get back to the people of America that what started the depression in 1929 and in the 1930's was the collapse of farm prices. Go back and read history. It is there substantially recorded in statistics to prove what produced the major depressions in this country.

If we go back to the farm prices we had in the early 1930's just as sure as we are standing here talking today, we will see our Nation come to its knees.

Mr. Speaker, I commend the gentleman in the well and also our colleagues who have spoken today and wish to offer them all the assistance and help I possibly can.

Mr. SMITH of Iowa. I thank the gentleman for his contribution. I think it should be obvious that those who have participated in this dialog so far come from coast to coast and from Minnesota to Texas. They are Members, Representatives of the people at home all over this country. They have testified to the fact that this situation is becoming worse and that more attention should be directed to rural America. So the record will be clear, I wish to say that this is not merely my dialog. My colleague, the gentleman from Montana (Mr. MELCHER) has had a great deal to do with it by calling the original meeting at which it was decided to take this action, and he and the gentleman from Kansas (Mr. SEBELIUS) have coordinated the effort. There has been a large group which has been interested in directing more attention to the urban area problems in this country, actually or derived from rural America, and it is time to look more toward rural America.

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

Mr. SMITH of Iowa. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. First, I wish to commend the distinguished gentleman in the well (Mr. SMITH), the distinguished gentleman from Montana (Mr. MELCHER) and the equally distinguished gentleman from Kansas (Mr. SEBELIUS) for assuming the leadership in calling to the attention of the Congress and the American people the importance of agriculture in American living. We should make this Farm Day in the House a day on which to thank the American farmer for his indispensable contribution to the greatness of our Nation and to voice our support for national programs which will keep him on the farm. God knows we would not last too long as a great Nation without him.

In the 1960's, the productivity of the American farmer increased by 6 percent a year—double the average of other industries. One farmworker today produces enough food, fiber, and other farm commodities for himself and 44 other Americans. Our agricultural progress has made our Nation the best fed in the world for less of our average income than in any other country of the world. We buy all our food products—in every State of preparation imaginable, and of a consistent high quality—for only 16.5 percent of our per capita disposable income, as compared to 40 or 50 percent and even more in other advanced nations.

Looking ahead to the 1970's, it is clear that agriculture as an industry will face new problems and new challenges. Estimates show that in 1980 our population will have increased by about 25 million people to a total of 230 million. Our gross national product of nearly $1 trillion—about $976 billion in 1970—may almost double. Consumer income after taxes is expected to double to $1.26 trillion by 1980. In terms of buying power, total consumer income after taxes is expected to rise over 50 percent, and per capita purchasing power by nearly one-third. The combination of more people in the United States with substantially more purchasing power per capita will mean increased demand for farm products generally.

U.S. Department of Agriculture economists project that by 1980, consumers will spend about $206 billion for food and beverages. As people in the middle and lower income brackets earn higher incomes, they will increase their quantity demand and will tend to upgrade their diets. Consumption of meat and poultry and more expensive prepared foods will increase. To meet these growing demands, production and marketing efficiency must continue to grow. Hopefully, our foreign markets will continue to expand in this decade, and production must expand proportionately.

Because farming will become less of a way of life and more of a way of making

a living, farmers will need increased credit opportunities and new marketing techniques. As fewer people are needed for actual farming operations, better opportunities to find gainful employment outside of agriculture will be needed. Farmers will be asked, in the interest of the environment, to reserve more and more of their land for conservation uses, and to continue to produce on as few acres as possible.

Development of a better rural lifestyle is certainly an issue that will come before the Congress and the Nation, with increased need for definite action in the months ahead. This means that a program to assure a healthier population balance between the urban and rural sectors must be considered. Mere recognition of the problems created by a shrinking rural population and a choking urban population is not enough. Something will have to be done immediately to halt outmigration from rural areas and, hopefully, to reverse the flow of people back from the cities. Better electric and telephone service must be installed. Water and sewage facility expansion in farm communities must move from the planning to the construction stage. Authorization must be made to improve the control of rural fires.

Along with these considerations to improve the working and living conditions of the American farmer and his family, provision must also be made to give him a fair share of the national income. It is indeed a sad commentary on our national life that the American farmer, who has done so much to promote the welfare of the people of this country and, through programs such as Public Law 480, the peoples of many other nations today receives so little for his labors.

Mr. Speaker, in closing, I would like to mention one of the most important pieces of agricultural legislation which will come before the Congress this year, and one which is of particular interest to Hawaii—the new Sugar Act. The Sugar Act of 1965 expires at the end of 1971, and work on the new act will begin soon. We have had a sugar act since 1934. Under present law, the Secretary of Agriculture has projected U.S. sugar needs and, for each year ahead, allocated the supply between domestic and foreign producers. As it stands now, the program is designed to maintain a healthy domestic sugar industry, to provide adequate supplies of sugar for American consumers at a fair and reasonable price, and to promote international trade. Orderly marketing has been achieved through the adjustment of supplies that may be marketed in the United States under the program, and one of its outstanding benefits has been the price stability it has brought to our domestic market. The Sugar Act has reduced uncertainties and inventory problems which both producers and consumers would otherwise face. The program has proven essential to a sound national economy.

Mr. Speaker, as the Nation moves ahead in the 1970's, it is of utmost importance that American agriculture moves ahead with it. To accomplish this desired end we must legislate, if necessary to provide the American farmer with just compensation for his labors and the higher standard of living he has rightfully earned.

I again commend the gentleman from Iowa (Mr. SMITH), the gentleman from Montana (Mr. MELCHER), and the gentleman from Kansas (Mr. SEBELIUS) for assuming the leadership in observing this farm day in the House.

Mr. SMITH of Iowa. Now, instead of merely saying that the participants were from coast to coast, I would say from North Carolina to Hawaii.

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

Mr. SMITH of Iowa. I yield to the gentleman from Missouri.

Mr. RANDALL. I thank the gentleman for yielding. First, I wish to commend the gentleman from Iowa, the gentleman from Montana, and the gentleman from Kansas for reserving this time to be what has been described as farm day in the House.

Earlier in our discussion the point was raised by one of our colleagues on the other side of the aisle about the cost or expense of keeping those on welfare who migrate to our cities from the rural areas and cannot find jobs. It does cost a lot more to provide for unemployed in the cities than it does in our rural areas. But what can we do about this migration? There have been many descriptions applied to the effort to stem this tide of migration, even to turn it around and to encourage it to go the other way from the cities to the rural areas. My own preference is to call this effort rural revitalization. Among other things it consists of the effort to provide facilities that are needed for the rural areas to make rural life more attractive.

I mean such things as recreation, better schools, and better housing.

A few moments ago the President sent to the House a message in which he points out an increase of Federal support for rural housing. In my judgment, if we are to prevent further migration from the rural areas to the cities, we are going to have to encourage light industry to locate in rural areas or small towns to provide alternate or supplementary income for rural residents.

I hope we can see the restoration of the investment credit as a tax credit to industry locating away from the big cities for a while there was a 7-percent investment credit but not especially for rurally oriented industry. For reasons of economy this was repealed. I would hope there could be a restoration of this 7 percent or perhaps 10 percent or even 15 percent pinpointed for the benefit of those industries willing to locate in some of our smaller communities of 2,500, 5,000, and even up to 10,000 population.

Mr. Speaker, I have no way of knowing how our colleagues from the cities view what nearly everyone in America calls the farm problem. Regardless of individual attitudes or varying viewpoints, in my judgment the real farm problem is low farm income. I shall not take the time to present statistics to back this up, but believe me the facts are that 1969 and 1970 were two of our farmers' worst years, and 1971 promises to be no better.

Many of us reluctantly supported the farm bill passed last year. Some of us had to face reality and realize that it was the best that could be passed to escape a veto. I observed at the time that it was just somewhat better than no farm legislation at all. As I have repeated this comment to visiting constituents from our farm areas coming to Washington since the first of the year, most of them correct me to suggest that the present farm bill is really not just a little bit better than none at all because for some segments of farming it amounts to really nothing at all.

The time has come to recognize clearly that the farmer, instead of being subsidized, has for a long time been subsidizing the entire American economy, and particularly the consumer. The farmer's gross income has risen somewhat, but the farmer's net share continues to decrease. In other words, the farmer's net profit on his sales continues to worsen; 1971 net profits may very well become the lowest in all history. What I am trying to point out, Mr. Speaker, is that the farmer continues to meet all food needs with little or no additional return for his efforts.

These special orders today, it seems to me, are of great value because this House except for those Members here participating this afternoon and perhaps for as few as one-fourth of the total membership, fail to appreciate the efficiency of the American agriculture. The majority of our Members are like most of the citizens of America; they do not appreciate the importance of agriculture. The American housewife can feed her family for 16½ percent of the family's disposable income. In Western Europe, that cost is from 20 to 25 percent. In Russia, the cost of food is about 50 percent of total disposable income, while in some parts of Asia, three-fourths an individual's income must go for food.

Today, the American farmer is the most efficient of any in our own history and more efficient than any other farmers in the world. Without his efficiency the costs of living would be much greater than they are at present. Our farmer's efficiency today requires a large investment in equipment, high-priced seed, and fertilizer. This means that the farmer's investment continues to rise while the return on his investment goes in the opposite direction.

What is the answer? In my judgment, there must be a farm bill enacted that will assure perpetuation of the family farm. It must be a bill that will assure for the consumers of our cities the continued enjoyment of the efficiency of the American farmer even if it requires some Federal assistance to the farmer of the type, sort, or kind that was in effect prior to the enactment of the Agricultural Act of 1970.

Today, on this very day of this discussion of farm problems on the floor of the House, we received a message from the President of the United States, being the first annual report on Government

services to rural America required by the act of 1970. Now the record will show that I have supported the President on all matters of foreign policy, on Vietnam, and all of his proposals on our national security. This should prove that what I am going to say is not partisan. I have in the past and intend in the future to support the President on some of his domestic proposals. Notwithstanding, the true facts are that the message of the President today was not a farm message. He devoted most of the content of his remarks to revenue sharing and the fact that he would announce when in Iowa this afternoon, that $100 million more in revenue sharing would be earmarked for rural community development. This is commendable but I cannot overlook the fact that in this same message the President speaks of the shortage of doctors in rural America without any mention of the fact that the Family Doctor Act to increase the number of general practitioners in rural America, passed by the Congress last year, never became law because of the lack of Presidential approval.

In the President's remarks made on the floor of the House earlier this afternoon, he calls attention to the cost benefits of his reorganization proposal. Yet, he neglected to mention that if the reorganization plan becomes effective, the Department of Agriculture will be no longer a separate department, but instead a kind of bureau or section in what will be called the Department of Community Development. In other words, the present Department of Agriculture will become only a small segment of this new gigantic department. It will be relatively submerged and secondary to the concept of community development, which, of course, means urban housing and urban renewal, model cities programs, and others. In my judgment, this portion of the reorganization plan should not be approved by Congress, if it means further downgrading American agriculture and the American farmer.

Once again, Mr. Speaker, I believe we should all be grateful to the gentleman from Montana (Mr. MELCHER); the gentleman from Kansas (Mr. SEBELIUS); and our distinguished colleague from Iowa (Mr. SMITH) for discussing the present plight of American agriculture. If some of the Members from the large cities do not wake up to the plight of our farmers, they may learn too late that the cities are dependent upon rural America for their food and clothing. Equally or perhaps even more important to our city dwellers, they may learn too late that they are also dependent upon rural America for the sales of the products made in the large cities of America.

Mr. JONES of North Carolina. Mr. Speaker, I am privileged to join with others in attempting to call to the attention of this House of Representatives as well as the American public in general, the multiple problems that are confronting the farmers of this Nation. First, agriculture is the only segment of our economy which has not shared in the returns of the present inflationary status. On the other hand, sadly enough, agriculture has been the victim of increasing cost as it relates to the commodities which they are forced to purchase.

I cannot stress too strongly the fact that agriculture is industry's biggest customer, while all statistics available prove that it is not receiving its fair share of the consumer dollar.

Another alarming figure is the current decline in our farm population, and unless this trend is reversed, we might all too soon find ourselves in the position of not being able to produce enough food and fiber for the citizens of this Nation. I only wish that those Members of this Congress who are indifferent to the problems of agriculture could come into my congressional district in North Carolina and see the abandoned farm houses, closed churches and in many cases, empty schools. I believe it would bring a concern and awareness of the need for the Federal Government to begin greater emphasis on rural development to make more attractive and beneficial, life on the American farm.

For some time, I have become convinced that if we could devise ways and means to provide industry better facilities, water and sewerage and modern conveniences into our rural areas, that it would solve many of our domestic problems which now exist in the urban ghettos, for it would stop the mass migration and more important, offer an opportunity for those who have left to return to their home communities where opportunities for employment exist. I have talked with individuals of both races, and without exception they agree that they would much prefer living with their relatives and friends, rather than moving to some far distant city and living a loney life.

So, Mr. Speaker, in the interest of a better and more abundant American life in the future, it is incumbent on all of us to diligently seek ways to improve the lot of the American farmer. I hope that all Members of the House will accept this as a challenge and join with us who are today through this special order calling to the attention of the citizens of this Nation the agricultural problems which are all too prevalent.

Mr. RUNNELS. Mr. Speaker, if there is one thing that is unmistakably clear about the state of agriculture in this Nation today, it is that we are approaching a national crisis and that hardly anyone knows what the answer to the problem really is.

At least it would appear that the Congress and the farmers themselves have not been able to come up with a national consensus that even approaches a workable solution.

All one has to do is look at the record over the past 30 years and one can see that the plight of the farmer has continued to worsen with each passing year, despite farm programs which were supposedly designed to come to their aid.

I know we have all heard the arguments many times before, but for the record I think we should all once again look at some facts and figures which explain the situation exactly as it is. I know rehashing old figures will not solve the problem, but before we can even talk about a solution, all Congressmen—whether they come from urban or rural districts—need to be fully aware of what these facts really are.

In 1970 the agriculture budget grand total was $7.804 billion. Of this total $3.952 billion, or 55 percent of the total, went for programs other than subsidies and direct payments.

Included in these expenditures were the food stamp program, child nutrition program, REA and FHA repayable loans, programs having foreign relations and defense aspects, programs involving our national forests, and the program for cooperative agricultural extension work. Each of these programs clearly benefit the consumers and general public.

Other programs which were predominantly for stabilization of farm income, including price supports and acreage diversion payments, totaled $3.852 billion.

From these figures it is plain to see that much of the agricultural budget is spent for programs which do not necessarily benefit the farmer any more than those citizens in our urban districts.

I do not mean to minimize the amount being paid out in direct Government subsidies to farmers, but to set the record straight it needs to be pointed out that the overall agricultural budget does not go for this purpose.

And, while the farmer has been receiving these payments, he has been contributing greatly to the overall economy by his purchases from private industry. For example, each year the farmers spend approximately $4.8 billion for new tractors, machinery, equipment, and vehicles. It takes 113,000 employees to produce this farm equipment.

Farming is the biggest industry in the United States and jointly they spend nearly $36 billion a year for goods and services to produce their crops and livestock; and another $12 billion a year for the same things that city people buy—food, clothing, drugs, furniture, appliances, and other products and services. In fact, three out of 10 jobs in private employment are related to agriculture.

Despite the Federal payments which farmers receive in one form or another, the money they receive today for crops produced is at the lowest level in more than 20 years. During these past 20 years, the per hour earnings of manufacturing workers have increased 127 percent, corporate dividends are up 251 percent, but the average farm prices have actually dropped by 9 percent.

During these 20 years the farmers expenses have risen 54 percent, while the total farm income is up only 2.9 percent. Those farmers who have stayed in business have been able to do so through more efficiency in their operations and increased productivity.

What we have in reality is a situation whereby the farmer is actually subsidizing the consumer. This has been done at the expense of many small farmers who have had to sell their farms and take employment in the cities.

The reason I point all of this out is to get the point across that Government farm programs of the past have not been

the answer. Instead of helping the small, independent farmers, which many of them were designed to do, they have actually contributed to forcing them off the farm.

I do not offer any concrete solutions to the farm problem in these remarks today, but I am merely pointing out that the time has come for all of us to take a closer look at what has been going on.

One of the problems today is that the farmers, through their various farm organizations, can not agree on the solutions themselves. Some of them think an increasing role on the part of the Government is the only answer, while others think a gradual return to the free market system is the best approach.

It has taken us 30 years to get where we are today with farm programs, and it may take us that long to turn the situation around. But I think each of us have a responsibility to study the situation in greater detail than we have in the past.

The time has come for us to come up with some bold new concepts. We need some programs that will better enable the farmers to jointly bargain for better prices and let them gradually shift away from the outmoded programs of the past.

The direction we take will be up to the Members of this Congress. We can come up with sensible, workable solutions if we realize the gravity of the situation and give the matter a high priority. The time has come to do just that.

Mr. BERGLAND. Mr. Speaker, the agricultural economy is very diverse and complex, consisting of about 3 million largely independent producing units scattered over our entire Nation. Even within the local community, its characteristics may present a wide range of diversity. There is the part-time farm, the small commercial and the larger commercial farm, the highly specialized farm and the generally self-sufficient farm.

There are at least 59 crops considered to be principal crops. Within such principal classification there are types and varieties, groups and grades, some of them genetic, some seasonal, some geographic, some long established, some experimental. Combination and permutations of the livestock mix are almost endless. I mention this to show the complexity and diversity of American agriculture.

Farming employs 4.6 million workers—more than the combined employment in transportation, public utilities, the steel industry, and the automobile industry.

Agriculture's assets total $317 billion, equal to—about two-thirds of the value of current assets of all corporations in the United States; or about one-half of the market value of all corporation stocks on the New York Stock Exchange.

The value of agriculture's production assets represents about $50,000 for each farmworker, approximately double that of each manufacturing employee.

The farmer is a good customer. He spends over $39 billion a year for goods and services to produce crops and livestock; another $13 billion a year for the same things that city people buy—food, clothing, drugs, furniture, appliances, and other products and services.

Each year the farmer's purchases include—nearly $5 billion in farm tractors and other motor vehicles machinery, and equipment, $2.2 billion was spent in 1966 by the primary metals industry for equipment and new machinery; $4.2 billion for fuel, lubricants, and maintenance of machinery and motor vehicles; farming uses more petroleum than any other single industry; $2 billion for fertilizer and lime; products containing 360 million pounds of rubber—about 7 percent of the total used in the United States, or enough to put tires on nearly 7½ million automobiles; 32 billion kilowatt-hours of electricity—about 2½ percent of the Nation's total, or more than is needed annually by Baltimore, Chicago, Boston, Detroit, and Washington, D.C.; and 6½ million tons of steel in the form of farm machinery, trucks, cars, fencing, and building materials; this is one-third as much steel as the automotive industry uses.

Commonsense tells us that any producing group which buys about $39 billion in production goods per year is an important factor in our general economy. The commercial farmer buys about 5 percent of our total steel production and about 11 percent of our petroleum products. It is estimated that his purchases are the basis for about 6 million jobs in machinery, chemical, and other supply industries. In turn, his products are the basis for processing and marketing industries which provide an estimated 14 to 16 million jobs.

There is an old point of view going way back, that economic depressions are farm led and farm fed. The idea achieved considerable status in the years following World War I.

Farm income is now at 68 percent of parity, the lowest since the depths of the great depression of the 1930's. Thus, 6 percent of civilian labor force were out of jobs in 1971. The Governors of our States were in this Capital City last week pleading for help to prevent the collapse of several of our major cities.

The depression-level prices received by farmers suffering at 68 percent of a fair income is a major cause of the high rate of unemployment and a major factor in forcing people to leave the farms and small towns—streaming into the already overcrowded and financially troubled cities.

The belief that economic depressions are farm led and farm fed in its most extreme form is characterized by what is called the multiplier theory, which in this instance says that $1 or gross farm income generates $7 of national income. Basically the theory rests on the fact that from 1929 to 1950 national income was about 7 times that of farm income.

If farmers were to receive a fair income an additional $20 billion in new wealth would flow into the economy—generating a substantial increase in nonfarm employment and certainly would slow down the exodus of people out of the countryside.

It is not difficult to persuade the president and board of directors of many major corporations that the farm market is highly significant. Just a little more than a year ago the New York Times—December 19, 1969, page 107—carried an item illustrating the point. It said in part:

> A decline in farm equipment sales was a major factor in the 15.4 percent drop in earnings of the International Harvester Co., in the fiscal year ended October 31, Harry O. Bercher, chairman, reported today.

This is not surprising since farm investment in farm machinery and equipment including motor vehicles totaled almost $34 billion in 1970 as compared to only about $3 billion in 1940.

Although there may be difficulties in evaluating the exact impact of agricultural policies and programs, past, present, or future, there can be no doubt that an industry of this proportion has a major impact on the total economy. Nor can there be any doubt that as long as the agricultural economy remains at depression levels—so will the total economy.

Mr. BLANTON. Mr. Speaker, several weeks ago I sent a letter to the President concerning the plight of our farmers. I made this letter public at the time, and I think it is appropriate that it be included in the RECORD today in view of the special order my distinguished colleagues have taken exclusively for airing of these problems.

The letter to the President is as follows:

> DEAR MR. PRESIDENT: As one of less than 40 U.S. Representatives who represent predominately agricultural districts, I am greatly concerned about the plight of our farmers.
>
> I was most disappointed that in your 5600 word State of the Union Address on January 22, you did not mention the farmers at all. It was unprecedented, Mr. President, for such an omission by an American President in his State of the Union Address.
>
> Agriculture is still one of the largest industries in the United States. There are more than 3 million producing farms, employing 4.6 million workers. Total gross agricultural assets are more than $307 billion, a half of the market value of all corporations on the New York Stock Exchange. In addition to direct farm employment, 8 million workers store, process and merchandise farm products, and 6 million work in supplying essentials to farmers.
>
> On September 14, 1968, when you were a candidate for President, you said at Des Moines, Iowa, "Plainly, however, our farmers and ranchers have been the stepchildren of the Great Society. Their amazing productivity has been exploited to offset fiscal excesses in other areas and the farmer has been caught in a vicious economic squeeze. I propose that our nation commit itself to a national agricultural policy that will maintain an efficient, flourishing agricultural economy keyed to opportunity and abundance, with the family farm enterprise as its cornerstone."
>
> Mr. President, the farmer is in a worse financial squeeze now than he was in 1968. For the past two years, he has netted less on his investment than the average return for the entire preceeding eight year period. The inflation that has caught all Americans has been especially cruel to the farmer, as he has been required to increase his investment by more than 10 billion dollars, during the past two years.
>
> As for the family farm as being the keystone of your policy, I have only to remind you, Mr. President, that 40,000 such farms have disappeared since you took office.
>
> In 1948, net farm income was $16 billion, Mr. President. In 1969, it was the same amount. And yet net farm investments have more than doubled since 1948. The American farmer today would have to have approximately $45 billion net income before taxes

to have the same purchasing power as he had in 1948. He is, then, only 36% as well off as in 1948 and $29 billion dollars short.

Mr. President, your Department of Agriculture is trying to juggle its figures to make the farmer believe he is well off. By reporting gross and net farm income in aggregate for all farms of any type, they do a great injustice to the public knowledge of how bad the farmer really has it today. The USDA doesn't report figures separately. They lump the commercial egg producer, the commercial dairy, the commercial cattle feeder, the commercial poultry producer, the hog farmer and all others together. Thus what the USDA reports as "farm income" isn't actually earned totally by an "on the farm farmer."

Mr. President, I am also concerned and alarmed that you are proposing to abolish the Department of Agriculture and consolidate it with some other agencies. You propose, in effect, to destroy what voice farmers have in their federal government.

I urge you to give the plight of the American farmer top priority in your domestic programs. They deserve as much attention as the problems of their urban cousins.

Signed by RAY BLANTON, M.C.

Mr. HUNGATE. Mr. Speaker, since the beginning of our Nation we have employed Government subsidies the better to effectuate policies designed to benefit all Americans despite some current beliefs that Federal subsidies are bestowed largely, and almost exclusively, on agriculture.

The definition of a subsidy, like that of beauty, varies with the beholder. What one man calls a subsidy may be considered properly due compensation by another.

In the overall subsidy concept the Nation's agriculture is a lesser recipient than either industry or labor. Yet the farmer, in some areas of public opinion, seems to have been cast in the role of chief villain in a drama of Government largess.

Virtually all segments of the American economy enjoy Federal subsidies, either directly or indirectly. Postal subsidies, for example, benefit those receiving the mails as well as those who have posted items at less than the actual cost of delivery. Those using railroads, airlines, and shipping lines benefit indirectly from the subsidies which have been paid out to make sure that these services are maintained.

Some $3.5 billion which annually goes to support farm crop prices, means less costly food and fiber to the American consumer who otherwise would have had to pay that sum, and more, at the retail end of the marketing-distribution chain. Since the farmer receives roughly only a third of the consumer dollar spent on groceries, it is likely that the national food bill would have been boosted much more than $3.5 billion had full production costs been assessed at the retail level.

So long as the farmer must buy his supplies in a Government-protected market, and must purchase equipment manufactured by labor working at pay scales protected by Government laws and regulations, it would seem necessary that he, too, receive a degree of Government financial backing in his efforts to meet the Nation's nutritional needs.

Many nations of the world subsidize agricultural operations, even though their crops are produced with low standard of living labor. The American farmer successfully meets such competition only because of his advanced technology and use of costly fertilizers and other chemicals which have resulted in high yields per acre. The sales abroad of U.S. farm commodities are a vital factor in maintaining a dollar balance of payments in international trade. These sales could not continue at their present level were our farm subsidies withdrawn.

The Committee on Agriculture has produced an excellent historical review of Government subsidy programs. It lists 8 pages of areas of our economy which receive what could be called "subsidies." Of these, the vast majority are nonagricultural. The following is a list of a few subsidy recipients:

Shipbuilding differential subsidy.
Shipbuilding subsidy for fishing vessels.
Ship-operating differential subsidy.
Land grants and cash contributions for railroad construction.
Subsidies for carrying mail.
Partial financing of plants to generate electricity from atomic fuels.
Depletion allowances to minerals producers and other extractive industries.
Accelerated amortization of defense facilities.
Liberalized depreciation schedules.

Unless we show greater concern for rural America, we cannot hope to "keep 'em down on the farm."

Mr. DANIEL of Virginia. Mr. Speaker, today has been set aside as "Farm Day in the House." As this Congress gets underway, such an observance is particularly fitting. Over the past months, we have all heard and read much about the disturbing "urban crisis." Sociologists analyze the repugnant social diseases that plague our cities; mayors of large cities are at a loss in solving local problems and look to the Federal Government for help; and the President has proposed the sharing of Federal revenues with States to alleviate this situation.

Sadly enough, the plaintive voice of America's farmers, ranchers, and country dwellers has not been heard clearly. America's rural communities face difficulties which are equally severe—if not more so—than those of metropolitan areas. Rural residents—just as their urban brothers—have been caught in the tenacious grasp of inflation and are experiencing an economic squeeze.

The agriculture business is America's largest industry. Approximately 40 percent of all workers are employed either directly or indirectly by agriculture despite the severe dwindling of farm population.

Ironically, farmers are victims of their own efficiency. In nonfarm industries, man-hour productivity has increased about 50 percent since 1950; it has jumped 164 percent in agriculture. In 1950, one farmworker produced enough food and fiber for 11 people; today he produces enough for himself and 50 others.

Tragically, the farmer has come out on the shore end of the economic rope. Today, farmers and ranchers receive only 5 percent of disposable income from their products, while consumers spend only 16 percent of their disposable income on food instead of 25 percent as in 1950. Due to increased efficiency and improved technology, a farmer can "go broke" much more quickly under today's conditions. According to an agriculture expert, it took 8 to 10 years for a farmer to "go in the red" before 1930; whereas, today this could occur in 8 to 10 months. Farmers cannot survive if they continually provide inexpensive, high quality food and yet receive a minimal share of return for this labor.

During the last week in February, the Future Farmers of America marked their 43d anniversary. Presently, there are over 450,000 members between the ages of 14 and 21 in this national organization which trains young people in every aspect of agriculture. The theme of this year's FFA observance, "Involved in America's Future," indicated an awareness of the interdependence of agribusiness and industry—of rural and urban. During this Congress, let us accept the responsibility of boosting the economy of agriculture and making it sufficiently attractive to continually draw the Nation's youth. This is the least that we can do for these dedicated young men and women who at an early age have decided to devote their life's work to the betterment of agriculture.

Six out of ten people would rather live in the country if they had their choice, according to a 1970 Gallup poll. This desire is understandable. America's small communities offer a way of life where it is safe to walk the streets at night; where citizens work, yet find time to visit neighbors; and where the beauties of nature abound.

Despite widespread fondness for rural America, recent figures reveal that 70 percent of our citizens live on 2 percent of the land. The 1970 census indicated that 73.5 percent of America's population lives in urban areas, contrasted with 69.9 percent 10 years ago. If our society becomes increasingly urban, the existing crisis in cities will be compounded. People who leave the country and do not obtain employment in larger communities might be forced onto welfare rolls, thus upping already exorbitant costs of this program and adding to the burdens of the taxpayer. Many go to the city for the purpose of becoming welfare recipients.

The overconcentration of industrial and human growth in cities has spawned countless problems, such as filth, smog, noise, crime and breakdown of public services. Then why do hordes of Americans flock to these unhealthy and cramped conditions? Traditionally, they were attracted by diverse employment opportunities, as well as by what they considered other advantages which they felt rural areas lacked.

America's small communities are tied basically to a land economy—agriculture, forestry, mining, and recreation. However, they now possess potential to support diverse industries, such as highway, communications and power systems, and modern schools and other facilities. In order to enhance the economic and cultural value of America's small communities, business and industry must be encouraged to disperse and locate in rural areas. Obviously, a redistribution of opportunity, population and industrial development would serve a dual role in solving problems of both city and

country. Toward this end, I have sponsored legislation and will introduce another measure which hopefully will draw industries to rural areas and thereby increase job opportunities.

Ninety-eight percent of our land is countryside. This is our most valuable resource. By tapping it, crowded population centers can be decentralized and industries can obtain a healthy climate, where employees can secure suitable housing and favorable living conditions at a much lower cost than in metropolitan areas. Urban and rural economies are indisputably interrelated. Unless this fact is realized and exploited, America will suffer irreparably.

Rural America is the bulwark of America's strength. However, the Nation's less populated areas must be refortified, lest we risk the crumbling of a foundation vital to our existence.

Mr. WHITE. Mr. Speaker, the district I represent shares the problems of declining income, the price squeeze, and the flight of younger people away from the farms and into the cities. In addition, this district has some problems of its own.

I represent one of the oldest agricultural areas in the Nation. When Spanish explorers first visited the Valley of the Rio Grande in 1536 they found Indians using the waters of that historic river to irrigate their crops. Irrigation is still a necessity in our arid section of America, and meager water supplies have multiplied the problems of an already expensive method of producing crops.

Under the grim necessity of wartime demands our farmers developed a highly specialized agricultural economy centered around some of the world's finest long staple and extra long staple cotton. Today, a sharp reversal in cotton income has driven scores of farmers in our area off the land. Among others, the low margin of return on cotton has made it essential to convert to other crops.

In their attempts to do this, the farmers are confronted with many problems. Financing, whether from strictly private sources, or with the aid of Government organizations, is built around the needs of the cotton industry. Operating loans are often not available to converting to other crops. The farmers have invested heavily in cotton—in mechanical harvesting equipment in highly specialized irrigation works especially geared to the needs of the cotton industry, and in cooperative enterprises such as cotton gins, compresses, oil mills, and warehouses.

They need to develop new means of financing, from both public and private sources. They need the resources of existing Government agencies to research all the problems of the new crops into which they are venturing, from production methods to insect control and marketing methods. They need methods of price stabilization on crops that are not now covered by Government programs.

They must do this in order to revitalize our rural communities and halt the rush to the big cities, which is creating some of our most serious national problems.

In order to turn the spotlight on this and many other problems facing the farmers and ranchers of our area, I am sponsoring, with the cooperation of local chambers of commerce and agricultural organizations, two agricultural conferences in my district. These will be held in El Paso on Tuesday, March 9, and in Pecos on Thursday, March 11. We have invited State and Federal agricultural officials to assist us in these conferences, and from the information developed, we hope to have specific suggestions for legislative and administrative remedies for many of the ills that beset the farmers of the Southwest.

I appreciate the opportunity of calling the attention of the House of these problems of our area on this Special Farm Day in the House.

Mr. LEGGETT. Mr. Speaker, pressure was on Richard Nixon in September 1968 to do something about the farmer cost-price squeeze crunch when he stated in Des Moines, Iowa:

> These (new) policy directions include dedicated efforts to improve market prices and strengthen our market economy; 74 percent of parity (1968) is intolerable in my book; farmers are entitled to better, and I pledge that in my Administration they will have better. (Des Moines, Iowa, Sept. 14, 1968.)

Farm prices have risen 4 percent since 1968, but costs are out of sight, reducing farm parity in November to 68 for the first time since the 1930's. Since farm prices have remained relatively constant, the decrease in parity can be attributed to increased costs, which in turn are largely attributable to inflation.

President Nixon is not the only one to fall through on promises to farmers. I recall speaking in 1963 with Orville Freeman to the Western States Democratic Conference in Salt Lake City on agricultural surplus and utilization of abundance. In a speech there I spoke with alarm of the deterioration of American agriculture—4.8 million farmers in 1954 had shrunk to 3.5 million—we were going to do something about that—this year there will only be 2.8 million farm families left—nearly a 50-percent reduction in less than 20 years.

The cause of this exodus continues to be the relative large disparity between agriculture and urban factory earnings. Per farm earnings were $3,332 in 1961 as compared to the $4,500 average weekly earnings in manufacturing. Today per farm earnings are up $1,000 to $4,330 per farm in 1958 dollars, but factory earnings are also up to $5,100.

With agriculture parity dropping from 80 in 1961 to 68 last month it is obvious that the only reason that per farm income has not similarly deteriorated is because there are nearly 2 million less farms in operation. If the same number of farms were in operation today as in 1960, per farm income in 1958 dollars would slide from $3,332 to $3,100—$12.6 billion agriculture net income of 1961 has been affected by 31 percent escalation of prices to date equal $16.5 billion versus $15.7 billion agriculture net recorded for November of 1970.

Numbers in agricultural economics are sometimes baffling; but when we find, for instance, pears selling in 1972 at 1952 prices and costs of wages escalating from below $1 to above $2 in 20 years, then I believe that reasonable minds can agree that equity and good conscience demand a change.

When food prices rise in 10 years by 33 percent while prices of farm products rise simultaneously only 10 percent, while urban services rise by 58 percent and medical costs go up 54 percent, then I say that our system of social economics demands a change.

Unfortunately things are programed to get worse—building trade rates recently negotiated can only exacerbate the agricultural exodus.

SETTLEMENTS OF VARIOUS BUILDING TRADES

City and State	Occupation	Days on strike	Current rate	Increase	Final rate	Annual percent increase
Los Angeles, Calif.	Sheet metalworkers	17	$7.06	$5.00—3 years	$12.06	23.1
Northern Illinois	Operating engineers (heavy, highway)	75	6.03	$4.75—38 months	11.05	25.0
Las Vegas, Nev.	Operating engineers	9	7.07	$3.96—4 years	11.03	14.7
Norwich, Conn.	Bricklayers	28	6.07	$4.03—3 years	10.10	22.0
New Britain, Conn.	Plumbers, steamfitters		6.31	$4.06—2 years	10.37	32.7
Connecticut, statewide	Carpenters		5.69	$4.69—39 months	10.35	25.2
Waterbury, Conn.	Electricians		5.95	$6.00—3 years	11.95	33.6
Miami, Fla.	Pipefitters	55	6.76	$3.50—27 months	10.26	22.8
Do	Plumbers	50		$5.00—30 months		
Hartford, Conn.	Electricians	28	6.75	$5.75—3 years	12.50	28.2
Chicago, Ill.	Operating engineers		6.55	$4.50—4 months	11.05	28.8
Wichita, Kans.	do	48	5.40	$5.10—3 years	10.50	31.4
Baltimore, Md.	Bricklayers	47	6.21	$4.36—3 years	10.57	23.3
Do	Plumbers	47	5.68	$4.38—3 years	10.06	25.7
Missouri areas W–I	Laborers (heavy; highway)	10	3.925	$2.85—3 months	6.775	66.9
Columbus, Ohio	Plumbers		8.205	$3.56—3 years	11.77	14.4
Providence, R.I.	do			$4.10—3 years		
South Bend, Ind.	Carpenters		6.605	$3.85—3 years	10.455	19.4
Detroit, Mich.	Sprinkler fitters		7.80	$3.20—3 years	11.00	14.9
New York, Albany-Troy-Schenectady	Sheet metalworkers	91	5.85	$4.43—3 years	10.28	25.3
Louisville, Ky.	Iron workers	10	7.29	$3.15—3 years	10.44	14.4
Niagara Falls, N.Y.	Plumbers		8.55	$2.85—2 years	11.40	16.6
Kansas City, Mo.	Bricklayers			$4.50—4 years		
Memphis, Tenn.	Ironworkers			$4.00—4 years		
New Jersey, statewide	Operating engineers (heavy; highway)			$5.10—3 years		

It is my frank view that farmers and others on relatively fixed incomes can only be spared from the theft of Government tolerated inflation by a system of wage-price guidelines, and control themselves if intermediate conservative methods prove inadequate.

Agriculture and cooperative, it seems to me, have been thrashing about for years to redraft the rules of economic social justice such that a man working in agriculture could approximate the returns to his urban counterparts.

While the urbanites moved to the Wagner Act in the early 1930's setting forth the absolute right of urban workers to bargain for wages collectively setting forth unfair labor practices—agriculture workers have consistently been excluded.

Congress early provided for the right of producers to band together in cooperatives under the Capper-Volstead Acts of 1922 and 1926 and regardless of the criticisms that have been leveled about the ineffectiveness of cooperatives—the fact remains that in a number of areas and commodities due to particular phenomena some crop bargaining has been inordinately successful.

In the main, however, I believe that it has been the farmers' own consistent efforts to refrain from unemployment insurance coverage, minimum wage coverage in prior years, and labor relations act opposition that has led to the virtual total secularization of the agriculture community that has continued to aggravate the agricultural exodus.

Rather the agriculturalists since the 1930's have moved in the direction of priming the pump at the intermediate producer level that has led to scandalous overproduction of basic commodities—total indifference to specialty crop development and production, unjust enrichment of many basic crop producers due to a consistent failure of Congress and the Department of Agriculture to recognize an economic difference in the size or geographic location of those producers. As an example—the laws you lobby for generally fail to recognize that the average cotton producer in California producing 2 bales plus of good cotton on 250 plus acres is averaging $50,000 net plus, whereas the average producer in South Carolina produces less than a bale on about 7 acres—consistently nets less than $1,000.

To my mind farmers are as different as plumbers and basketball players and the failure to recognize the difference has been a fundamental problem restraining development of better legislation.

I do not mean to totally indict the system of price support and supply management of basic crops—this system to my mind has been farmers' best indirect bargaining tool—our overmesmerization with basic commodities—corn, wheat, grain, and cotton—is the problem.

Mr. EVINS of Tennessee. Mr. Speaker, I should like to associate myself with the remarks of the distinguished gentleman from Iowa (Mr. SMITH) and I want to commend my colleague and others for their interest in the growth and progress of rural America.

At a time when the strengthening of rural and smalltown America is a matter of the highest national priority, certainly it is my view that the Congress should not abolish the Department of Agriculture, as has been recommended by the administration.

The Department of Agriculture has served farmers and residents of rural America for 75 years. The development and strengthening of rural America has long been one of the primary themes and thrusts of my service in the Congress.

I have been encouraged to see, in recent months, the general acceptance and advocacy this progress in rural America has received. It is encouraging to see the Secretary of Housing and Urban Development and the Secretary of Agriculture agree on the importance of a stronger rural America as a solution to problems in our large metropolitan areas and in smalltown America.

These high officials agree that our young people must be encouraged to stay in their home communities in rural America to build a stronger America—to build better smaller communities and by reducing outmigration to ease the pressures on our large cities and metropolitan areas.

In this connection I am today introducing the Rural Development Incentive Act of 1971 to provide a system of tax incentives to encourage commercial and industrial development in rural areas.

The results of the 1970 census show that one-half of all the counties in the Nation decreased in population in the last decade while two-thirds of all the counties in the Nation had more people leaving than were moving into these counties.

Therefore, there is an urgent need for programs to encourage greater development of our free enterprise system in our small towns and rural areas.

By creating jobs and employment—challenges and opportunities for young people in these areas—the economic base and the leadership potential in smalltown and rural America will be strengthened.

This bill provides for special tax incentives for new or expanding business for those communities hard hit by outmigration.

Indicative of the importance and significance of this bill is the support provided by such outstanding national organizations as the National Federation of Independent Business, which recently reported that this bill "is strongly supported by the Nation's independent businessmen"—and certainly by American farmers and ranchers.

A recent report prepared for the Urban Institute of Washington concludes:

> The education of future outmigrants places a heavy drain on limited rural resources. The loss of human resources may seriously hamper the ability of rural areas to maintain viable communities. . . .
>
> There is evidence that migration is largely motivated by economic considerations and that the migrants themselves earn substantially more income as a result of migrating.

This is a most important bill and I strongly urge the distinguished chairman of the Committee on Ways and Means, which has jurisdiction, to conduct hearings and that the members of this great committee weigh the merits of this bill in the light of the urgency of the hour and the need for rural development in America.

Mr. GROSS. Mr. Speaker, I appreciate this opportunity to join with others in the House of Representatives in expressing some of my views on agriculture and welfare—particularly the economic welfare—of the farmers.

For nearly 50 years I have tried in every way I know how to promote legislation that would make it possible for farmers to obtain cost of production plus a reasonable profit for the food and fibers they produce and which are necessary to feed and clothe the people of this Nation.

The guidelines for this legislation were laid down in what was known as the McNary-Haugen bill, which was twice passed by both Houses of Congress in the 1920's and twice vetoed.

In addition to cost of production prices for domestic marketings, it would have provided dumping or world prices for surplus commodities sold abroad. In exchange for cost pricing, farmers would have been limited as to their marketings, bushels, hundredweight, and so forth, from units of production acres in their farms.

Through the U.S. Department of Agriculture, State departments of agriculture, and the agricultural colleges of the several States, there is no lack of information upon which to base reliable figures on the average costs of production of feed grains and livestock. Nor is there a lack of reliable information concerning the average annual consumption in the United States of the products of the farms. This wealth of information has never been put to proper use in behalf of either farmers or consumers.

Agriculture is the basic industry in the United States. From the soil comes the bulk of the new wealth that is produced each year. This simply means that the dollars that come from the productivity of the farmers turn over more times in the channels of commerce and trade than dollars which come from any other source.

This also means that when the industry of agriculture fails to obtain its fair share of the national income, the entire economy suffers.

Farmers are the world's biggest involuntary gamblers. They cannot produce inside brick walls and under roofs. Their crops and their livestock are subject to the capricious acts of the elements. Too much or too little rain can mean total loss. Airborne plant and other diseases can mean heavy losses.

They sell on open markets and buy on closed markets. All too often they have little voice in the prices they receive for their products. Prices are fixed on almost everything they buy.

Through the years and right down to this day, farmers have been subsidizing the prices of food to consumers. Last month's small gain in the cost of living is attributed to lower food costs which means but one thing—the American farmer is continuing to take an economic beating. No industry or business in this country can be expected to operate at

67 percent or 70 percent of parity—when 100 percent of parity represents its costs of operation. Why, then, expect the farmer to do so?

Congressional action to provide cost plus reasonable profit prices for providing the necessities of life is long overdue in behalf of our farmers. Further neglect of the Nation's basic industry will hasten the decay that is upon us and speed the day of inevitable chaos.

Mr. FINDLEY. Mr. Speaker, it is always a pleasure to call attention to the strength of American agriculture and the progress farmers have made, as well as the problems farmers face. I am pleased to be able to participate in today's discussion regarding agriculture and rural areas. And progress certainly has taken place in recent years.

This progress can be illustrated in several ways. First of all, the 1961–68 average annual realized net income from agriculture was $13.8 billion. The annual average net income from 1968 to 1970 was $16 billion—a 16-percent increase. While no one will claim this is adequate, it is an improvement over the regressive payments, permits, and allotment programs farmers witnessed during the previous administration.

On February 18, Secretary of Agriculture Hardin told the Joint Economic Committee farm income has increased in the past decade, but far too many farm people still have far too little income. Though farm incomes have improved, the fact that they continue low relative to incomes of nonfarmers remains the No. 1 problem of agricultural policy.

I am including with these remarks the body of the statement made by Secretary Hardin before the Joint Economic Committee, for I think it illustrates clearly some of the agricultural progress which is currently being made by the Nixon-Hardin administration for the benefit of all Americans, both farmers and nonfarmers as well.

Many of my colleagues in the House will recall as I do a statement made by Secretary Freeman that he was pleased when farm prices fell. Farmers have learned that Secretary Hardin makes no such statements. Throughout his administration he has been trying to raise farm income.

Secretary Hardin is working to increase farm exports and his efforts seem to be paying off. Farm product exports in 1970 totaled $7.2 billion, which was a 22 percent increase over 1969. This is particularly significant in my home State of Illinois where the equivalent of one acre in three finds its way into export channels.

A goal of Secretary Hardin is to see farm exports reach $10 billion annually by the end of this decade. If this is to be realized, our farm products must move competitively in the markets of the world. Secretary Hardin, Assistant Secretary Palmby and other key officials in the U.S. Department of Agriculture are doing an outstanding job in seeing that this record of expanding exports continues.

Recent visits I had with agricultural leaders in the German and French Governments confirmed my belief that Secretary Hardin is highly respected in European trade channels as a hard bargainer for the American farmer.

Turning to the domestic farm situation, the new policies of the Nixon-Hardin administration also places emphasis on reducing the role of the Government as a purchaser of domestic farm produce. In wheat, feed grains, soybeans and cotton, sizable reductions in Government carryovers will have been made by the end of the 1970 marketing year. At the end of the year the supply of Government-held soybeans and corn may be disposed of—a goal all of us should applaud.

I am particularly pleased with the progress which has been made by soybeans following the wise and courageous decision of Secretary Hardin to reduce the soybean support level in February 1969. A year ago today the Chicago cash price for soybeans was $2.59½ per bushel. At the close of trading Friday, February 26, 1971, the Chicago cash price for soybeans was $3.05¾. Secretary Hardin's bold decision has resulted in a substantial benefit to soybean producers, and should give all of us a good deal more confidence in the market system when it is permitted to function free of unnecessary Government controls.

I addition to Secretary Hardin's statement before the Joint Economic Committee I also want to include a statement made by the Secretary of Agriculture summarizing the state of American agriculture.

The material follows:

STATEMENT OF THE HONORABLE CLIFFORD M. HARDIN, SECRETARY OF AGRICULTURE, BEFORE THE JOINT ECONOMIC COMMITTEE, FEBRUARY 18, 1971

STATE OF THE AGRICULTURAL ECONOMY

Realized net income per farm in 1970 averaged practically the same as the record level in 1969 and was 82 percent above the 1960 level. The per capita disposable income of the farm population from all sources, farm and nonfarm, in 1970 was 139 percent above 1960. This compares with a gain of 67 percent for the nonfarm population. In 1960, per capita disposable income of the farm population was only 55 percent of the income of the nonfarm population. Last year farm people got 78 percent as much income as nonfarm people. This was a substantial gain for the decade, but far too many farm people still have far too little income. Though farm incomes have improved, the fact that they continue low relative to incomes of non-farmers remains the number one problem of agricultural policy.

Income from nonfarm sources is becoming a larger and larger component of the net incomes of farm people. Off-farm jobs of various kinds are the chief source of such income. In 1970, the per capita disposable incomes of people on farms averaged a record $2,633. Almost half of this (47.7 percent) was from nonfarm sources. These dollars are as useful in buying goods and services as those earned from farming operations.

The year 1970 found crop prices rising and livestock prices falling. The net result was an increase in prices received by farmers of 2 percent above the 1969 level. The decline in livestock prices was primarily due to the large increase in pork production accompanied by continued large supplies of beef, poultry, eggs, and milk. The rise in crop prices was due mainly to higher prices for grains and soybeans, reflecting the smaller 1970 grain crop. Corn blight cut the yield of that crop by approximately 15 percent. Adding to the price strength for grain was an expanding domestic and export demand for both grains and soybeans.

Agricultural exports in 1970 hit a record $7.2 billion, 22 percent above the previous year and 4 percent above the previous record in 1966. Much of the advance was attributable to the poor grain harvest in Eastern and Western Europe and the strengthening demand for grain and grain products for livestock feeding as diets improved in other developed nations. We achieved some export gains through trade concessions that we were able to negotiate.

Agricultural imports continued to expand in 1970 with most of the increase accounted for by gains in animal products, fruits, vegetables, sugar, and beverages. Agriculture showed a net excess of exports over imports of $1.5 billion during the year, thus helping to improve the Nation's overall trade balance. With the comparative advantage enjoyed by much of American agriculture, we should be able to improve our performance even more—if we can keep export markets open.

In the year ahead, agriculture faces substantial change as supply conditions adjust and demand improves. Large supplies of livestock and products may hold farm product prices below the highs of last winter. But with the general economy improving, we are looking for farm product prices to strengthen by around midyear as livestock production tapers off.

For 1971 as a whole, cash receipts from farm marketings are expected to show an increase. Realized gross farm income could run slightly above the previous record.

Although there has been a decline in the ratio of prices received to prices paid by farmers, it is important to recognize the limitations of this measure as an indicator of farmer well-being. The development and application of new production technologies, rapid changes in the size structure and organization of production units, and the further integration of production and marketing processes have yielded very rapid gains in productivity in the post-war years. As a result, it is more meaningful to examine trends in income per farm and in per capita income of farm people.

SERVICE TO CONSUMERS

The average American family purchases its food supply with only 16.7 percent of the family income. Never before has this percentage been so low, and never before has the quality of the food supply been so high.

This remakable achievement, never before attained anywhere in the world, is a tribute to the great efficiency of American farmers. During the last 10 years, efficiency—that is, the amount of output per unit of input—has been advancing about twice as rapidly in agriculture as in the rest of the economy.

To the degree that the relatively low share of the income spent for food results from agricultural efficiency, we take pride. But to the degree that it results from inadequate retuns to the labor, management, and capital employed in the production of food, we feel concern. All of these elements are in the picture.

GEOGRAPHIC DISTRIBUTION OF THE POPULATION

The geographic distribution of population and employment opportunities is an issue of growing national significance. We know from the census of last year that about half of all counties in the nation (most of them rural) lost population over the decade of the 1960's and that another one-quarter grew slowly. They experienced net outmigration and most often the outmigrants were young adults beginning their most productive years of life. In such States as North Dakota, South Dakota, Nebraska, Kansas, Montana, and West Virginia, over three-quarters of all counties lost population.

Yet there are growth centers in most of these States where the rate of population

increase equals that of the metropolitan centers.

One of the major challenges before us now is to combine these two forces—the decline and stagnation of large areas and the growth and vitality of nearby centers—in a manner that is mutually supportive.

The increased use and support of planning and development districts will help place the issue in the areawide context that is needed. It will also help Federal agencies bring their efforts into more effective, more complementary relationships at the local level. With the prospect of localities having access to noncategorical grants in the form of Federally shared revenues, these institutions take on even greater potential stature.

A subcommittee of the Domestic Council has been examining the need for a national growth policy, with particular attention to the development of nonmetropolitan areas. I am hopeful that this work will soon take the form of an explicit Federal-wide policy.

ENVIRONMENTAL PROTECTION

The Department of Agriculture has a long and outstanding record in the environmental field. Among the many notable accomplishments are the:

Abatement of the Great Dust Bowl problem through soil conservation.

Reduction of flooding and related damages through upstream conservation.

Control of forest fires on National Forests and on private lands.

Improvement of the landscape and stabilization of soils through cooperative tree planting programs.

We must not, however, permit past successes to make us complacent to present and future needs, which are many. We cannot solve all our environmental problems overnight. It will take a deliberately programmed effort over time to realize the improvements we desire. In some cases we will have to wait for standards to be established and for technological improvements from research. In other situations new or expanded authorities may be needed. The cooperation of public and private efforts will also be an important ingredient. Nonetheless, we are determined to make progress on the entire breadth of the environmental front.

The Department of Agriculture's environmental program for the 1970's as it is now taking shape, will include five major elements. The first will involve the identification, retention, and protection of land for agricultural production. Second, we are designing new approaches to the use of land released from agriculture for aesthetic and recreational purposes. A third element will be to stimulate selected small and medium size growth centers around the nation. As a fourth element, we are intensifying our efforts to determine the capacity of land to absorb wastes and to design means of converting wastes into beneficial uses. Finally, a fifth element involves modifications in the use of agricultural chemicals. We are, for example, already beginning to use a number of biological control mechanisms to replace the more toxic chemicals.

TIMBER SUPPLY

As a result of tight money supplies and housing starts of less than 1.4 million in FY 1970, softwood lumber and plywood prices decline from the very high levels they had reached the previous year. However, demands for lumber and plywood are expected to expand sharply over the next decade in response to projected demands for housing. At present levels of timber management and production, these demands will give rise to significant increases in timber prices.

By acting now to increase timber supplies, we can reduce the impact of rising demands on softwood lumber and plywood prices and housing costs. We have the capability to do this. Within the next decade or so, this capability will be concentrated largely on National Forests. Over the longer run, we will have to depend more on private timber ownerships to meet the rising demands.

In the recent past, public lands have provided some 40 percent of the softwood sawtimber harvests. Industrial forest lands have accounted for almost one-third of the harvests, and the remainder have come from holdings of farmers and other private landowners. As demand increases, the forest industry has usually increased harvest on private lands. However, as a result of past cuttings, this source of supply has been reduced. We must not delay in the development of privately-owned forests. Time lost cannot be regained.

The President, in his response of last June to the findings and recommendations of an Interdepartmental Task Force on Softwood Lumber and Plywood, directed me to formulate plans to improve the level and quality of management of public forest lands to permit the increased harvest of softwood sawtimber, consistent with sustained yield, environmental quality, and multiple-use objectives. Among other steps, the President also directed me to develop programs to increase the production and harvesting of timber on State and private lands, consistent with the maintenance of environmental quality.

In response to these directives, we are developing plans to accelerate reforestation and timber stand improvement work and to reduce the management planning and inventory cycle from 10 to 5 years. The latter improvements will make future allowable cut levels more quickly responsive to investments for increased growth and to management changes.

AMERICAN AGRICULTURE ON THE MOVE

American agriculture is moving into a healthier era . . . toward freerer, market-oriented production, new directions for humanitarian and environmental endeavors . . . already producing benefits for farmers and the entire economy.

During the past two years, there have been sharp increases in family food assistance, efforts to strengthen the economy, in environmental improvement, civil rights, consumer services, and rural development. Progress in basic policy development and farm legislation bolstered the agricultural turn-around, still taking place.

New Federalism approach has been injected into all Department of Agriculture programs . . . emphasizing decentralization, encouraging States to take on more responsibility, greater grassroots participation . . . thus bringing government back to the people.

FOOD ASSISTANCE

Massive efforts were spearheaded by the Department of Agriculture to fulfill the President's vow to eliminate hunger and malnutrition in America.

Food for needy people reached 6.9 million persons when the President issued his "Hunger Message" in May, 1969 . . . today's coverage is 12.3 million.

Food Stamp assistance now extends to 8.8 million persons, compared with 2.9 million in January, 1969. Value of Food Stamp bonus coupons up from $18.5 million to $125.8 million per month over same period.

School Food service programs grew with help of new authorization in Public Law 91-248 of May, 1970. In spring of 1969, 3 million youngsters received free or reduced-price meals at school. Latest total, October 1970, is a record 5.3 million . . . and goal this school year is to reach all needy children, however many there may be.

Geographic scope of food programs widened. At the time of the "Hunger Message," 440 counties and independent cities were uncommitted to any kind of family food program . . . now down to 10, mostly rural.

Nutrition aides, working in low-income communities, teach food values, how to prepare nourishing meals. None existed in January, 1969; today more than 7,000 are employed by the Extension Service in all states, D.C., Puerto Rico, and Virgin Islands. Cumulative total of families enrolled since inception of the Expanded Food and Nutrition Educational Program exceeds 300,000 containing more than 1 million persons.

STRENGTHENING THE ECONOMY

More business activity has been stimulated by loans and grants for rural development, additional electrification, conservation projects . . . Expanded exports and a continuing high level of farm operations plus new products have bolstered the general economy of the Nation.

Rural credit saw its greatest expansion in farm housing, from 54,274 borrowers in fiscal 1969 to 127,337 projected for fiscal 1971 . . . dollar volume of Farmers Home Administration housing loans up from $507 million to $1.4 billion in same period.

Policy changes in FHA emphasize creative cooperation between Federal and local governments, and with private enterprise. Example: FHA developed new bloc sale instrument to make possible the successful marketing of insured notes in major private money markets. Sales topped $1 billion in fiscal 1970 for first time . . . expected to approach $3 billion next year.

Rural electric loans advanced from a cumulative total of $6.8 billion in 1969 to current total of $7.5 billion . . . Consumers up from 6.7 million to 7.1 million. Rural Electrification Administration set policy of advising borrowers to adopt rates in keeping with their financial needs instead of jeopardizing loan security by trying to maintain parity with urban rates . . . The present Administration cut backlog of loan applications, making a near-record of loans in 1969 and 1970.

Agricultural exports were in second straight year of decline when the Nixon Administration took office, fell to $5.7 billion at end of fiscal 1969, then reversed the trend with a 16 percent increase to $6.6 billion in fiscal 1970 . . . prospects good for the current year to set an all-time record of more than $7 billion.

Commercial sales abroad went up from $4.7 billion in fiscal 1969 to a record $5.6 billion last year . . . and are moving upward. Policy decisions by the Secretary of Agriculture to adjust wheat and soybean prices to assure American producers fair competitive access to world markets were a factor in the improved export situation . . . as was the new Export Marketing Service, set up as a separate agency in the Foreign Agricultural Service to administer export pricing, sales of government-owned commodities, barter, and P.L. 480 transactions.

Soybeans dramatized advantages of the new, market-oriented farm policy. In 1966 the price support level had been raised—soybeans lost their pricing flexibility, competition moved in. Early in 1969 Secretary Hardin lowered the support rate . . . crushings of U.S. soybeans rose more than 100 million bushels, exports soared. Results were good for farmers . . . soybeans used or exported in 1969 were worth $2.8 billion, with $3.6 billion forecast for 1970, against only $2.3 billion in 1968.

Farm income totaled about $15 billion net in 1968, rose to $16.2 billion last year . . . is expected to hold at about that level this year. This advance occurred despite the fact that farmers generally are not sharing adequately in the Nation's economic progress . . . in 1969 the average person on a U.S. farm

had only 76 percent as much income as the average non-farm American.

Streamlined procedures enabled nearly 3 million farmers to receive the entire $3.3 billion payments due them in the 1970 wheat, feed grains and cotton programs six to eight weeks earlier than ever before and in a single full payment rather than piecemeal. This helped many to meet financing problems without having to borrow at high interest rates . . . also saved the Agricultural Stabilization and Conservation Service time and money. New system was so successful that it was included in the Agricultural Act of 1970.

Research by USDA attacked rising farm costs. Efficiency was increased this year by introduction of new crop varieties, such as cotton that resists storm damage and disease . . . an automated system for processing dairy products will cut operating costs . . . new textile blend of wool, mohair and cotton is expected to widen markets for all three fibers . . . lab tests indicate that high-pressure steam processing converts rice straw into digestible animal feed.

IMPROVING THE ENVIRONMENT

Four interrelated components comprise the Department of Agriculture's environmental mission, within a framework of total governmental guidelines: 1) Providing life's essentials—food and fiber, living space, greater opportunities for human satisfaction; 2) Protecting and improving the natural environment by soil and water conservation, controlling pests, pathogens and forest fires, and assuring food safety; 3) Creating such amenities as outdoor recreation on rural lands, open areas near cities, and an attractive countryside; 4) Improving communications with the public about the Department's environmental activities and available services.

Variety of approaches including research and development, education, technical assistance, financial aid and loans, and regulatory activities are directed at four major issues 1) Land use; 2) Rural development; 3) Environmental degradation; 4) Food safety, qualities, nutrition.

Watershed development had been delayed for two years on nearly 100 projects until President Nixon resolved an impasse with Congress early in 1969. Currently there is a cumulative total of 1,030 watershed projects completed or approved for operations. Between January 1, 1969 and December 1, 1970, 193 projects were added. Two-year benefits include 3.2 million tons of sediment reduction, prevention of estimated $70 million in flood damage, water developments worth $38 million.

Resource conservation expanded. As of January 1969, 51 large multi-county Resource Conservation and Development Projects covering just under 170 million acres had been authorized . . . by December 1970, this total had been increased by 17 projects to 68, covering nearly 245 million acres and including part or all of 413 counties. These are full-scale developmental projects . . . new markets for farm crops, creation of rural jobs, improvements in social, educational and recreational opportunities for rural people. The program was strengthened this year by a new law authorizing USDA help in recreation and fish and wildlife developments.

Great Plains conservation program was extended by law another 10 years, strengthened to broaden USDA help in providing for better disposal of animal wastes, develop wildlife and recreational resources, and carry out conservation measures on non-farm lands that adversely affect farming areas. During 1969 and 1970 more than 250,000 acres of poor cropland was planned for conversion to permanent vegetation, 600,000 acres established in grass and trees for improved soil protection.

Soil Conservation Service activities also involved tree planting on 663,175 acres during the past two years, woodland improvement for more than 1 million acres, farmstead windbreaks on 85,000 acres, and 7,500 miles of field windbreaks.

Scientific studies by Agricultural Research Service were stepped up in emphasis on environmental improvement. Progress was made in developing integrated pest control systems using various methods in proper sequence and timing to reduce amounts of chemicals and yet achieve maximum control with minimum hazards to the environment. Studies showed plant-soil filters can cleanse secondary sewage effluent, providing water suitable for human use at costs of $5 per acre-foot compared to about $50 for chemical treatment.

Chemical pesticide use curtailed. In January 1969, the USDA policy on pesticide registration was that DDT and other persistent pesticides had not been proven sufficiently harmful to people, wildlife and the environment to justify broad action to restrict their use. In June 1969, Secretary Hardin instituted a policy to reduce the "needless or inadvertent release of persistent pesticides into the environment." Since then, a series of major steps has been taken to restrict uses of DDT and other persistent pesticides, mercury fungicides, weed killers like 2,4,5-T . . . and to accelerate research on safer, more effective methods of pest control, including biological controls and use of less persistent chemicals.

Forest Service in the two-year Nixon period added 200,000 wilderness acres in national forests, bringing total to 9.9 million . . . increased acreages of newly planted trees . . . added 478 miles to the Nation's wild and scenic rivers . . . increased persons-at-one-time capacity of national forest camp and picnic grounds by 12 percent, from 508,000 to 614,000.

Agricultural Conservation Program has been reoriented for greater emphasis on community-sponsored projects benefitting wider areas as well as individual lands. Indications are that in 1970 some $160 million of the $185 million of cost-sharing ACP assistance will be invested by many farmers in practices that help prevent or abate pollution, including $3 million for new and special pollution-abatement practices.

RURAL DEVELOPMENT

People and projects provide the measure of progress in rural development, a vital key to implementing the President's policy of creative, balanced national growth. Two years ago the Nation drifted aimlessly along a course marked by overcrowded urban centers and a countryside spotted with large areas of economic and social deprivation. The turnaround in agriculture is giving new, positive thrust to rural development.

Organizational steps are mobilizing people, beginning with the work of the President's Task Force on Rural Development, subsequent combining of Cabinet-level Urban and Rural Affairs Councils into the Domestic Council for a coordinated focus on domestic growth efforts. The Department of Agriculture created a Rural Development Committee at the Washington level and directed the establishment of State-level rural development committees throughout the country. In 1969 and 1970, 274,000 meetings on rural development were sponsored.

Working closely with USDA and the States, the Department of Housing and Urban Development made grants totaling $3.8 million in fiscal 1969 and 1970 to assist 132 district agencies perform comprehensive planning services for areas principally or entirely nonmetropolitan in character.

Rural development program categories within USDA now total 18, representing funding of approximately $1.7 billion in 1970, $2.4 billion during the current fiscal year . . . which does not include farm commodity programs, food assistance, and farm loans but does include FHA housing loans, REA electric and telephone system loans, watershed and Resource Conservation and Development Projects and similar activities mentioned elsewhere in this report.

Income benefits in rural development are already substantial. Examples: Watershed projects during fiscal years 1969 and 1970 generated an estimated $37 million in jobs, new business, construction employment . . . Electric and telephone systems financed by REA helped create more than 60,000 new jobs during calendar 1969 . . . Agricultural research project to exploit pine stumpage in Southwest is seen creating at least $50 million in products, and numerous jobs.

Youth involvement was further encouraged when the Farmers Home Administration this year enlisted participation of 450,000 members of Future Farmers of America in a new development program, "Build Our American Communities," combining studies of community problems with corrective action projects.

CIVIL RIGHTS

Significant progress is being made by USDA in developing opportunities for persons of racial minority groups to play a greater part in agriculture.

In the South, three-men county committees that oversee Farmers Home Administration loans are rapidly being peopled with blacks. Latest count is 495, with 231 FHA county committees having black chairmen compared with 17 in January 1969.

More than half of the 7,000 nutrition aides are from minority groups.

Financial help for minorities is increasing . . . 55.7 percent of FHA rural housing loans benefitted blacks in the Southeast in 1969.

Educational benefits are expanding. USDA personnel are now being placed at the 16 black land grant institutions and at Tuskegee Institute, serving in liaison capacity to strengthen the schools' programs of education, research, and public service.

CONSUMER SERVICES

Major strides have been made since January 1969 to assure American consumers a wholesome food supply, through regulatory activities and research.

Poultry. Whereas no State rated "equal to" Federal poultry inspection in January 1969, five now have that designation and 14 States have requested that their intrastate poultry plants be brought under Federal inspection as of January 2, 1971.

Inspection duties were realigned through a reorganization announced by Secretary Hardin in November 1970, so as to provide more direct lines of supervision and communication between Washington headquarters and field inspectors, and to improve relationships with consumers, State administrators, and private industry.

Standards were revised to tighten control over the amount of moisture permitted to be absorbed by poultry during processing . . . more uniform standards of inspection by foreign governments over their meat plants which ship products to the United States . . . new fat limit of 30 percent was set for hot dogs and other cooked sausage products after evidence was found that the fat content in these items had been rising steadily in recent years.

Consumer-related research progress was made by the Agricultural Research Service: New Human Nutrition Research Laboratory at Grand Forks, North Dakota . . . flame-retarding finish developed for cotton fabrics to help cut down on several thousand deaths that occur each year from ignited clothing and bedding . . . new, nutritious orange juice tablets, fortified potato flakes, high-protein food supplement for infants. New wholesale food distribution facilitites to increase food handling efficiency and reduce

distribution costs planned for Los Angeles . . . similar facilities recently completed in New York and Boston.

LEGISLATIVE PROGRESS

Climax of the two Nixon Administration years in agriculture was the enactment of the Agricultural Act of 1970, signed by the President on November 30. The procedure by which the measure was formulated marked a departure from previous methods—instead of confronting Congress with a "this is it" proposal, the Department of Agriculture led in developing a broad-gauge, nationwide, bipartisan approach. It began with "listening conferences" throughout the country . . . findings were taken to the agriculture committees of both bodies of the Congress, whose members worked closely for months with USDA officials to structure the legislation . . . as the leadership of both parties in each chamber took active part in moving the bill to enactment.

Salient features of the new law: Imaginative, far-sighted application of the New Federalism. Starting with 1971 crops of wheat, feed grains and cotton, farmers will have more freedom to plan their own production, find new opportunities for efficiency, by deciding for themselves on the best use of their land and resources . . . Market-oriented programs turn away from rigid, commodity-by-commodity crop controls of previous administrations . . . Programs will encourage farmers to look to commercial markets for a larger part of their income, less to Federal payments . . . However, payments will continue to help assure income to farmers as they make operational adjustments . . . Greater incentives for commercial sales abroad as "Food for Peace" donations taper off and pricing policies make American commodities more competitive.

Other legislative gains, in addition to those mentioned elsewhere, include: Housing Act of 1969, which consolidated certain Farmers Home Administration funds and provided for cooperation with rural homesite developers, builders and realtors . . . Public Law 91–116 of November 1969, providing a major expansion for the Food Stamp program.

In summary: New policies, changes of direction in agricultural programs, and new legislation since the Nixon Administration took office are helping the agricultural industry break with the past and attain new dimensions of importance as a factor in balanced national growth and the shaping of a better total environment for all Americans.

Mr. McKAY. Mr. Speaker, I thank the gentleman in the well for yielding, and I appreciate what is being said in this regard and would like to associate myself with the others on this subject.

Having spent my early years in a farming area in the State of Utah, I have a great interest in the farm industry and I am greatly concerned with the problems the farmers face today.

The president of the American Farm Bureau Federation, William J. Kuhfuss, recently stated:

Consumers would be paying much higher prices for less food if it were not for the spectacular efficiency and high productivity of U.S. farmers and ranchers.

He pointed out:

Never has a fewer number of farmers produced such an abundant supply of quality food for a larger number of consumers at a lower percentage of the wage owner's take home pay.

I think we can be proud of the job our farmers have done in feeding our Nation. It is time we gave strong attention to the farming public and the growing number of problems these men face with a continuing cost-price squeeze.

Those in agriculture are not asking for handouts. They have led our Nation to its high standards and deserve a chance for a decent income comparable to that of other industry and urban residents. If not, consumers stand to lose the most as this Nation's national economy starts with an agricultural base.

There are many problems facing agriculture today and we must do something to improve conditions. In my district at the present time, there are livestockmen who have feeder lambs they must sell at 5 to 10 cents a pound less than cost—and cattlemen face similar price problems. Even worse is the fact there are those in my district who have a 2-year crop of wool, some even with 3 years, who cannot get anyone to buy it even at a loss.

In my State of Utah there is great concern over inflation, parity, increased grazing fees and high-interest rates. Farmers rank as the hardest hit group in America with inflation increasing costs of operation over 125 percent in less than a generation. Taxes, interest, costs of machinery, and land values jumped so rapidly in the 1960's that farm net income suffered greatly.

Many of those from the farms have been forced to move, creating additional problems, for these men are ofttimes unskilled in the work-force needs where they relocate. We must do something to keep young men interested in farming and provide incentives to keep farm families together. We must also provide adequate medical service for those on the farms. There are counties within my district without the services of a doctor. Help is needed and now.

Our farming segment also faces an ecological challenge—with the public very much concerned with the Ecology. I am also greatly concerned—as is the farmer. There are those who want to take away the chemical instruments of production that have been developed over the last 50 years. In my State, there are now legislative measures calling for a ban on various chemical agents for farm use and additional air controls are in use or are proposed controlling burning of areas covered with weeds or brush. Our Utah farmers will tell you that many of these controls are going away from reality. They state there is a lack of realization on the part of some and that these controls will cut production and decrease the food supply thereby increasing the costs of food to the consumer.

I realize, as does the farmer, that pollution is a major problem that must be solved. The farmer does caution, however, that the always "taken for granted" food supply could be dropped to a point of national hunger if those farming helps were suddenly dropped.

My State also faces a problem in the loss of valuable farming land. We are losing some 20 to 40 acres per day of prime agricultural lands to other uses. Our State has only a million and a half acres of such farmland. We must all realize that we cannot create additional farming land. When we spoil it or ruin it, it is gone forever. Our farmers cannot be ignored, Mr. Speaker. We have taken this segment of the public for granted too long. The contributions made to our country by the farmers and ranchers deserve more attention and recognition. It is my hope that the President will take another look at the farm program realizing this is one of the basic programs for our Nation. I urge also, Mr. Speaker, that this Congress take some deliberate and decisive action to curb inflation, control interest rates and to open markets for farm commodities so that the children of farmers who do not want to go to the cities may have the option of following the skills of their fathers.

I support and join with the gentleman from Montana, Mr. MELCHER, the gentleman from Iowa, Mr. SMITH, and the gentleman from Kansas, Mr. SEBELIUS and I commend them for their efforts in this dialog. I wish to join with them in this assertion and in whatever we are mutually able to do in behalf of the great agricultural segment of our Nation.

Mr. MILLER of Ohio. Mr. Speaker, I am pleased to join my distinguished colleagues today in discussing the critical problems and basic needs of rural America. We hope, that our participation in this forum will help create a better understanding of the desperate plight of the American farmer and generate the necessary legislative action to revitalize our rural environment. We are at a critical time in our history when we must reevaluate our basic institutions and determine what changes in philosophy and methodology we must make to meet the growing challenges of our complex technological society.

First, I would like to make some basic observations of our agricultural community and the economic position of our farmers. The tremendous economic growth in this country is best exemplified and attributable to the productivity of the American farmer. In 1950, one farmer could feed 16 persons; today he can feed over 43 persons. Farm production per man-hour is growing 2 to 3 times faster than production per man-hour in the rest of the economy. As the farmer has increased his productivity, people in other sectors of the economy have gotten their food for a decreasing portion of their total income. Thanks to the farmer's hard work and efficiency, the rest of the population has been able to live better. But the farmer himself unfortunately has not benefited proportionately from the fruits of his labor. The rapid growth in agricultural productivity has caused great disruptions in the market system and produced low farm prices and reduced profits per unit. Economic pressures have necessitated that farmers must mechanize and grow bigger in order to compete in the market. This has required increased capital outlays and subsequently greater indebtedness. But the tragedy of American agriculture is that everything the farmer has to buy has gone up, but everything that he has to sell has gone down. A Government-produced inflation has increased his costs, put him deeper in debt, lost valuable markets, reduced the value of his

saving, and created ill-will among consumers who hold him accountable for rising food prices. In essence, the American farmer has been victimized by agricultural progress based on a public policy of high farm production and low farm prices and exacerbated by high interest rates, inflation, and the lack of adequate bargaining positions. Until we restore and maintain the value of a constant dollar and insure adequate accessibility to long-term, low-interest credit, we can hope for little real progress in promoting an agricultural program geared to opportunity and abundance with the family farm enterprise as its cornerstone.

Because of increased production, efficiency, and economic pressures, there has been a surplus of people who are no longer required to farm under the present marketing structure. In fact, during the 1960's, over a million farmers moved off the farm. Over 100 years ago, this Nation's population was 85 percent rural—today it is 35 percent rural. Since 1945, there has been a net migration from rural America of 25 million making it one of the largest movements of people in recorded history and a major reason for our current urban crisis. Each year over 500,000 people from farms and rural communities migrate to big cities. Almost 185 years ago Thomas Jefferson saw this problem in agriculture and wrote:

> Our citizens will find employment in this line (farming), till their numbers, and of course their productions, become too great for the demand both internal and foreign. This is not the case as yet, and probably will not be for a considerable time. As soon as it is, the surplus of hands must be turned to something else.

All of the problems I have described point up the desperate need for a comprehensive rural development program. Improving the economic position of the farmer by revitalizing rural areas will also pay dividends in terms of a coordinated national growth policy and adequate population dispersal.

Today, 70 percent of our people are jammed into 2 percent of the land. In the next 30 years, 100 million people will be added to our population, and if current trends continue, most of this increase will be located in five small geographical areas. As I have indicated, much of the urban problems we have today can be attributed to the deterioration of our agriculture economy and the subsequent outmigration of rural residents. We must begin to realize that today's rural problems are the urban problems of tomorrow and that a better balance between the rural and urban sectors is required.

In his state of the Union message in 1970 the President stated:

> What rural America most needs is a new kind of assistance. It needs to be dealt with, not as a separate nation, but as part of an overall growth policy for all America. We must create a new rural environment that will not only stem the migration to urban centers but reverse it. If we seize our growth as a challenge, we can make the 1970's an historic period when by conscious choice we transformed our land into what we want it to become.

To date we have not received the details of this "new kind of assistance" nor a commitment to embark upon an imaginative and comprehensive rural development program of high national priority. I would hope our comments today will point up the urgency for the administration to act upon the recommendations of the Rural Development Task Force and present to the Congress the long awaited message on Agriculture and Rural America.

What sort of commitment and assistance does rural America need? Many of us last week sponsored the Rural Job Development Act of 1970 which will provide tax incentives for job-producing industry and commercial enterprises to locate in rural areas. Private enterprise has the efficiency and potential to rebuild rural America and provide new opportunities if the Government promotes the necessary climate conducive for industrial location and expansion.

Improved transportation facilities will also facilitate economic development. Last year we took an important step forward by including in the Federal Aid Highway Act a provision establishing rural economic development highways on the primary road system. This same concept can and should be extended to the secondary road system.

For too long the best of our young people have been leaving the countryside and seeking new opportunities in the big cities. With vocational and technical education, we are beginning to make great strides in providing our young with the job skills they need and skills new industry will demand. I believe our young people want to live and work in the clean air and open space of rural America. A recent survey of agriculture graduates at Nebraska University indicated that 80 percent of those who had left the State would return if comparable jobs were available. Economic incentives should also be further provided for on-the-job training of rural adults who are attempting to make the conversion from agriculture to industry.

The availability and accessibility of adequate medical care is another serious problem in many rural areas. The President stated in his recent health message that over 130 counties, comprising 8 percent of our land, have no private physicians. Incentives should be offered to young doctors, optometrists, and nurses to locate in rural areas where there is a serious shortage of medical personnel.

There is little point going beyond the idea stage of rural development if there is not at the end of the line some means of mechanism to finance those projects which run the gamut from idea to action. One very serious impediment in this regard is the lack of credit for the economic development of rural communities. Traditional Government programs and regular lending institutions simply cannot provide large and reliable sources of capital to meet rural needs. Therefore, it is important to move to fill this credit gap by opening up a new source of credit. Specifically, I think we should investigate the possibility of a self-financing corporation chartered by the Federal Government and capitalized with initial Federal seed money. Such a lending institution would be authorized to make loans to finance water and sewer systems, industrial parks, and other important community projects. Creation of this new source will not supplant already existing Government programs and credit, but it will supplement and fill in the enormous credit gap in many areas.

In 1969 the administration indicated it was planning to single out several rural communities to be models of redevelopment in such areas as housing, water and sewer systems, and job opportunities. I would urge such a program be given the highest priority in a national rural development program and be undertaken as soon as possible.

The activities of the extension service should be increased and expanded to provide more planning services and technical assistance for industrial development. The Future Farmers of America play an important role in encouraging young people to stay in farming. Our support and commitment to the Future Farmers of America should also be expanded.

Lack of adequate information on the needs and resources has held back development in many rural areas. A permanent commission staffed by experts on rural affairs should be established to evaluate redevelopment activities, make recommendations for improvements, and offer advisory and technical assistance to rural communities.

In conclusion, let me say that the most appropriate and best equipped Government agency to undertake the coordination and implementation of rural development program is the Farmers Home Administration. I cannot say enough about what this fine program has meant to rural America. It is now the preeminent rural credit arm of the Department of Agriculture. In 1970, FHA added nearly $2 billion to the supply of credit for rural families and communities for family farms, and rural community facility projects.

As I have indicated the time to act is now. We can no longer afford to put off the implementation of a comprehensive and effective rural development program. I urge my colleagues and the administration to give this matter the highest national priority.

GENERAL LEAVE TO EXTEND

Mr. SMITH of Iowa. Mr. Speaker, in view of the interest that we know there is on the subject, I will ask unanimous consent that all Members may have 2 legislative days in which to insert their remarks in the RECORD on this subject.

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

There was no objection.

RURAL DEVELOPMENT

The SPEAKER pro tempore (Mr. ABOUREZK). Under a previous order of the House, the gentleman from Montana (Mr. MELCHER) is recognized for 60 minutes.

Mr. MELCHER. Mr. Speaker, the President of the United States and five of his Cabinet members are in Des Moines, Iowa, today to discuss rural development. The group includes the Secretaries of Interior, Commerce, Labor, Housing and Urban Development, and the Secretary of Agriculture, members of the President's Cabinet committee on rural problems.

Three weeks ago, when a dozen of us met at an impromptu luncheon and decided to take special orders today to discuss farm problems, we did not know of the President's plans to go to the agricultural heartland of the Nation to dramatize concern over rural problems, but it is well that he has done so. There needs to be dialog—public discussion of farm and rural problems at all levels and in all branches of government.

The situation we confront in rural America is that serious—it deserves top priority attention of everyone for the America we have all known—a land strong because vast numbers of its people had a stake in it; they owned farms, stores, and other businesses by millions—is rapidly changing into a nation of large rural holdings increasingly devoid of the security of widespread individual ownerships, with those that remain heavily indebted and a majority of them on the way out.

Ironically, we discuss redistribution of land in South Vietnam as powerful antidote for unrest there, we point to the excellent results of Gen. Douglas MacArthur's land redistribution program in Japan, and a similar program in South Korea. But at the same time we allow American farm families, already reduced from 6.7 million in the thirties to less than 3 million today, to be driven off the land.

Unhappily, in the land-grant institutions which this Congress endowed three or four generations ago to assist family farmers, there appears to be far more concern about clearing people out of the way of technological developments than there is for making technology create new social values and strengthen family farming.

There is a conference at Purdue University this week for agribusiness people on the advantages of "Vertical Co-ordination in the Pork Industry."

There was another conference, or Ag Industry Forum at Urbana, Ill., recently, the home of the University of Illinois. Rural development was discussed and, according to Washington Farmletter, Iowa State University Economist Eber Eldridge gave his view of rural development planning. He recommended that rural development planning provide for:

First, consolidation and relocation of local government units in accord with remaining population and tax base.

Second, the "grateful retirement" of many small town "convenience centers" which are no longer needed. That means small towns should go off and die quietly without giving the bureaucrats, including the State college or State university faculties, any static or difficulty.

Third, removal of abandoned farmsteads.

Fourth, removal of abandoned Main Street buildings and eventual removal of entire small communities.

Fifth, abandonment of rural roads no longer needed, with relocation of farm operating headquarters to remaining all-weather highways.

Professor Eldridge's development planning sounds a great deal more like undevelopment planning to me than it does development planning.

He is proposing that the bulldozers level the physical remnants of a society built by many private enterpreneurs to clear the way so big, vertically integrated food industries can take over without burdening them with the costs of the old order which existed before people were driven into the cities to find jobs, if there were any jobs to be found.

There is a great deal more significance in what Economist Eldridge is proposing than meets the eye. Private ownerships and individual opportunities are to be leveled. So are county courthouses, and schools and churches and civic organizations—opportunities to participate in the political and social life of our land.

Why is this type of reverse development, or social retrogression, going on in rural America? Why are we wiping out widespread individual properties—the economic security of millions of families—and making them jobhunters, without the security of their own enterprise? Why are we leveling and destroying political and social institutions?

We have allowed this deep and significant change in the nature of our American society to progress by neglect of agriculture.

In 1970, according to statistics available in the President's economic report, we produced 30 percent more food and farmers were paid $800 million less net for producing it than in 1950—20 years before. And what they were paid was in dollars of far less purchasing power than the 1950 dollars.

We have driven the cost of food, including imported foods, down to less than 17 percent of disposable national income—close to 16 percent.

Once upon a time farmers got nearly half of that; today they get less than one-third of it, or only 5 percent of disposable national income. A supposedly super-efficient system of chain food stores and super-processing and distribution firms have greatly widened the price spread between farmer and consumer. Their super-efficiency has created a greater spread between producer and consumer prices.

The best rural development program we can adopt is a program to boost the income of family farmers. They are the economic and social base for a strong rural society. Fair price dollars in their pockets will reinvigorate rural towns and all of the institutions within them.

There are those who believe that much of the unrest among young people in America today—and it is not just among the young people, it is to be found among adults who are insecure and therefore "antiestablishment"—is a consequence of the deep changes that are occurring in our society, not just the Vietnam war, although the war gets most of the blame.

If there is an agricultural ladder in this Nation any more, it is a down ladder. In Gertrude Stein's language, a hired hand is a hired hand, is a hired hand, is a hired hand until he dies. And the farmer he works for is a farmer, is a debtor, is a bankrupt, is a jobhunter himself.

The movie title, "Down the Up Staircase" is a reality out in the farm country today.

The same is true beyond agriculture—in the small towns where the abandoned main street buildings are to be bulldozed and in the Twin Cities, where the farm machinery plants are closing.

Much of the antiestablishment unrest we are witnessing comes from the people who are being displaced, as well as from the young people who, like the emigrants who peopled this land originally, would like a little independence and an opportunity to be their own men and women—not the establishment's.

They are concerned about the war in Vietnam, but they are also concerned about the changing nature of the Nation for which they are asked to make sacrifices.

There are others who will speak today on the situation in agriculture and what should be done about it, on a bipartisan basis.

We did not get where we are since January 1969—both political parties share in the responsibility for failure to build and maintain a healthy farm, ranch, and rural society. For the shape agriculture is in today, there is plenty of blame to go around. In the current agricultural crisis we must face the fact that we haven't talked about truly adequate economic and farm price support programs since the early forties, when price support loans were 85 percent of parity and Congress appropriated money to make parity adjustment payments on top of that.

The unicameral Nebraska Legislature—a bipartisan body, passed a resolution a couple of weeks ago unanimously calling for 90 percent of parity price supports for farm products. That is the closest approach to our real needs I have seen in some time.

By traveling "down the up staircase" during a decade of an inflationary spiral, agriculture not only finds itself shrinking in numbers in America, but also that farm and ranch operators are getting older. The younger generation is not moving into farming.

At 53, the average farmer or rancher in America is still doing back breaking work, toiling long hours and, more often than not, has only one hired hand—his wife.

For his sake and her sake, I hope and trust that her average age is nowhere near 53. All too often, these hard-working farm couples have watched their economic future on the land as farm or ranch operators grow dimmer, not brighter, and have seen their children lose the opportunity to become farmers and ranchers on their own for a variety of reasons. Among these reasons is a lack of sufficient capital or credit to start an independent operation and an oppressively poor rate of return on investment.

What we are doing, or where we are going, is a pertinent point for American

agriculture today. Currently the House Agriculture Committee is holding hearings on farm credit, hoping to modernize, expand, and stimulate farm credit sources. This is one of the keys to solving the agricultural problems of the 1970's. The committee is also conducting hearings on agricultural pesticides, how they fit into the environment, and what we can do to retain their economic advantages, necessary for crops and forests, without upsetting nature's laws and a good environment.

And third, but also significant, is the opening of the sugar hearings in the House Agriculture Committee to renew the Sugar Act which is currently in its fifth year and needs to be renewed for the crops of sugar beets and sugarcane after this 1971 crop.

In these areas, there will be legislation coming to the floor from the committee during the course of this year. Our goal in committee and on the House floor must be to strengthen agriculture in this decade.

I am convinced that the leeway we have given to the administrative agencies in administering farm laws is quite often not used to the advantage of farmers and ranchers and rural America. For example, if the target price for sugar is not interpreted by the Secretary of Agriculture on a fair, reasonable, and practical basis, his decision will cramp, crimp, and crunch our domestic producers. Dairy price supports and honey price supports are to be set before April 1 for this year by the Secretary under his discretionary authority, and should be increased. Part of the purpose of those of us representing agriculture areas in this House must be to prod the Secretary of Agriculture, the President, and other agencies to take a view and action consistent with the needs of improving agricultural income in this Nation.

In another area, costs, that are directly reflected in prices which must be paid by farm producers, freight rates have been increased three times during the past 18 months. Caught in this squeeze, grain producers in Montana, the grain trade, and the railway carriers are jointly devising ways and methods of lowering rates for our production through new markets and new methods of marketing grain. Failure to do so will result in an intolerable position for our grain producers. We must succeed in this particular area because unless we can get lower freight rates and cheaper ways of getting grain to market, our grain farmers will have nowhere to go but bankrupt, and carriers will be deprived of the business of hauling the grain which, historically, has been the most significant single item in the carrier's business in our country.

To encourage and aid reinvestment in agriculture and small business, so important in rural America, Congressman LINK and I have introduced a bill to reenact the 7-percent investment tax credit on the first $15,000 investment in capital improvements and equipment.

I have favored a limitation on the total amount of payments, to limit them to reasonably sized individual ownerships. But the basis for payments should not be a no-profit, loss level, if we are going to use payments as income supports.

It is especially appropriate to talk about higher support levels in a year when our production goals have been set to produce grain in excess of annual requirements and rebuild reserves, or carryover stocks, depleted by corn blight.

A big crop will inevitably break the inadequate prices farmers are now getting in the markets. Corn, selling at a natonal average farm return of $1.41 on January 15, can be forced back down to or under a $1.05 loan if overproduction is encouraged. Wheat, bringing 49 percent of parity at $1.40 per bushel, will be forced back down to the $1.25 loan, or about 30 percent of parity, if production goals are met.

We should get supports, including payments, back up to full parity—and I mean the old, bona fide parity, not the new ratio which is a "silly millimeter longer" and exagerates the swings in farm returns.

One of the things we urgently need to do is to require an increase in the minimum price support loan in any year that farmers are asked to produce more than annual requirements, thereby depressing their markets, as is being done this year.

All in all I hope the dialog we have started this day will be continued and enhanced as a regular event here in the House. The understanding we share today must be put to use constructively to help agriculture and rural America.

Mr. PEPPER. Mr. Speaker, may I ask the distinguished gentleman if he is willing to yield for a brief observation?

Mr. MELCHER. I am delighted to yield to my friend from Florida.

Mr. PEPPER. Mr. Speaker, I wish warmly to commend the distinguished gentleman in the well and others who have spoken today about agriculture for the well-being of this country.

I formerly represented a State which has much important agriculture and horticulture, but now I represent an urban area, the Miami area. Only today I introduced in this House, as I did last session, a resolution to provide, through Federal, State, and local cooperation, a program under which every senior citizen above 65 years of age would be assured of at least a nutritious meal 5 days a week as a minimum.

The hungry people in my area cannot hope to get adequate nourishment or hope to get a minimum diet unless we have in this country a prosperous and productive agriculture. So this is not a matter of dispute and controversy and conflict of interest between the urban areas and the agricultural areas. We are all one country. It is all one economy. That is the strength of this great country, the fact that goods and services move across the borders of the several States from the areas of production and supply to the areas of need and requirement.

I was born on a farm in east Alabama. I knew, in my early years on this farm, the loneliness of life on the farm as well as the problems facing the farmer.

I used to go, as a little boy, with my father, after rising early in the morning, to the nearest town for him to sell his cotton. He would go from corner to corner with his samples in his hand, not being asked how much it cost him to grow the cotton but being told how much they would offer him for it. The only option he had was to go from one to the other of three corners in a little town square which was his only market.

There has been a great deal of progress in agriculture and in respect to the lives of the people who live on the farms of this country in the years intervening, but life is not yet rich enough, and recreational opportunities not plentiful enough and assurance of the well-being and prosperity of the farmers is not yet adequate.

I am delighted to join insofar as I can in support of these knowledgeable colleagues who are calling upon our country to have an agriculture which will be productive and profitable for the producer, and to provide living conditions which will be desirable and pleasant for those who live upon the farms. Then there will be no desire to escape the farm, which seems so prevalent in the country today.

I shall do all I can to work with these able gentlemen knowledgeable on this subject to achieve the high ends toward which they labor.

I thank the gentleman.

Mr. MELCHER. I thank my colleague from Florida.

I yield to the gentleman from North Carolina (Mr. MIZELL).

Mr. MIZELL. Mr. Speaker, I am gratified that the U.S. House of Representatives is taking time today to discuss the plight of agriculture and rural areas in America. I am pleased to be given this privilege to express my thoughts.

First may I commend my colleagues Congressmen JOHN MELCHER, KEITH SEBELIUS and NEAL SMITH for organizing this effort and focusing the attention of this most distinguished body on the problems being faced by those in the agriculture industry and our citizens living in rural America.

I, too, have been concerned about rural America and through my membership on the House Committee on Agriculture in the 91st Congress attempted to become more aware of the agriculture industry which has grown to become so important to every American. In addition, I have been giving considerable thought and study to the development of rural America.

It was my privilege to address the annual meeting of the Farm Press, Radio and Television Institute of North Carolina in Raleigh, N.C., on February 19, 1971, and in that address I outlined my plan for the development of rural America.

Therefore, Mr. Speaker, I feel this is an appropriate day and time for me to share with my colleagues my address before this outstanding organization. It is my opinion that many of the problems faced by rural America can be solved and I hope this Congress will join with me in the months ahead to seeing that positive action is taken and all will benefit.

At this point, I would like for this February 19 address to be reprinted for the benefit of this body:

ADDRESS OF CONGRESSMAN MIZELL

It is an honor and a genuine pleasure for me to be here with you tonight for the 19th annual banquet of the Farm Press, Radio and Television Institute of North Carolina.

I am sure that today has been full of proposals and counter-proposals, the free exchange of ideas, and a focusing of concern on one of the most important segments of American life—the agriculture industry.

As journalists, you are accustomed to engaging in the expression of facts and ideas and sometimes opinions, and because this is true, I am sure this has been a successful conference already.

Tonight, I want to discuss with you a few facts I think are of interest to this conference, and a few ideas and opinions of my own.

One hundred and fifty years ago last year, Congressman Lewis Williams, of Surry County, North Carolina, introduced a resolution in the United States House of Representatives to establish a Committee on Agriculture, the first government body in the history of America specifically created to deal with the problems of Agriculture.

I am proud to say that I now represent essentially the same congressional district that Lewis Williams represented then, and that I have the honor of sitting on the Committee on Agriculture, which he fathered 150 years ago.

The American agriculture industry since that time has grown to become the largest and most productive industry in the nation, with assets equal to one-half the market value of all corporation stocks on the New York Stock Exchange.

The growth of agriculture has been the result of a great deal of hard work by farmers. It has been helped along by the efforts of government, and, despite the fact that we are known as an industrial nation, agriculture is still the backbone of our economy and our national life.

Last year, the Agriculture Committee drafted and Congress passed the most comprehensive farm bill in 12 years, setting new policies and making improvements in the operation of almost every phase of farming in America.

The greatest single asset of the new legislation is the fact that it gives the American farmer a great deal more freedom to manage and operate his own farm with a minimum of government interference and a maximum of requested assistance.

These provisions hold the promise of making American agriculture even more vibrant and strong and productive in the years ahead.

But the picture of a strong agricultural industry is not the total picture of rural America today. Not all rural Americans are farmers, and not all farmers are prosperous.

The portrait of much of rural America is painted in desolation and despair and lack of opportunity. Too often, Government has tried to cover that portrait with a piecemeal quilt of federal assistance, but there are gaping holes in this approach, and the pain and plight of much of rural America shows through as a national disgrace.

There is a serious shortage of jobs and housing and industry in rural America, and in general, the level of education and health in rural America is far below the national plane.

What is needed is not a piecemeal approach, but a comprehensive, all-encompassing program of rural development. There is no better place for President Nixon's "New American Revolution" to begin than in the countrysides where most of its other important battles were fought.

The Nation has come to realize the inseparability of the problems of the cities and the plight of many rural citizens. We cannot afford to have prosperity in much of the land while large numbers of Americans go without the sound shelter, good schools and medical care, and job opportunities that a rising national income can provide.

The ultimate costs of such neglect far outweigh the investments in housing, education, health, manpower training and other needs essential to decent life and to both urban and rural development.

It has been estimated that there is a 10-to-1 ratio between the cost of remedial and welfare programs required to help rural-oriented citizens live in large cities, and the cost of developing rural areas to the point that young people don't have to migrate to the cities to find jobs and new lives.

Here in North Carolina, we are fortunate in having not one or two overlarge cities, but a rather large number of medium-sized communities in the 50,000 population range. Communities of this size can provide all the services and opportunities of the sprawling cities ten times their size, but the problems encountered by these smaller cities are usually about ten times less severe.

We have the luxury of being able to learn the lessons of past mistakes and to avoid making those same mistakes as our own cities continue to grow.

With a real concerted emphasis on rural development, I am sure that North Carolina's cities can avoid most of the problems that have beset other cities throughout America.

My conception of rural development would include the following elements.

First, it would involve improvements in our transportation systems. No development program can succeed until we open isolated areas to trade routes. This is the first enticement for industries to locate in underdeveloped areas, and because this is true, road construction should be one of the highest priorities in any development program.

As construction of our interstate highway system is completed, I believe the funds once allocated to that program should now be concentrated on the construction of good primary and secondary roads that can bring isolated areas into the mainstream of commerce and trade.

The 91st Congress passed a bill I had introduced, establishing a 70–30 matching share formula for this kind of road construction, with the Federal government providing 70 percent of all construction funds, and with states and local governments funding the remaining 30 percent.

I cannot emphasize too strongly that this kind of road construction is a necessary first step in opening up rural America to the flow of national commerce, providing access to new areas for development, and making it possible for people to get to and from new jobs and services wherever they could be developed.

Until the transportation problem is at least partially cured, there can be little hope of achieving full social and economic development of rural America. The new roads will get products to markets, men to jobs, children to schools and families to hospitals.

That first step in renovating rural America is closely followed by a second, industrial development. Bringing industry into an area should be a top priority in the rural development scheme, since it has been proven time and time again that a new industry can serve as a revitalizing force for communities that have become little more than ghost towns.

New industry in a rural area can provide the job opportunities that young people are seeking, the opportunities that have been too hard to find in rural America. I believe, and I think you would agree, that despite all the promises of adventure leaving home can hold, most of our young people would much rather live among their friends and families than migrate to a cold and unfriendly city in search of a career.

I intend to introduce in Congress next Thursday a bill that would put an end to that search before a young man could get past the city limits of his hometown.

The legislation is called the Rural Job Development Act, and its purpose is to expand the quantity and quality of economic and social opportunities in rural America so that those who choose to live in our rural areas can do so and not be forced to move away in search of adequate economic opportunity.

To accomplish this goal, job-creating industries would be encouraged to locate in "Rural Job Development Areas"—counties which have no city over 50,000 population and where at least 15 percent of the families have incomes of less than $3,000.

With a series of tax incentives, including property tax credits, an accelerated depreciation allowance and a 50 percent tax deduction on wages paid to workers involved in on-the-job training, industrial and commercial enterprises would be strongly attracted to these rural job development areas.

To qualify, the enterprise must hire at least 10 people, and, wherever possible, must hire at least 50 percent of the work force from the local area.

The bill provides some built-in safeguards to insure the tax incentives are not abused, and it has all the makings of a very effective instrument for attracting new industry.

But most rural areas of North Carolina and throughout the country are equipped with built-in attractions to industry.

Their local tax bases are the lowest of any region in America. There is a labor force in most of these areas that has never been tapped by industry, and it's a labor force made up of people who just want to earn a decent wage instead of getting rich.

And there is more than enough available land area in rural America to accommodate a lot more industry and still maintain the natural beauty that we cherish.

And the very fact that there is beauty here is still another enticement for industry to locate in these areas. I don't necessarily mean the stovepipe industry or a chain of paper mills. But you all know that the tourist industry in this country is rapidly becoming one of the biggest moneymakers and employers this side of General Motors.

Industrial development of all kinds is essential to the expansion of our rural economy, and it's a very important second step because it can provide a basis for every other element in our rural development program.

The third step is vocational education. Mastering a skill is perhaps the most underrated route to earning a sizable income that I know of. We have developed an excellent public school system here in North Carolina, with some of the finest primary and secondary schools, and some of the best colleges and universities in America.

And because we have such a strong base in traditional education, I believe we could well afford to concentrate more of our energies and more of our resources on providing quality vocational education to those students who want it.

Just yesterday, I introduced a bill with Congressman Bill Harsha of Ohio, to extend the Appalachian Regional Commission program for another four years.

One of the best features of that program is its emphasis on vocational education, and it has helped a large number of local communities from New York to Mississippi to fund vocational education centers where young people can learn valuable skills they will need later in life.

The Appalachian program does other things, too, including the primary and secondary road construction I mentioned earlier, hospital and health center construction and health delivery systems, building community colleges and libraries, helping to fund water and sewage treatment plants, restor-

ing areas ravaged by mining activity, and other projects vital to development of that 13-State region.

I consider that program to be one of the best ever devised, and one of the main reasons for that statement is the fact that it does place so much emphasis on immediate solutions to both immediate and long-range problems, and vocational education is just one of the tools it uses, and one of the tools we can use, to develop a strong economic base in rural America.

As American industry becomes more technical and specialized, the need for skilled labor will continue to grow, and skilled laborers will continue to make good money. Vocational education for young people, the third step in my rural development plan, is the best kind of manpower training I can think of, because it solves a potential problem before it becomes a real one. The cost is relatively low, but the dividends can be very high.

The fourth step is housing. Once the roads are built, the industries have located and the people are trained, the steady exodus of our young people from their homes to some distant "promised land" will begin to reverse itself, and we'll have to have places for them to stay.

Living in a rural setting is an enticement for even the slickest of city slickers, and it is especially attractive to people who care about having room enough to live and not just exist.

Rural housing can be built cheaper and built better than urban housing, and this, too, has tremendous appeal and tremendous development potential.

The rural housing program conducted by the Farmers Home Administration is providing a vital service by making low-interest loans to rural housing developers in an effort to overcome the present shortage of housing in rural America.

You may remember that this program had been rather severely cut back as an economy measure last month. If the cutback had been upheld, North Carolina's share of rural housing funds would have been cut by $20 million.

But I'm happy to report that as a result of a telegram I sent the President on the night of his state of the Union address, and as a result of several conferences following that first action, we were able to get every penny of the rural housing program funding restored.

The success of this kind of program is vital to rural development, since it provides the most basic requirement of a developing society, and that is a decent place to live.

And this brings us to the last step in our rural development program—the preservation of a quality environment. This too is deeply involved in making rural America a decent place to live.

The sight of clean air and clean water and clean land is a very rare sight in much of America today, but we're fortunate enough to accept it in our area as a familiar, but still wonderful, sight.

The nation must now look to rural America to see even a remnant of the glories that nature showered on our land. We are proud that so many of these glories abound in our region, and I'm sure that pride will make us the jealous guardians of what remains of nature's beauty.

The growth of industry in rural America does not have to mean that we will suffer the same fate that pollution has brought upon our urban neighbors.

Federal laws now in effect severely limit the amount of pollution an industry can inflict upon a community. These laws were not on the books during America's first industrial revolution, and we are now paying the awful price of neglect.

But we have the law now, and more importantly, we in rural America have time. Time to plan, time to build adequate water and sewage treatment plants, time to make an area grow up the way we want it to, rather than having the outcome forced on us.

History need not repeat itself. We have the expertise and experience to shape our future in an image that will reflect our vision and our concern for the welfare of our children.

The development of rural America is a major feature in that image. The time has come—we must have an all-out effort to develop the resources and realize the potential hidden deep within the heart of rural America.

I believe President Nixon's revenue sharing program, with $1 billion specially earmarked for rural development, can provide the means for seeing our goals achieved.

I believe it provides a system in which we can all participate, whether we work at the local, state or federal level, whether we are members of Congress or members of the fourth estate.

I believe revenue sharing can be made to work to the greatest benefit of all Americans, and I strongly support the concept.

Revenue sharing holds the promise of revitalizing rural America, with the voice of local people being heard and listened to in the highest counsels of Government, and with the old dictatorial voice of the Federal Government being reduced to an unpleasant echo of the past.

I am optimistic that a revenue sharing plan will be adopted in Congress, but if it appears that revenue sharing will not pass, to insure that rural development proceeds at a rapid rate, I intend to introduce legislation that will still put control at the local level, as revenue sharing would do, and that would still give rural America a much-needed shot in the arm, as revenue-sharing would also do.

This legislation would set up a nationwide structure, patterned after the Appalachian Regional Commission program, that will deal exclusively and effectively with rural development in America.

This new Government structure would provide assistance to local communities that don't have adequate tax bases to finance the basic development projects that every community needs so badly to live and grow and prosper.

We now realize that rural life is not inherently inferior to urban life. We know that black smoke billowing from a smokestack is not a sign of progress, but a sign of danger. We know that life in an overcrowded city is at best an imitation of the life most of us seek to lead.

We know that millions of people now live in despair in the burned-out hearts of America's cities, because fate and this Nation's lack of vision—not their own choice—have separated them from the rural setting that was their heritage and would gladly have been their future, had opportunity presented itself.

You ladies and gentlemen can play an important role in seeing to it that every American is aware of these facts, and aware of the steps being taken to improve the quality of life for all Americans.

Supreme Court Justice Louis Brandeis once said, "The function of the press is very high. It ought to serve as a forum for the people, through which the people may know freely what is going on."

What is going on is nothing less than a second American revolution, a peaceful one, but a revolution just the same, with stakes just as high, and with determination and courage just as badly needed.

I hope and I trust that you will use your forum for the people as an instrument of the public good. Rural development, the cornerstone for rebuilding America, is as much your business as it is mine.

Together, we can make tomorrow better than today.

Mr. MIZELL. I thank the gentleman for yielding.

Mr. MELCHER. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Oklahoma (Mr. EDMONDSON).

Mr. EDMONDSON. I thank the gentleman for yielding.

Mr. Speaker, I want to congratulate the able and thoughtful gentleman from Montana (Mr. MELCHER), upon the fine remarks he has delivered to us here today. I think he and the gentleman from Iowa (Mr. SMITH), and the gentleman from Kansas (Mr. SEBELIUS), have rendered a service to the Nation by joining in this series of speeches on the floor of the House to bring to the attention of the Nation the importance of a healthy agricultural economy.

Representing, as many of my colleagues do, an area that is in large measure agricultural in its base, I have known for a long time of the sagging fortunes of this major part of the American economy. Any man who has a district in which there is a large dairy industry or in which there is a large truck farming industry knows just how difficult times have been with steadily rising costs of production and a relatively stable price structure for the raw material itself that comes from the soil. We have indeed had an inflationary situation which has operated to the disadvantage of the producer who is producing the most important thing of all, the food that goes on the tables of the American families.

The gentleman emphasized very properly, I think, the role of the small town and the rural community in the health of our country. I commend him for his address and for the leadership he is bringing to the House on this important subject.

Mr. MELCHER. I thank my distinguished colleague from Oklahoma, a State that has much in common with my State of Montana.

I now am delighted to yield to the gentleman from Indiana (Mr. DENNIS).

Mr. DENNIS. Mr. Speaker, I would like to say I feel that the basic point that the gentleman in the well and the gentleman from Iowa and others have made here so well today was probably put most eloquently a number of years ago by the poet Oliver Goldsmith in his famous lines when he said:

Ill fares the land, to hastening ills a prey,
Where wealth accumulates, and men decay.
Princes and Lords may flourish or may fade—
A breath can make them, as a breath has made;
But a bold peasantry, their country's pride,
When once destroy'd, can never be supplied.

Now, if I may pursue the same basic thought for a moment in a slightly more light-hearted manner, I understand someone asked one of the farmers in my area not too long ago, "What would you do if the Federal Government or some other generous donor suddenly gave you $50,000 in cash?" He said:

I do not know, but I reckon I would go on farming until that was gone.

Mr. MELCHER. I thank the gentleman.

I now yield to the gentleman from Texas (Mr. PRICE).

Mr. PRICE of Texas. Mr. Speaker, I am gratified by the keen interest regarding farm and rural problems that several of my colleagues are displaying this afternoon. And I would like to thank the gentleman from Montana, JOHN MELCHER, for permitting me to comment further on this general subject.

As I have listened to the general debate, I have been warmed by the interest and concern for the farmer and his well-being being displayed. At the same time, however, I would caution my colleagues not to confuse talking about the problems of farmers and rural America with solving the problems of farmers and rural America. Action is needed and swift action at that.

In the remarks I made earlier this afternoon I discussed farm and rural problems in terms of five broad categories: Income, poverty, employment, housing, and education. In an effort to provide a focus for the interest and concern for these problems now being voiced, I would like to briefly set forth what initiatives I have taken and what legislative actions I am pursuing which are calculated to strike at the very roots of these five problem areas.

The state of farm income is deplorable. Mere statistics cannot really describe the dimensions of the problems that are felt by farmers who cannot earn enough money to provide the necessities of life for themselves and their loved ones. While it is true income problems have, in some cases, been created by overproduction of farm products, they have been magnified by the skyrocketing costs of farming and ranching over the last decade. By way of illustration, during the last 7 years capital investment costs for farmers and ranchers climbed 79 percent. Annual outlays for fertilizers increased 64 percent; costs of pesticides and insecticides rose 20 percent; and feed costs increased 33 percent.

To help the farmer better cope with these rising costs I have introduced legislation designed to increase loan limits on the FHA operating loan program from $5,000 to $50,000. This will help this vital FHA loan program better fulfill the farm credit needs of more small farm and ranch operators. In addition, I have proposed transferring the funding of the operating loan program from the Federal budget to the private money market. This will help streamline FHA operations and it will save the taxpayer approximately $275 million a year in Federal expenditures.

I was most gratified that 45 of my colleagues cosponsored these proposals when I reintroduced them February 25. My colleagues who joined with me in this endeavor are:

BILL ALEXANDER of Arkansas, JOHN B. ANDERSON of Illinois, MARK ANDREWS of North Dakota, RAY BLANTON of Tennessee, JACK BRINKLEY of Georgia, GARRY BROWN of Michigan, JAMES T. BROYHILL of North Carolina, TIM LEE CARTER of Kentucky, WILLIAM L. DICKINSON of Alabama, WILLIAM JENNINGS BRYAN DORN of South Carolina, JOHN J. DUNCAN of Tennessee, MARVIN L. ESCH of Michigan, HAMILTON FISH, JR., of New York, and DON FUQUA of Florida.

JOHN PAUL HAMMERSCHMIDT of Arkansas, ORVAL HANSEN of Idaho, JAMES HARVEY of Michigan, JAMES F. HASTINGS of New York, JOHN E. HUNT of New Jersey, ALBERT W. JOHNSON of Pennsylvania, ROBERT W. KASTENMEIER of Wisconsin, EARL F. LANDGREBE of Indiana, NORMAN F. LENT of New York, ROBERT MCCLORY of Illinois, JAMES A. MCCLURE of Idaho, JOHN J. MCFALL of California, JAMES R. MANN of South Carolina, and WILEY MAYNE of Iowa.

WILMER (VINEGAR BEND) MIZELL of North Carolina, G. V. (SONNY) MONTGOMERY of Mississippi, JOHN T. MYERS of Indiana, BILL NICKOLS of Alabama, ALEXANDER PIRNIE of New York, DAVID PRYOR of Arkansas, TOM RAILSBACK of Illinois, JOHN J. RHODES of Arizona, FRED SCHWENGEL of Iowa, KEITH G. SEBELIUS of Kansas, GARNER E. SHRIVER of Kansas, SAM STEIGER of Arizona, WILLIAM A. STEIGER of Wisconsin, CHARLES THONE of Nebraska, WILLIAM C. WAMPLER of Virginia, JOHN WARE of Pennsylvania, and LARRY WINN, JR., of Kansas.

Helping to bolster farm income, however, does not go far enough when laws such as our present inheritance laws exist which cannibalize as individual's estate. Why should anyone spend his lifetime striving to engage in productive work and to save and invest the fruits of his labors when he knows that upon his death the Federal Government, as a matter of public policy, will make every attempt to dilute his inheritance, dissolve his interests, and redistribute his wealth.

That such state of affairs has been tolerated for the last 30 years is unthinkable. That Congress has not acted to solve this problem is unjustifiable. Thus, with great hopes for reform of our ill-conceived inheritance tax laws, I have introduced legislation to reform these laws as they pertain to estates involving small farming, small ranching and small business interests. I have proposed that the executor of such an estate should be allowed to establish the estate value for inheritance tax purposes either on the basis of the earning power of the estate as evidenced by a taxable income measure or by the fair market value of the estate's assets. If enacted, this law would change present conditions wherein an estate is often incorrectly evaluated on the basis of speculative land values and unrealistic fair market values.

In essence, allowing an estate to be assessed on its earning capacity enables small business, farms, and ranches to be kept within a particular family, if so desired. This would preserve a valued way of life for thousands upon thousands of individuals who under present laws fall prey to the ravages of excessive and unjustifiable tax laws. Moreover, it would give people new incentive to work, to be productive and to save for the future and their posterity.

As regards rural poverty, as I have stated before, although nonmetropolitan America has one-third of the Nation's population counted it has one-half of its poverty stricken. This means that almost 14 million poor people live in rural areas.

As we are all well aware, poverty and unemployment go hand in hand; consequently, in an attempt to alleviate rural poverty and to provide new job and living opportunities for young people as well as older persons interested in bettering themselves, I have introduced the Rural Job Development Act of 1971 and the Human Investment Act of 1971. The Rural Job Act would give tax and other incentives to provide enterprises upon their relocating in rural areas and working with individuals and groups interested in improving the quality of life in their communities. The Human Investment Act bill would provide tax credits to offset part of the expenses businesses would incur in establishing, operating, and maintaining job training programs for the unemployed, the underemployed, and those interested in career advancement.

In my view giving business the incentive to relocate in rural areas and establish ongoing job training programs would have four primary benefits: First, the amount of Government involvement in the private commercial sector would be reduced; second, participating businesses would give individuals better targeted training than is now common among Federal programs, because businesses usually know their job needs better than Government officials do; third, individuals would receive more beneficial assistance because private enterprise would substitute modern management techniques for traditional bureaucratic practices; and finally, with more people on payrolls, general economic activities would be increased, welfare costs would be reduced, and additional tax revenues would be generated.

Rural poverty is also manifested by the state of rural housing. For as I mentioned earlier, over half the Nation's substandard housing is located in rural America. The state of rural housing affects more than poor people, it affects many middle-income families as well, for many houses of the nonpoor lack the amenities which we commonly associate with the affluent society.

To strike at the varied problems of rural housing, I have introduced the Housing Rights Act of 1971, a proposal which, if enacted, would suspend local building codes and/or union agreements in all federally-financed housing projects. The need for such a measure is caused by the fact that in many rural communities outdated local building codes often frustrate the attempts on the part of contractors to utilize modern technology in home construction. The same condition is also created by many local union contracts. They prohibit contractors from employing such cost saving building techniques as prefabricated housing parts, and modular construction.

It could be argued that these obstacles would be tolerable if there were not really pressing housing needs in rural America,

but the facts proclaim reality to be otherwise. If this Nation is to meet its housing needs in the coming decade, 26 million new units need to be constructed; and of these, 6 million should be suitable for low- and middle-income families. Based on historical experience in the housing industry, it is unlikely these goals will be met, because in the last decade the average annual rate of housing construction was less than 1.5 million. Contrast this with the more than 2 million new units which need to be erected each year during the 1970's if the 26 million mark is to be attained. Moreover, as regards the 6 million units needed for low- and middle-income families, the impossibility of attaining this goal is evidenced by the fact that only 938,000 publicly assisted dwellings have been built since the beginning of the Federal housing program in 1949.

The Housing Rights Act of 1971 will enable tax dollars to be allocated to fullest advantage in the housing area. By permitting outdated local building codes and restrictive local union agreements to be bypassed on federally assisted housing projects the housing needs of the American people will be well served.

Finally, as regard rural education problems rural education will be revitalized if more money is effectively channeled into rural school systems and more individuals are provided with greater educational opportunities. Two bills I have introduced would free up individual resources for educational purposes; the first would establish tax credits for higher education and vocational training expenses. The second would establish a federally guaranteed student loan program designed to help children of low- and middle-income families pursue higher educational and vocational training opportunities.

Mr. Speaker, in closing, I want to emphasize two things: First, these are but the beginnings of my efforts to help reshape and revitalize the future of rural America. I will be making further proposals in coming months. Second, my proposals taken either singly or together do not constitute the last word on any of these areas. Thus, I welcome any suggestions as to improvements or changes, and I am examining all the other proposals that have been made in this general area with great interest.

Solving the problems of rural America is a nonpolitical and nonpartisan matter. It is a cause that in the years ahead will demand the best each of us has to offer.

Mr. MELCHER. I thank the gentleman for his very timely and pertinent remarks.

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

Mr. MELCHER. I shall be glad to yield to the gentleman from Texas.

Mr. ROBERTS. Mr. Speaker, I thank the gentleman for yielding.

I appreciate the gentleman from Montana, the gentleman in the well, the gentleman from Iowa (Mr. SMITH) and the gentleman from Kansas (Mr. SEBELIUS), for taking this time to point out the problems of the farm family and particularly the family-sized farmer.

I represent an area made up to a great extent of family-sized farmers. It is a dry land farming area. We have no irrigation, so we are subjected to the whims of nature.

Mr. Speaker, we changed the Agriculture Act last year and it is in effect now. I voted for it because it was the best we could get. However, we made one serious mistake. The administration program substitutes subsidy on actual production for "takeout" acreage payments. When we fail to make a crop my farmers will get nothing when they need ASC payments most. The manner in which the law worked for some 10 years, at least they had their set-aside acreage payments on which they could survive to plant again. This way they have nothing. It is causing many more of my people to give up farming at a time when we need to keep more people on the farm. However, we are driving them away from the farm.

I appreciate very much the opportunity to join with these gentlemen in pointing out the difficulties that our farming people face.

Mr. MELCHER. I thank the gentleman from Texas for his remarks.

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

Mr. MELCHER. I yield to the gentleman from Texas.

Mr. KAZEN. Mr. Speaker, I wish to congratulate the gentleman in the well and the gentleman from Iowa (Mr. SMITH), as well as the gentleman from Kansas (Mr. SEBELIUS), and the others of our colleagues who have taken part in this debate this afternoon.

Mr. Speaker, I believe it is high time that this country started paying a little bit more attention to the problems of rural America and to the problems of the ranchers and the farmers.

The agribusiness, as has been said here before, is the largest single contributor to the economy of the United States today. But it is lamentable that agriculture's and rural America's problems have been shoved gradually into the background.

As my distinguished colleague from Florida said awhile ago, this is one united nation, and certainly we ought to give equal emphasis to the problems of all of this Nation. Unfortunately, however, most of the people in the United States now live in urban areas. This is where a tremendous number of the problems exist. We ought to direct our attention to them, and rightfully so, but at the same time I do not think we can afford to forget rural America, because the people there are also contributing their part; that part of the Nation is contributing to the overall problems of both the cities and the rural areas.

For instance, the outmigrations which we have had from the rural areas into the urban areas, have brought about serious school problems, sewer and water problems, pollution problems, health problems, and a greater incidence of crime. All of these problems we are directing our attention to now have been caused by this outmigration. At the same time, the very same people who leave the rural areas and create these problems in our cities, create problems in the areas they leave. When they leave, population decreases and therefore the tax base decreases. You have less services and less revenue while the demand for those services continues.

In the field of education, I believe that the rural schools do a good job.

But when those children leave and go to college they will not come back, because there is no job opportunity, no recreation, nothing to keep them there.

Coming down specifically to our problem of agriculture, ranching, and farming, I dare say that the prices that the farmers and ranchers are getting for their products today are slightly more, but just slightly more, than they were 15 years ago while the cost of producing that article of food or material has risen tremendously. Labor, costs have gone up, the costs of petroleum products, farm machinery, seed, fertilizer, all have gone up, and yet the farmer and the rancher have had to take the brunt of the increase in the cost of living without any commensurate increases for their products.

Mr. Speaker, I believe it is time that we direct our specific attention to solving the rural problems because if we solve the rural problems, I think we have made important progress in solving some important problems in the urban areas.

Again I want to congratulate the gentleman in the well, and my other colleagues, for having brought this matter to the attention of the Congress. I hope we can move forward from here and really improve the backbone of this country, which is rural America.

Mr. MELCHER. Mr. Speaker, I thank the gentleman for his remarks. I would like to say that the gentleman has presented the situation concisely and truly.

Mr. Speaker, I will now yield to my colleague, the gentleman from Mississippi (Mr. MONTGOMERY).

Mr. MONTGOMERY. Mr. Speaker, I would also like to join my colleague in the well, the gentleman from Montana (Mr. MELCHER); also my colleague, the gentleman from Iowa (Mr. SMITH), and the gentleman from Kansas (Mr. SEBELIUS), and the other Members who have spoken here today, in bringing to the attention of the Congress the importance of agriculture to this country, and really to even the whole world. I would like to say to the gentlemen that not only is it the importance of agriculture that is involved, but it is the many problems it brings to the people who are in the agricultural field. In my own State the main source of income is from agriculture. The dominant economic force in Mississippi is agriculture, and in my district the majority of the people I represent work in agriculture or agriculture related industries.

I am quite familiar with the dedication of the gentleman in the well to our farm families and ranchers, since I had the honor and privilege of serving with the gentleman on the Committee on Agriculture during the 91st Congress.

I had the opportunity to read a copy of the gentleman's remarks, and also to listen to them as he presented them today. I particularly want to commend the

gentleman on his prepared remarks where on page 3 he points out, Mr. Speaker, that in 1970, according to these statistics available in the President's economic report, we produced 30 percent more food and the farmers were paid $800 million less for producing it than in 1950, 20 years before.

These figures are almost unbelievable, but they are true. I want to thank the gentleman for pointing out such glaring inequities that have happened in the last 20 years to the farmers of this country.

Again I thank the gentleman for giving me this opportunity to participate in this special order.

Mr. MELCHER. Mr. Speaker, I thank my colleague, the gentleman from Mississippi (Mr. MONTGOMERY), and I want to inform him that we will miss him on the House Committee on Agriculture, and to, of course, wish him all success on his new appointment to the Committee on Armed Services.

I now yield to my colleague, the gentleman from South Dakota (Mr. DENHOLM).

Mr. DENHOLM. Mr. Speaker, I thank the gentleman from Montana for yielding.

Mr. Speaker, my colleagues, and all citizens that are interested in the future of America, there is one fact that can be recognized when we speak to this issue of agriculture in this country, and one fact that is undisputed by anybody, and that is that agriculture is the largest single industry in the United States. It also happens to be the largest single industry in my State, the State of South Dakota, the State of the home of the Shrine of Democracy, and yet it is presently the most neglected industry of all industries of this great country.

It now appears that the farm policy issues of the 1970's will be shaped in large part not by the farming community but by nonfarm people.

We will spend much of our time reacting to issues initiated by others when we should be initiating actions of our own.

The issue is clear. The farm community and interested groups must either lead—or be led. Some of the reasons for the declining farm influence over farm policy matters are these:

First. The declining farm population.

Second. The general unpopularity of large payments to a limited number of corporate and large farm operating interests.

Third. The growing public concern over long-neglected minority groups; and

Fourth. A certain public weariness with the issues of commodity programs such as the wheat, cotton, and feed grain program payments.

For almost 35 years the Government of the United States has "toyed" with various programs of price supports and production controls of numerous commodities in an attempt to stabilize the economy of the oldest and most essential industry of America—agriculture.

While American agriculture, as an industry, has always and is now the producer of the highest quality and the greatest quantity of food and fiber of any nation in all of the history of mankind, we ironically now find the industry on a 1910–14 parity basis barometer in equal economic status of the depression of 35 years ago.

This is unacceptable and I submit that we can do better.

At this hour the President of the United States is meeting with people in the heartland of America at Des Moines, Iowa. The purpose of the meeting with the people of the heartland is said to be the high interest of the Nixon administration in rural community development.

I submit that that interest could begin by raising the support prices for the basic commodities that farmers depend upon to operate their businesses on the land.

There is now and there will be much rhetoric. What we need is action. The constant cost-price squeeze on the people of the farms and the ranches must be reversed. By all acceptable standards of reason and of justice and of economic equity, the present deficiencies of the income structure for the people who till the soil for a living is unacceptable. This standard of depression is unacceptable to the people involved and is unacceptable to agriculture as an industry, and certainly unacceptable to a nation such as America. It is unacceptable for we, the people, of a mighty country. If it is permitted to exist, a depressed agricultural economy will ultimately influence the further maladjustment of population and resources and the wealth of this great country.

This administration, the Members of this House, and the people, the committees and the career personnel of Government must recognize that "nuts and bolts" legislation of the past has not solved the problem. If it did, we would not be here talking about it today.

We should recognize that "nuts and bolts" legislation will not solve the problem for the future.

I will vote for rural housing programs and I will vote for rural medical health care programs and I will support and hope that we get more appropriations for rural community development, for communications, and all of these programs. But, I ask of you, my fellow colleagues, what does such like and similar legislation do in support of commodity prices—the price of hogs? That is the problem. When we establish a base plan for agriculture that will provide farmers a fair and equitable share of the great wealth of this country, we will then find that they are capable of paying their own hospital bills and of building their own houses.

The people of America have not lost self-initiative and the people on the farms and ranches still believe in the concept that "this is the house that Jack built"—and that it was a good one.

It is time that some of us in Congress recognize that concept. I think it is time for a base plan for agriculture. I think we must realize, as adult people, elected to this House of the people, that a base plan for agriculture ought to be based upon people, based upon production—particularly so when we have people going to bed in this country suffering from malnutrition and a third of the population of the world hungry.

In Isaiah it is written, if I may paraphrase the words, that it would be well to spread the bread among the poor and to shelter and comfort the homeless.

I subscribe to a philosophy that we ought to prepare a base plan for agriculture that would be good for the people, and that we ought to stop paying people for doing nothing and creating a scarcity, when people cannot afford to buy what we now produce at present prices.

With all the knowledge that is seated in this great House of the people we ought to be able to develop that kind of a program.

I will propose a basic four-point program for agriculture. I intend to present it in this session of the Congress. I contend that, instead of trying to write a program based on bushels, bins, and acres, it ought to be a program based on production and people. We did not write a minimum-wage law for the people of this country based on nuts, bolts, and wheels. Yet when we tried to tell the American farm people and the people of rural America that we would write a program to stabilize their income, we based it on bins, bushels, and acres. I submit that in 35 years it has not worked. Agriculture as an industry is worse off today than it was in the mid-1930's, with the parity ratio—the debt ratio—the return on investment, no matter how you measure it. I suggest that we seek a new economic base plan for agriculture. This country and the people in agriculture are ripe for a departure from the traditional agricultural policies and programs of the past.

I suggest that a base plan for agriculture should be established with a 100-percent parity payment directly to each farm family on the first $15,000 of their annual gross sales, that is to say, we would provide for a direct payment to producers equal to the difference between market price and parity on the first $15,000 of the gross annual income of each farm family unit. I am not talking about a family-sized farm. I am talking about farm families, and they can be defined as a matter of law and as a matter of fact. Nobody has been able to define a family-sized farm. Nobody can. The objectives of a sound economy for agriculture must be based on the farm family as an economic unit. The farm family is an essential basic unit to the structure of a strong, economic, political, and social foundation of our system.

There ought to be a provision in the original law by which the amount of the parity payment benefit to producers could be carried back 2 years and carried forward 3 years to allow for overproduction or underproduction in any one year and thereby farmers and ranchers could begin to insure against the hazards and elements of the industry.

Second, and in addition to the $15,000 parity base-plan which is conceived in the interest of people and production—beneficial to consumers and producers alike—each farm family should have an opportunity through incentive payment programs to earn a maximum of $3,000 per year through approved programs of land and water conservation,

the preservation of wildlife habitat, and the development of rural recreation facilities. The law should provide an opportunity to coordinate the maximum cooperative effort to farm families to earn a total of $3,000 each year with emphasis on the farmstead and also in approved area or regional work incentive projects. This would constitute a meaningful base-plan for agriculture.

Third, we should renew the investment tax credit concept benefits for homestead improvements at a level high enough to encourage homeowners and farmers to build, maintain, and repair their respective homes and we could then start to rebuild rural America.

We have pursued programs of destruction long enough. Let us pursue positive programs of reconstruction. There is no valid reason that every farm in America can not be like a garden and every home as "a man's castle."

A homestead is generally defined as a matter of applicable law in rural and urban America. Let us paint, fix up, and clean up—it is essential to the preservation of the tax base of political subdivisions of government. It is good for our people. It is good for our communities—it is good for our country. Let us begin.

Fourth, a sound base-plan for agriculture must include adequate credit policies of sufficient terms and at a minimal interest rate level to sustain rural families in times of need.

I propose a full-insured monetary credit policy of at least a 40-year term at a level rate of interest to the borrower not in excess of 4 percent per annum on the remaining unpaid balance from time to time due. Such a credit policy would recognize the banks as the economic nerve centers of each community. Presently, the essential requirements of national monetary policy cause the banking industry to invest billions of dollars in Government securities to meet secondary requirements of fiscal responsibility. Essentially, all such funds belong to the people as depositors thereof. It is a paradoxical dilemma to pursue Government requirements that cause the funds of the people to flow or tend to substantially flow to the Federal Government to be administered back to the people through a complexity of bureaucracies by acts of this Congress. We need a new approach to sound fiscal policy.

I recommend a 40-year, 4-percent loan program that first, provides the level rate of interest at 4 percent to be paid by the borrower; second, provides that the difference between the level rate of interest and the money market rate of interest—but not less than 2 percent—be paid directly to the banks for administration and supervision of the credit and loan finance program.

The Federal Government should be the guarantor of the loans to 100 percent of value on the principal balance for the full term and the funding of the loans should be provided from the deposits of the people and the private sector of the economy.

The result of a new approach to such a credit plan for long-term, low-cost financing would be a direct savings to the borrower for a term that would secure against cycles of economic change; second, a savings to the Government because of the efficiency and interest of bank-supervised acquisition and operating loans would be at a less cost difference than presently paid on Government securities; third, it would constitute a more sound fiscal credit policy than Government securities—Federal Government paper backed 100 percent to face value—because the loans guaranteed to 100 percent by the Federal Government would become secured by "black-acre" and the notes in promise of payment would thereby become negotiable in the private sector of the economy.

Today, Government is pursuing a policy by which bankers and the private sector of our economy buy bonds—invest in Government securities which constitute only Government paper backed 100 percent by the Federal Government—the Government then creates more administrative agencies and the Congress is expected to appropriate more funds to pursue a "round robin" system of policies and programs that impose a greater and greater burden of debt to borrowers in the industry of agriculture and related businesses throughout the country.

Some call the policies of the past right and reasonable. I call such programs nonsense. We are destined on a course that will not work and has not worked and we endanger our whole future if we continue to pursue it.

I submit that we need a 40-year 4-percent financing program whereby Government enters into a partnership with the people and recognizes that the local bank is the nerve center of the community. We need a new credit system of equal economic opportunity for rural and urban people alike.

In essence, this is the kind of program I want to present during this session of Congress and the program for which I shall seek the counsel and cooperation of my colleagues.

Today I commend those people who significantly have chosen this 1st day of March for this discussion, this day when there is a touch of spring in the air, and when the farmer and the people of rural America turn again their attention and energy to the tilling, sowing, and toiling of the soil.

We here in the House of the people must rededicate ourselves to bringing to the people of the rural areas true economic equity and a fair, honest, and true return for their efforts, investments, and labor as citizens of this great country. I thank the gentleman from Montana for yielding and I commend him and his colleagues for their great effort today in the interest of all people of this country.

Mr. MELCHER. I thank my friend, the gentleman from South Dakota, for his pertinent remarks.

I yield at this time to my colleague, the gentleman from Alaska.

Mr. BEGICH. Mr. Speaker, I also commend the gentleman from Montana, the gentleman in the well, and the gentleman from Kansas for taking the time today and obtaining the special orders so we may focus attention upon a major occupation of our country, the agriculture of our Nation.

Mr. Speaker, it is a pleasure to add my remarks to those of my distinguished colleagues in an effort to focus the attention of Congress on the pressing needs of the agricultural community of this Nation. If I may, I would like to add my voice to theirs in a plea for overall solutions to the problems of the farmer, and to tell you some important facts about the history and current status of the agricultural industry in Alaska.

For those of you who do not yet know Alaska well, it could come as a surprise that there is any farming at all. Others of you may be familiar with the giant lettuce, beets, turnips, and other produce that so often characterize the benefits of Alaska's 24 hours of sunlight during the growing season. These magnificent farm products do indeed grow in Alaska but they are only a part of the story of Alaska agriculture.

For many years following the Alaska purchase in 1867, many believed that Alaska could not support an agricultural industry. Yet as early as 1900, a farming area was established in the Tanana Valley near Fairbanks, and continuous farming began in 1914 in the beautiful Matanuska Valley near Anchorage. A third area on the Kenai Peninsula has also been farmed for some time. These three areas, particularly the Matanuska Valley, constitute the agricultural centers of Alaska.

The major crops of these areas are potatoes, lettuce, cabbage, carrots, and other fresh vegetables. In addition, sheep, poultry, cattle, and hog farming are done in these areas, as well as a rather substantial dairy industry in the Matanuska Valley. In other areas of the State, reindeer are raised for market, and constitute a promising industry for the future.

Life in these areas centers around the agricultural community. The University of Alaska maintains an agricultural experiment station and training farm near Palmer, a lovely small town in the Matanuska Valley. Each summer, Palmer hosts the Alaska State Fair, an event having all the color and excitement of State fairs all over the country.

As you can see, the scale may be slightly smaller, but the agricultural industry of Alaska consists of all the elements which made this industry one of the cornerstones of our Nation's economy. It is no different in Alaska, as our farm community is an important part of our Alaskan life and economy. In simple terms, I am extremely proud of it all.

Although it is my pleasure to tell you this story of Alaskan agriculture, there is a far more important task at hand. This is the task of addressing ourselves to the critical needs of the American farmer, and I thank my colleagues, Mr. MELCHER of Montana, Mr. SEBELIUS of Kansas, and Mr. SMITH of Iowa for allowing me to add my thoughts to their efforts in this task.

In many ways, the Alaska farming industry is that of the Nation in a microcosm. The problems of the Matanuska Valley farmer are those of the farmer in Montana, Kansas, Iowa, or any other State.

Consumer prices are rising while farm

prices remain shockingly low; few young people are becoming farmers; interest rates are so high that new capital investments are impossible; rural health and housing services are lagging behind; and the pinch of continued inflation is being felt first in our farm households. It is a sorry picture at this date for our farmers, and remedial action is essential.

Let me add a few of the specific problems of the Alaskan farmer to this story.

Traditionally, agriculture has been a stepchild in Alaska's development. Financial institutions have been unwilling to invest in what they consider to be an ultra-high-risk industry. For this reason, either Federal encouragement or private investment loans are essential to modernize Alaska's farms, and permit new capital investment to take place. Alaska is a harsh environment for agriculture, and the farmer's expenditures for equipment and shelter must necessarily be higher.

Additional programs are necessary to undertake agricultural experimentation in Alaska to develop new crops, new strains of old crops, and whole new agricultural areas. The experiment station of the University of Alaska has done much, but needs even more assistance.

A critical need is for processing and storage facilities in the farming area. With a productive growing season of from 100 to 120 days, a long cold season, and major transportation difficulties, each product must have the longest possible storage and shelf life. This is not possible with the present facilities available for most Alaska products.

Finally, I would say that expanded educational programs and incentives for entering the agricultural field are necessary. One of the main benefits of such incentives will be the bringing of greater amounts of Alaska's unused agricultural capacity into production. I believe it is safe to say that in each product area of agriculture, only between 1 and 5 percent of the available useful land in Alaska is being used for crops, grazing, or other use.

A further benefit of such expanded development might well be the beginning of a new economic base for the Native people of Alaska. Already, in the reindeer and musk ox industries, there are strong trends to support this hope for Native economic development in the agricultural area.

These problem areas, and proposed solutions are but a part of the needs of Alaska's agricultural community. The larger needs relating to farm prices, interest rates, and farm services are shared with the farmers of the Nation, and I share the views of many colleagues who are addressing themselves to these problems today. I hope that I have given you an insight into the agricultural story of Alaska, and I join you in seeking a better future for our farmers.

Mr. MELCHER. Mr. Speaker, I thank the gentleman from our largest State, the gentleman from Alaska, for enlightening us on this subject.

At this time I yield to the gentleman from Iowa (Mr. CULVER).

Mr. CULVER. Mr. Speaker, it is a great pleasure for me to have this opportunity to make a few remarks as we observe farm day in the House of Representatives. I wish to commend the gentleman from Iowa (Mr. SMITH), and the gentleman from Montana (Mr. MELCHER), and the gentleman from Kansas (Mr. SEBELIUS), for organizing this special program to focus attention on this critical subject of the condition of American agriculture.

It is difficult to exaggerate the importance of our discussion here today.

The creativity and independent initiative of the American farmer continue to be the basis of agricultural stability and productivity for the future and, indeed, the very bedrock of a sound and progressive economy on the national level.

Yet, these facts receive decreasing attention in the Congress as the farmers' representation diminishes, are ignored by the executive branch, and are simply unknown or unappreciated by the American consumer.

However, any fair review of the economic plight of the American farmer clearly demonstrates that the farmer not only has not been the cause of the rising spiral of prices but that, on the contrary, he has been one of its most vulnerable victims.

During the last decade, while the disposable income of the average American increased by more than 50 percent, the amount of the average American budget devoted to food consumption decreased by 3 percent, as the consumer benefited from the ability of the farmer to produce more efficiently at lower cost.

But, for the farmer, the price of modernization was oftentimes insurmountable. His production expenses rose from $26.4 billion at the beginning of the decade to almost $38.5 billion by 1969, total farm mortgage debt more than doubled, and the interest rates on loans, when available, increased almost steadily.

Moreover, the relationship between the prices the farmer pays and those he receives, or the parity ratio, dropped to the lowest level since 1933, the depth of the Great Depression, and his share of the consumer's food dollar dropped from 41 cents to 37 cents—2 cents below his 1960 share.

Clearly, it is the farmer who is subsidizing the American consumer.

But beyond the diminishing returns on the farm, the overall neglect of the condition of rural America compounds the stresses encountered by the farmer. Thirty-four thousand of our smaller communities lack modern water facilities and 44,000 do not have adequate sanitation facilities.

By whatever yardstick you measure America's housing needs, we cannot escape the awareness that at least two-thirds of our inadequate housing exists in rural America.

Part of the problem is a lack of coordination and planning at the Federal level. For example, the Federal Housing Administration does not operate effectively in communities having a population of less than 25,000.

The Farmers Home Administration, while it has authority to operate in towns of up to 10,000 in population, generally follows a rule of thumb of 5,500.

Obviously, thousands of rural and small towns are left out by the gap between these two agencies. As Prof. Don Hadwigger, from my own State of Iowa, has pointed out, middle rural cities and semi-isolated urban areas, which are the fastest growing areas and the most viable at this time, are not getting their share of funds for development because of this jurisdictional gap.

But the even more serious part of the problem is how little is being done to reverse the overall neglect of the farmer and rural America. Substantive action has been taken, true, over the last 2 years, but the counsel of rural America has not been sought, and their interests have been ignored.

Much has been said recently about administration neglect not only of rural America but of the totality of domestic interests as well. The administration has as well as admitted this is justified criticism with the President's announced new attention to America's well-being at home.

I welcome that change. But now that the budgetary intentions of the administration are available to us, now that we can judge the administration by its actions rather than its words, it is time to ask what is in the new expansionary budget for rural America. And I would submit to you today that unless the Congress can reverse the low priority given to rural America, 2 more years of shameful neglect are in prospect.

Last year, the President requested a mere $24 million for rural water and sewer grants. Congress increased that amount to $100 million. Now the administration has announced it will spend less than half—$44 million—of what Congress appropriated.

For rural water and sewer loans, Congress more than doubled the administration's request of $40 million last year. But the administration will not spend $68 million, or over two-thirds of the $98 appropriated by Congress.

And the agricultural conservation program, now known as Reap, has been administratively cut by $44.5 million, almost a quarter of the $195.5 million appropriated by the Congress. The administration hopes to eliminate the special milk program completely.

This is the same administration which tried to cut the 502 rural housing insured loan program for fiscal year 1971 from $1.4 billion to $946 million—and only restored the funds after significant congressional pressure was applied.

And this is the same administration whose President has met only twice with the Rural Affairs Council, compared to 19 meetings with the Urban Affairs Council, as of last May, who has yet to deliver even one message to Congress on agriculture, and whose 1970 farm bill was not supported by a single major farm organization. It is one thing to cut back or cancel a program that is not working, or which is no longer necessary.

But to give up on the very ones which have proven most successful in meeting what we recognize as an urgent national

problem—rural development—is the height of folly and irresponsibility.

Had the administration been successful in cutting the 502 rural housing insured loan program, the rural housing program would have been closed down for the rest of the year, so far as more than half of the people who filed applications were concerned, and would have been closed down completely so far as any new applications were concerned.

And if we cannot restore the cuts in water and sewer loans and grants, about 800 small communities will have to postpone their development of adequate water and sewer systems.

After waiting for 2 years for the administration to implement constructive rural programs, rural America has been forced to recognize—

That its voice is not heard in the White House.

That its economic plight is not understood by the Administration.

And that rural areas are an administration afterthought—ripe for a short plane trip to Iowa to reaffirm 2 years of unfulfilled promises.

But the Iowa electorate is too smart to be fooled by such an obvious roadshow of snake oiled salesmanship. We await more will, not more words, in the form of a concrete program, not phantom propaganda. For meaningful improvement in the general welfare of rural America will be achieved, not by deceptive lectures, but only by determined leadership.

But if we are serious about our desire to reverse this trend in the future, we must not limit ourselves to an attack on the Administration, however justified that attack may be.

If we are serious in our concern today, we must admit that the only alternative to 2 more years of neglect of the farmer is a reversal of this pattern, which is initiated right in the Congress.

But we too are going to need more than good intentions and high sounding rhetoric if we are to achieve that end.

For while in the 1920's there were 251 congressional seats, or 56 percent of the Members of Congress who could be identified as representing the farmer, by 1960, that representation had diminished to 12 percent. And in 1971, a mere 9 percent of the House represents substantial segments of our farming population.

It should go without saying that we will need to do more than commiserate among ourselves, however reinforcing that may be. And we must do more than discuss problems and solutions with our farm constituents and agriculturally oriented colleagues in the House and Senate.

Rather we must concentrate on making our case to our urban colleagues and their constituents, without whose support the best designed farm program will simply gather dust on the drawing boards, rather than be put into practice on the farms.

This is why I have carried out a program for the past 6 years to bring eastern urban Congressmen to visit on farms in the Second Congressional District of Iowa.

To give them a firsthand, in-depth view of what our problems and needs are and to demonstrate the interdependence of our national economy which makes sound agricultural legislation equally important for their constituents as well.

Moreover, this same reasoning applies in reverse. We cannot hope to get the support we need for sound agricultural and rural programs unless we understand the problems of the cities, and support progressive solutions to urban problems as well.

This is why I sponsored a nationwide program with the U.S. Conference of Mayors, designed to educate Members of Congress from rural and suburban areas on the needs of the inner cities—so that we could see for ourselves the conditions of hard-core and youth unemployment, welfare costs and their administration, transportation, housing, and educational needs of the ghetto disadvantaged, as well as the functioning of police and corrections work.

And so that we would be able to better explain and defend our votes for urban programs to our rural constituents.

In addition to fostering an understanding of the particular problems of geographical areas of our country among our colleagues and constituents familiar with vastly different problems and needs, we must seek a national understanding of the interdependence of the economic sectors of our society.

Because in our interdependent society and economy, there can be no national progress if one section of the country or segment of the population is left behind.

Moreover, we cannot find the answers to the problems of the cities until we first find a way to slow the movement of people to them. For today, we are confronted with the alarming fact that 70 percent of our people are jammed into 1 percent of our land. And they continue to come, from the countryside, at a rate of more than half a million a year.

If we are to reverse this trend and stem the flow to our already congested and overcrowded cities, it is abundantly clear that the solution does not lie in the cities alone.

The solution can only be found if we can offer an attractive alternative to urban life—to realize the importance of developing rural America—to keep our young men and women—with their talents, their energies, and their education—where they are and where they can continue the vigorous growth and development which their parents and grandparents started.

Thus it is essential that we direct our national effort to the critical task of restoring the balance between rural and urban America—so that we can offer to our children and theirs the opportunity to choose, between the best of both.

It has been estimated that at least 40 percent of all existing government programs—in education, housing manpower training, community assistance—can directly aid in rural development. And we must see to it that the fair share does go to these areas, in the interests of rural and urban America alike.

But, we must go further:

First, to provide an adequate income for those who do stay on the farm.

Second, to offer job opportunities in smaller communities for those who leave the farm.

Third, to develop in rural areas the services and facilities which will make them attractive alternatives to the cities.

This is why I have introduced legislation:

To provide a fair farm budget system, to prove to consumers and taxpayers that 64 percent of the agriculture budget goes to subsidize them, not farmers;

To establish long-range low interest credit for young men to invest in family farms;

To eliminate tax loopholes for corporate farmers;

And to insure mandatory advance feedgrains payments.

In the next few weeks, I will be introducing legislation designed:

To serve as a constructive rural compliment to urban renewal programs, which are aimed at massive metropolitan areas, rather than patterned to the needs of our smaller towns.

To provide the opportunity for creative action at the small community level, in a one-step shopping approach which would produce a minimum of administrative headaches for local level staff.

The purpose of this program is to give Federal financial and technical assistance to local initiative in three major areas:

First, to better provide for the living core of any community—from low income housing, nursing homes for the elderly, and health clinics to solid waste disposal and sewer and water systems.

Second, to foster the improvement and expansion of those facilities which make a community a rewarding place to work and raise a family—from libraries and community centers to park and recreational facilities.

Finally, to coordinate and expand existing Federal programs, to stimulate an improvement in the quality of small town and city life, by historical preservation and architectural renovation, and including such significant amenities as sidewalks, street lights, and landscaping.

We will accomplish little if we rivet our domestic resources on the undoubted problems of crime, urban blight, and inner city decay, and allow those gains, in turn, to be undercut by a constant influx of newcomers, who were not offered any opportunities in the rural areas, a paradox already painfully apparent in our current welfare crisis.

These are tasks which will require the combined and imaginative efforts of all of us. I would suggest that what we lack is not the knowledge, not the resources, not the technical skill to implement this goal.

What is needed is the will to seek and implement the solution—and the leadership to motivate that will, to stimulate the commitment we so vitally need. That is the challenge before the Congress. That must be our mandate if we are to truly realize the fulness, the richness, and the diversity of the American way of life.

Mr. MELCHER. Mr. Speaker, I thank the gentleman from Iowa for his comments.

I yield now to the gentleman from Kansas (Mr. ROY).

Mr. ROY. Mr. Speaker, I thank the gentleman from Montana for yielding. I congratulate the gentleman and the gentleman from Iowa (Mr. SMITH), and also the gentleman from Kansas, my distinguished colleague (Mr. SEBELIUS).

Mr. Speaker, I want to direct my remarks not only to the economic health and viability of our rural communities but also to the actual physical and mental health of the people of our rural communities. We cannot have a high quality of life in rural America without quality health care.

I believe that there is a true health crisis in our Nation and particularly in our rural communities. We have seen two simultaneous events which have aggravated and exacerbated this particular crisis. One is the increase in demand for health care, which has come about because of great expectations on the part of the citizens of our country. These are rightful expectations, in that we have made great scientific advances in health care.

We have also had an increased ability and an increased willingness to pay for health care, and we have had, of course, partial health programs provided by the private insurance sector and partial health programs so far as our Government is concerned, and this has made the ability to pay greater on behalf of our citizens.

Simultaneously we have had an decrease in the supply of health personnel and of health facilities available for the people in rural areas.

We have about 140 doctors per 100,000 people in the Nation as a whole, but there are only about 77 practicing physicians per 100,000 people in the area of northeast Kansas which I represent. Moreover, the average age of the doctors in many of the counties is over 60, so this which is an acute problem at the present time will become an even greater problem in the future.

Especially I wish to commend the great services which the rural doctors and physicians and rural nurses and other health personnel have given in rural communities, for many times they are on call 24 hours a day 7 days a week.

With these brief remarks I should like to commend the gentleman in the well (Mr. MELCHER) and the other gentlemen who have made comments today about our rural problem.

Mr. Speaker, it is belaboringly obvious to observe that the farmer is an important person. Each of us has his own opinion about how important the farmer is, but we all agree that he is important.

Few of us produce any food anymore, but most of us consume increasing amounts of food. The origin of our food products is our farms. By continuing advancement in techniques and continuing application of scientific knowledge, each farmer now has the capacity to produce enough food for hundreds of persons. The rest of us are free to engage in other industries to produce not only homes and clothing, but also better medical care, rapid transportation, and entertainment and facilities for recreation. We are freed to pursue the arts, to protect our Nation, to explore outer space, to pursue higher education, and if believed necessary and proper, to wage war.

It was not by accident that the great civilization of antiquity grew up in the deltas of the Euphrates and the Nile Rivers. Here man first learned to drain the lands and to grow food in amounts sufficient to feed others than himself.

The basic strength of our Nation springs from our soil. The wealth of our Nation is our land. The primary worker in any society is the producer of food. It is not enough that we realize in some vague way that the farmer is important—we must realize that a healthy, productive agricultural industry is the foundation of our natural strength and the bellweather of our economy.

But agriculture is in a crunch in 1971. Like most of our dilemmas, this situation has not occurred just this week or this year, but has evolved over decades.

The basic problem facing agriculture today is that it is one of our most highly regulated industries. Not only are the prices set in Washington, but to a great extent, the amounts grown and the places of marketing are determined by the National Congress. The free enterprise system and the law of supply and demand, long believed economic principles, and still great national slogans, are operative in very few areas of agriculture.

Agriculture is highly regulated because food production is too important to leave to chance, and because our farms have the potential to produce severalfold the food that we can consume in this country. Moreover, there is no self-regulation, no self-imposed marketing quotas, and industrywide price fixing that we see in many of our industries. It is notable that nearly all of our industries and professions that are believed by society to be of prime importance fall to the control of society as a whole; that it, governmental control, local, State, and Federal.

But there are several things that we as a people, and we as a Congress, must remember about this great industry.

One is that the farmer is often owner, employer, and employee. He deserves a reasonable return on his investment. He deserves a reasonable profit, and he deserves a reasonable wage for his labor. Too often the farmer has to rob Peter to pay Paul. He could not exist, and cannot exist, with a 2 percent or less return on his investment. He could not, and cannot, exist with little profit, or sometimes a loss as a manager of a business. He could not, and cannot, exist on an hourly wage scale, perhaps half that of the average wage in other industries.

Many farmers, as a result, have gone broke and left the farm. I cannot shed a tear for every individual who has left the farm. Many have continued the success of their forebearers, but in other lines of endeavor. Others have necessarily left because the farm is no longer a depository for the unskilled or less motivated members of our society. But darn good farmers have gone broke, or have diminished net worth, or have existed only by great frugality, in an era of prosperity and plenty for the balance of the Nation.

Many farmers continue to operate as farmers only because of the appreciation and/or inflation of land prices. Others continue because of their excellence as managers, but there is a limit to increasing productivity. Others continue because they are "free" to work enough hours even at a calculated low hourly wage, that they can earn a living.

Frankly, I do not foresee in the near future the time when prices and regulations will not be decided by the people collectively, that is, by Government.

But our people, consumers though we all be, and our Government, must realize that agriculture is first among our industries and that only when we have a healthy agriculture can we have a healthy economy and a healthy Nation. We appear to have lost this perspective and the farmer has not shared in the recent prosperity of our Nation. But it appears that he may be among the first to share in any and all recessions. In my view, these two items are interrelated. If agriculture does not share in prosperity, if this basic industry is not at all times a thriving, progressive industry with a return proportionate to its productivity, a national recession becomes increasingly probable.

Let me speak briefly of an ultimate goal, a goal not for only our Nation, but for all mankind. That goal is total production as long as there are those anywhere in the world who are hungry.

Our farms are indeed the goose that lays the golden egg. But we have been troubled by too many golden eggs—so we are seen by starving people in this Nation and throughout the world as either limiting the number of golden eggs laid, or stomping on some, and/or not—interminably—storing these eggs.

The solution to this problem, as with many of our paralleled farm programs. exist not on the farm, but in the halls of many national governments. We must break down the barriers among nations which inhibit world trade.

As long as we go the route of building trade barriers to reward the political stand of special interest groups, we will step further back from the ultimate goal of feeding all human beings throughout the world, and we will necessarily require larger armies to protect either the golden goose, or the storehouse of golden eggs. And this may be eventually counterproductive to the point of extinction.

I thank the gentleman for yielding.

Mr. MELCHER. I thank Dr. ROY for bringing these points to our attention. It is good to have the expert advice of a physician on the very vital role of agriculture and the very significant problem with respect to rural health.

Mr. Speaker, I am pleased now to yield to my good friend, my colleague and my neighbor from North Dakota (Mr. LINK).

Mr. LINK. Mr. Speaker, Mr. MELCHER and other colleagues who have arranged this farm forum this afternoon, and my collegues, rural America is in trouble.

Parity, a yardstick for determining how farmers are doing economically, dropped from 74 percent in 1969 to 67 percent at the end of last year—the lowest point since the great depression.

Symptomatic of what is happening in rural America is this news item from the Mandan, N. Dak., Pioneer of February 10, 1971.

Unemployment in North Dakota is still increasing, according to Martin Gronvold, Executive Director of the Employment Security Bureau.

The national average dropped two-tenths of one percent after reaching a 10-year high in January, but North Dakota didn't share in the decline.

Last month alone showed 4,071 new claims for unemployment compensation, Gronvold said. This represents an increase of 31.9 percent over the same period last year.

Mr. Speaker, the plight of rural America also is stated in an article by Douglas E. Kneeland in the New York Times, datelined McClusky, N. Dak., February 13, 1971. I quote from pertinent portions of that article:

As the sprawling metropolitan areas of the East and West struggle with the miseries of overcrowding, the vast plains of the American midlands—from Montana and the Dakotas through Texas—are growing more desolate.

Weary farmers and ranchers, frustrated village dwellers and, perhaps most of all, the educated young are fleeing the lonely prairies by the thousands.

And this week the Census Bureau, largely reflecting the exodus, reported that the proportion of the nation's population still living in such rural areas fell to 26.5 percent last year from 30.1 percent in 1960 . . .

But what one wearied village business woman called the "snowball effect" of what used to seem a tolerable drain on the countryside has now caused an almost desperate situation in many rural areas, especially on the plains of the heartland. As more people leave, economic survival becomes more difficult and the quality of life harsher for those left behind. Hundreds of towns are dying. Some are already dead . . .

McClusky is merely sick. Still a relatively busy shopping center for the surrounding area, it has seen several stores close as the population dwindles . . .

In the 1970 census, the United States showed a population gain of about 14 percent to slightly more than 203 million. But North Dakota and South Dakota each lost a bit more than 2 percent of their inhabitants. Only West Virginia, plagued by Appalachian poverty, joined them in the downward trend.

The other states in the midlands, most of which have sizable cities to absorb some of the migration from the countryside, recorded increases. Still, their rural counties almost invariably lost people. This out-migration, most observers feel, affects far more than the small towns—like McClusky—that it leaves to wither.

THE URBAN PROBLEM

"We're a part of the urban problem," Keith Burkholder, Director of Planning for North Dakota, said in an interview in Bismarck. "If we send fairly well-educated, fairly well-motivated people to urban areas, they're bound to displace some people who are already there who need jobs."

But while they sensed the irony in the steady desertion of rural areas at a time when most of the nation is wringing its hands in despair over such problems as air pollution and overpopulation, it is not the ills of the cities that trouble officials, businessmen and other residents in states such as North and South Dakota. They are most concerned about the problems that the migration has left in and around towns like McClusky.

Set amid the endless wheat fields, 65 miles northeast of Bismarck, this village is the geographical center of North Dakota. It is also the seat of Sheridan County, which was distinguished by having the fastest rate of population loss in the state in the last decade (25.7 percent) from 4,350 to 3,232, McClusky saw its own population drop from 751 to 664. "McClusky and Sheridan County are not unusual—particularly on the plains. Of the total of 728 counties in North Dakota, South Dakota, Montana, Wyoming, Nebraska, Kansas, Oklahoma, and Texas, 483 lost people.

A DROP OF 420,000

Few remaining in the depopulated plains feel that either Washington or the rest of the nation are much troubled by their plight. But in these eight states, there are more than 5.6 million people, a drop of 420,000 in the last decade, living in what the Bureau of the Census defines as rural areas—on farms or ranches or in towns of less than 2,500.

In figures released in Washington this week, the bureau noted that the nation was made up of 149.3 million urban and 53.6 million rural residents. This is a massive shift from the balance in 1920, when the country consisted of 54 million urban and 51.5 million rural residents, but it still indictes that a sizable number of Americans are faced with problems considerably different from those usually associated with the last third of the 20th century . . .

The regions that are losing population are primarily agricultural—wheat, cattle, barley, oats, flax and agriculture has changed rapidly. Farmers' returns have not kept pace with the increasing cost of land, labor, machinery, fertilizer and other expenses. To survive, the farmer has had to grow bigger and make his profits on volume and efficiency.

As the survivors expand, others are forced to leave the farm. Some find jobs in nearby towns. But since the towns exist almost entirely to service the surrounding agricultural community, a drop in the number of farmers leads to a decrease in the number of service jobs available. Therefore, many who leave the farm must move out of the area to find work. Their departure leads to a future decline in business at the local grocery or other stores.

Most of the rural counties of the plains have been sparsely populated at best. Having thin labor forces and being far from raw materials and markets, they have little to attract even small industries to help absorb the displaced farmers.

GOVERNMENT A FACTOR

The rising educational level of the young has left many too highly trained for the scant opportunities available in their home areas.

The always increasing mobility of Americans, coupled with their inherent restlessness, has affected this region much as it has others.

The climate—constant wind and oppressive summer heat of the Southern plains and long winter sieges on the Northern prairies—has persuaded many to seek more comfortable surroundings, most frequently in California or Arizona.

Some argue that there are still other reasons for the continuing outflow.

Gov. William L. Guy, a 51-year-old Democrat who was elected last fall to his sixth term in North Dakota, blames the Federal Government for much of the drain.

"It isn't something that happened by any natural forces," he said, sitting back in a chair in his office in the 18-story State Capitol in Bismarck. "The forces that caused it were all man-made. The greatest causes for population shifts in America are Federal Government policy, not on a national policy basis, but on a political expedience basis."

Declaring that the Defense Department was "probably the biggest offender," he cited the department's research grants to institutions of higher education, defense contracts and defense installations as examples of the influence it exerts on the pattern of population distribution.

Governor Guy, who for nearly four years has been fighting for a national policy that would "distribute population through distributing opportunity," contended that the present system of concentrating research and contracts in certain areas, particularly on the East and West Coast, was "self-feeding."

"In the next 30 years," he said, "if the trend continues, 300,000 people would leave North Dakota to seek opportunities. Most of these people who leave do not leave voluntarily. We do feel that we have a responsibility to absorb at least our own."

It may not be popular to suggest that food in the United States is the best bargain in the world. I know it does not take too long to get $50 worth of groceries in a cart at the supermarket. But it is wrong to blame the farmers for the soaring cost of living. In most cases, the farmers' share of retail prices is microscopic. From a 37-cent loaf of whole wheat bread, the farmer gets 3 cents in income; from a 31-cent box of cornflakes, he gets 2½ cents; and from a 32-cent head of lettuce, he gets 12 cents.

The productive efficiency of our farmers has increased 6 percent per year since 1960. This is twice the rate of increase of other industries. If productivity in the rest of the economy were comparable to that of the American farmer, we could have higher wage increases without aggravating inflation.

Some might argue that, if the small or moderate-sized operator cannot compete—let him improve his productivity and efficiency or quit—leaving the production of food and fiber to those who can afford to produce at low prices.

Such thinking is as shortsighted as to offer a factory worker longer hours at lower wages so that he can make the same weekly pay and permit the manufacturer to offer a cheaper product because he has more goods at a cheaper unit cost. Labor and management long ago learned that this policy can only lead to self-destruction.

Competition among thousands of individual farm operators, because of the nature of their operation and their products, has not, up to this time, lent itself to the collective bargaining practiced by labor and management.

A continuation of the present type of competition among farmers will lead, eventually, to destruction of the method of production of our food and fiber as we know it today.

We must seek solutions to prevent such destructive competition. The entire Nation has an interest in keeping the production of food and fiber in the hands of owner-operator farmers and livestock producers. This method has resulted in an enormous quantity of high-quality food and fiber at extremely low prices. Farmers by nature produce for abundance rather than scarcity. Abundance means an adequate supply of raw com-

modities at reasonable prices. Without adequate prices, thousands upon thousands more of our small and medium-sized farm operators will be forced out of production. A continuation of this trend will result in corporation farming. A takeover by corporations could result in complete control and price-fixing of the raw food and fiber supplies of our Nation.

With the possibility of complete control of production for scarcity in order to obtain profitable prices, our Nation could find itself in a food-deficit position at the mercy of foreign production, or even worse, could face a famine.

Mr. Speaker, I cannot impress too strongly upon this body the tremendous importance of strengthening our farm economy. Farmers should be rewarded for their untiring efforts to produce for abundance and not suffer economic hardship because of it.

As one from a rural State where 80 to 85 percent of our economy depends on agriculture, I am mindful of the interdependency of the farmer and his city or suburban counterpart. We must open and maintain clear lines of communication between urban and rural America. We must not permit ourselves to be pitted one against the other. Only in this way can we assure a continuing strong and vital rural America, and a strong, thriving urban community. Economic strength and vitality can be the basis for a social order that will beat out the smoldering flames of injustice, prejudice, and inequality that is so much a part of our Nation today. One segment of our economy or its people cannot thrive at the expense of the other.

Mr. Speaker, this great land of ours with its teeming millions, if it is to rise and prosper at all, must rise and prosper together. For, if we rise and prosper at the expense of any segment of our people, the economic collapse of the one could result in the collapse of the next, and the next—like dominoes.

I would remind my colleagues that, of every 10 jobs in the Nation, three are related to agriculture.

While sustaining blow after blow in income, rural America is becoming a virtual transportation desert, with cutbacks in railroad and airline transportation. The situation threatens to become worse, because the new Railroad Passenger Service Corp. is geared to help high-population centers at the expense of rural areas.

Does it make sense to cut off rural America from the world, while our great cities are choking in traffic?

We must view these problems in a national context. We must achieve a more rational population balance in the United States. The imbalance is illustrated by the fact that my State of North Dakota has a population density of nine per square mile, while the District of Columbia has a density of 12,000.

With these thoughts in mind, I requested and received an assignment to the House Agriculture Committee. Because of my sensitivity to the interdependency of our rural and urban communities in times of prosperity as well as adversity, I volunteered and was pleased to receive an assignment to the District of Columbia Committee.

On Wednesday, I joined with a bipartisan group of Congressmen to cosponsor the Rural Job Development Act to provide incentives for job-creating industries in our rural areas. The primary sponsor of this legislation in the House is the Honorable KEITH G. SEBELIUS, of Kansas. In the other body, the Honorable JAMES PEARSON is the primary sponsor of the companion bill.

Action on all of these fronts is necessary to improve farm income, to give higher priority to the transportation needs of rural areas and to develop industry, generate jobs, and diversify the economy of rural America.

Mr. Speaker, on January 22, 1970, President Nixon in his state of the Union message, promised to work to "create a new rural environment that will not only stem the migration to urban centers, but reverse it."

Features insisted upon by the Nixon administration weakened the Agricultural Act of 1970 as an instrument to raise farm income. But even within the act, the administration was given latitude. Unfortunately, it has not used the powers at hand to improve the economic conditions of farmers.

Mr. Speaker, I hope that we can work together in the Congress to take constructive action and that we can persuade the administration to take a more positive attitude. That is the reason I have joined my many colleagues in the House today to emphasize the urgency of the economic problems of rural America.

In conclusion, Mr. Speaker, I would like to commend my colleagues, Congressman MELCHER, and others who have arranged this forum this afternoon.

Mr. MELCHER. I thank the gentleman for his contribution.

Mr. BURLISON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MELCHER. I would be delighted to yield to my colleague from Missouri.

Mr. BURLISON of Missouri. I want to join my colleagues in commending the gentlemen with whom I serve on the Agriculture Committee and Mr. Smith for their part in taking this special order and generating this discussion on the problems of agriculture. Mr. Speaker, I have listened carefully to the debate this afternoon. We have heard a lot of generalizations, we have heard a lot of platitudes about the plight of our farmers with respect to reality and with respect to what it should be.

However, Mr. Speaker, I think we have given far too little attention to what really can be done and should be done and is being done at the present time to maintain, sustain, and improve farm income.

Now, I do not want to be critical, I do not want to be unfair to anyone or to any agency or any department. But I think that we ought to have a look at what has been the posture and the stance of this administration and the Department of Agriculture in this administration.

My recollection has been that the President in his state of the Union messages has not seen fit to mention or discuss a farm program. Up to this time according to the best of my recollection we have not had a message from the President on the farm program and the farm problem.

Now, it has come to my attention that the President has just sent to the House today a message on what I think we could generally term rural America. He suggests that he has sent a report about rural America to the House. In this report and in the summary of his remarks he has mentioned that we have had an increase in rural housing, and I am not critical of this; I commend this and I have supported it and will continue to support more rural housing.

He has mentioned the need for rural credit and for an increase in rural credit, and again I agree. He has told us that rural America will be benefited by his program of revenue sharing, his program of welfare reform, and his program of health security and medical security.

The question I ask in a review of this statement is in what way has farm income improved? The question of farm income has remained conspicuously absent from these declarations by the President.

Now, we just passed the farm bill at the closing of the second session of the 91st Congress, a farm bill which encompasses one or two dramatic changes from farm programs of previous years. The most dramatic of these changes, I believe, is the so-called set-aside provision whereby the farmer will be required to take out of production a certain percentage of his load, and he cannot grow anything on it, and he is not eligible for compensation for having that land taken out of production. This, in my judgment, will mean a substantial reduction in farm income. And that is really what the farmers are interested in, income.

Another important factor in this new farm bill was the tremendous discretion which has been delegated to the Secretary of Agriculture, and I want to review very briefly some of the exercise of this discretion by the Secretary under the program since it went into effect on January 1.

The first exercise of discretion that I will allude to is that if the Secretary determines that in the case of a disaster, a crop disaster because of adverse weather conditions, in computing the projected yield; that is, the payment yield for the farmer in such a year, that the adjustment cannot be more than 80 percent. Now, we have never had that before. We have been eligible for an adjustment of 100 percent. And in view of the fact that in my district it has been hard hit because of adverse weather this past year, and in fact for 3 or 4 years out of the past 5, this will be a hardship on the farmers of my district when it comes to farm income.

Another exercise of discretion in this same area is the determination that if a farmer plants cotton and loses his cotton, and it is too late to get in any more, or to get in another crop, that he cannot follow that with a late crop of soybeans, for instance, unless he gives up one-third of what he is entitled to on his cotton payment. This flies in the face of the previous practice and what I consider to be the previous as well as present law.

Now let us look briefly at the Department's exercise of discretion with respect to the set aside provisions now in effect. It has been determined that the set-aside for feed grains and cotton will be 20 percent and for wheat 75 percent. It is within the prerogative of the Secretary not to require any set-aside with respect to any one or more of the mentioned commodities. It is also within his province to permit the growing of soybeans or cotton on the set-aside acreage. This, he has thus far declined to do, in spite of the fact that scarcely a week goes by that reports and estimates are cranked out by the various agencies of the Department of Agriculture pointing out the shortage of soybeans and cotton, and the continual favorable and rising market for these commodities. My farmers are going broke in increasing numbers, while the soybean and cotton outlook improves and the farmers are required to lay out their land. This just does not make sense, but thus far the Department has given absolutely no indication that it can hear our pleas, nor recognize the true situation with respect to southeast Missouri agriculture.

I fought the set-aside proposals in the subcommittees and in the full Committee on Agriculture on which I serve. The basis of my opposition was that the ultimate result cannot be other than reduced farm income. As a result of this opposition, I feel there were improvements made in the legislation, that is, lowering the limits on set-aside and reinstatement of the parity concept.

On final passage of the floor of the House on the final vote, I voted for the program on the theory that inadequate as the legislation was, it was probably better than nothing at all. And, recognizing that the bill granted unprecedented power and discretion to the Secretary, I held the hope that a substantial part of this power and discretion would be exercised in favor of our farmers. If such were the case, it is certainly conceivable that farm income could be maintained. I still harbor this hope after existing under the new program for 2 months. However, as pointed out above, the performance thus far has been discouraging, disheartening, and indeed devastating to the farmers of my district, be they cotton, wheat, or feed grains producers. If my farmers are to survive, the President and his Department of Agriculture must begin to listen to my people and act with justice and fairness on the basis of what they hear.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. MELCHER. I yield to the gentleman, the distinguished whip and Representative from Massachusetts to participate in our dialog on agricultural matters.

Mr. O'NEILL. Mr. Speaker, I want to congratulate the gentleman from Montana (Mr. MELCHER) and the gentlemen who brought together this dialog today. This is the first dialog that I have heard on the farm question in many, many years.

I remember when I first came to the Congress as a man from an urban area, we were told at that time that the way the economy of the farmer went was the bellwether as to the way the economy of the United States grows. If the farmer did well, then the rest of the country did well.

Through the years it seems we have centered more on urban problems than we have on farm problems. I have not heard that statement for many, many years. As a matter of fact, I recall when I first came here and went to meetings, we learned about the various problems of the farmers and about what parity was and coming from an area that has no farms whatsoever, it is indeed refreshing to hear you, Congressman MELCHER, and our colleague, the gentleman from Iowa (Mr. SMITH) and other Members of the Congress in this dialog today. I think it augurs well for we who come from urban areas, not only to think of our own problems, which are many, but to understand your problems also.

Mr. RONCALIO. Mr. Speaker, Wyoming is primarily a State of small business concerns and the chief concern of her small business is agriculture. Although there have been significant advances in tourism and mineral development, the traditional reliance on agriculture remains an economic fact of life in Wyoming.

An estimated 84 percent of her cash receipts to farming and ranching come from livestock and livestock products. Her cattle industry is 29th in the 50 States, with a 1970 inventory valued at $273.1 million. Wyoming is second in the States in sheep and wool production with an estimated value of $54.2 million.

In addition to livestock, Wyoming ranks importantly in the production of sugar beets, and also markets dry beans, barley, potatoes, oats, and corn. Her food and food related industries also include the production of cheese and flour.

The 1970 census, indicated that 39.4 percent of Wyoming residents lived in rural areas, also indicated a growth rate of seven-tenths of 1 percent, the fifth lowest rate in the Nation.

Given Wyoming's reliance on agriculture, and the slow growth rate confirmed in the census, the importance of strengthening agricultural production is self-evident, as is the necessity for fair and just treatment in the important area of Federal contributions.

Today, I would like to address two areas of Department of Agriculture participation in the growth of Wyoming, and how they have fared in the proposed budget.

The first, the Farmers Home Administration, has not been funded sufficiently to assure Wyoming's allocation for development grant funds for fiscal 1971.

For fiscal 1971, the national allocation was $160 million loan funds and $40 million grant funds. Wyoming's allocation has been set at $562,000 loan funds and $161,750 grant funds. Although the allocation of loan funds is adequate for the water and sewer projects necessary to fund this fiscal year's, the allocation of grant funds is $272,250 less than is required to fund the projects prepared for action.

What makes this deficiency especially distressing is the fact that Farmers Home Administration assistance for water and sewer projects is already insufficient.

While the Federal Government, through the Housing and Urban Development programs, is providing 50 percent matching fund water and sewer grants to communities over 5,000, the FHA program for rural communities under 5,000 ranges from no grant assistance at all up to 50 percent matching fund grants.

The net effect of the disparity between funding by the Department of Housing and Urban Development and the Department of Agriculture in water and sewer projects is discrimination against rural communities, the same areas which the Farmers Home Administration is supposed to be revitalizing and stabilizing.

To emphasize the problem, let me repeat that of the $200 million in funds available for the FHA, only $40 million, or 20 percent, is available as development grant funds. The bulk of the allocation is for loan funds, the vehicle least helpful to distressed rural communities.

Mr. Speaker, there is a problem in my State of Wyoming in providing for our rural residents that which to us is a simple and overlooked item—the telephone. Particularly in the northwestern part of Wyoming, an especially sparsely populated area of my State, the Dubois Telephone Exchange, Inc., has struggled for years to make ends meet in trying to provide its area residents with the finest in telephone communications as a price the people can afford. Only with continued favorable financing by the Federal Government in the years to come can this company provide the services needed to keep in step with the progress of the Nation as a whole.

Rural telephone systems operate under the same low consumer density as do the rural electric systems. REA rural telephone borrowers served by the Dubois Telephone Exchange are scattered over an average of 3.7 subscribers per route mile of line as compared to a subscriber density of over 40 per mile for Bell system companies.

It is estimated that REA rural telephone borrower systems will require more than $3 billion in new growth capital over the next 15 years, more than double the total of telephone loans made by REA during the past 15 years. In the next 10 years it is expected that the annual requirements for new loans will go up to $225 million, which is double the amount of available loan funds for fiscal year 1967.

There are problems in providing the people in the rural areas of my State with telephone service, as it is plagued with few subscribers hooked together with miles of unused line, but their telephone is as important and necessary to them as is the one sitting on your desk and mine.

In the hard winter months in Wyoming a telephone may mean the difference between life and death for rural residents; it is often their only form of two-way communication with others for weeks on end.

I was pleased to learn that S. 3387 to amend the Rural Electrification Act of

1936 to provide an additional source of financing for the rural telephone program was passed by the Senate in the 91st Congress, and that S. 70 of the 92d Congress, containing the same language, is likely to be passed again.

I am heartened, also, to know that H.R. 7, after so much deliberation within the committee, has been reported out of committee February 22 and is presently on the Union Calendar to come onto the House floor for discussion and vote.

The time is now to act on this much needed service to our rural populations, to bring them in stride with the progress of the rest of this Nation. It is my sincere hope that at the end of the 92d Congress we will be able to add this accomplishment to our list of meaningful achievements for our agricultural population.

Mr. KASTENMEIER. Mr. Speaker, when I received the notice from my three distinguished colleagues—Congressmen MELCHER, SEBELIUS, and SMITH of Iowa—stating that time had been set aside today to discuss the state of our Nation's agriculture, I was reminded of the "Farm Days" that were once held in nearly every village in the congressional district which I represent. Not too many years ago, there was a strong awareness among city residents that their well-being was closely connected with the land and the people who tilled it. Today, it seems that the farmers of this Nation enjoy a less prominent position in our awareness. Unfortunately, this diminished prominence is also detectable in this House of Congress, and I welcome the opportunity today to remind my more urban colleagues that there are still farms, that people still grow corn and hogs, and that they still milk cows and fight the adversities of weather and unpredictable markets. Most of all, I welcome this opportunity to remind you and the administration that the people who produce our food and fiber are in difficult financial trouble, and the situation seems to be getting worse.

It should perhaps come as little surprise that the problems on the farm are getting far less attention than they deserve if the problem is examined strictly in terms of the people now working on our farms. The 1970 census figures confirm what most people predicted—farm families now account for only about 5 percent of the Nation's population, down more than 3.5 percentage points from 1960. I consider the congressional district which I represent to have a strong agricultural economy, yet a recent preliminary analysis showed that farm people make up just a little over 6 percent of the total district population. The county with the lowest farm population had just 2.7 percent of the people engaged in farming, and the county with the greatest farm population had about 21 percent engaged in agricultural production.

Now it may seem politically naive for me to say that I represent a district with strong agricultural interests. But I am not so single minded as to think that population percentages tell the entire story. Although the numbers of people actually producing food are quite small, they are backed by an army of workers who depend directly on the well-being of the farmer for their livelihood. There are feed stores, feed manufacturers, fertilizer salesmen, machinery dealers and repairmen, seed producers, building contractors, and a host of other people who supply the farmer and his family with their needs. They suffer if the farmer suffers. They are closely linked by economics. And now our interest in agriculture should be increased.

On the other end of the marketing chain are thousands of my constituents who market, transport, process, wholesale, and eventually sell in the stores the products produced by only 6 percent of my constituents. Again, our interest in agriculture should be heightened, because the economic well-being of these people is also closely linked to the well-being of the farmer.

Nationally, agriculture has assets totaling some $307 billion—equal to about two-thirds of the value of current assets of all corporations in the United States. Farm people spend over $38 billion a year on goods and services needed for food and fiber production, and another $12 billion on the same consumer items that city residents buy. Three out of every 10 jobs in private employment are related to agricultural production.

I hope that the above will help persuade every Member of the U.S. House of Representatives that he, too, has an agricultural interest in his district, even though the closest thing to production agriculture is a few potted shrubs growing on the 23d story balcony of a downtown apartment house.

The other thought that I would like to develop here today is that farmers are in serious economic trouble and there seems to be little encouragement from present administration policies. In 1968, President Nixon said:

> And let's have this flatly understood: 74% of the parity is intolerable in my book; farmers are entitled to better. They want not merely to receive better, but also an opportunity to earn better, and I pledge that in my Administration they will have better.

On December 15, 1970, farm income in this country was at 67 percent of parity—7 percentage points below what was considered "intolerable" in 1968. Changing the base period for computing the parity formula from the 1910–14 period to the 1967 period, as was recently done by USDA, merely camouflages the deteriorating price and income levels of farmers. It may fool a lot of city residents and a few urban Congressmen, but it will not make life any easier on the farm, nor will it halt the depressing shock waves that could vibrate through our entire economy.

What will help the disastrous farm income situation is some positive actions by administration officials, and positive legislation by those of us in Congress. For those of us who consider that we have strong agricultural interests, I am asking for your support and understanding in activating useful and positive agricultural policies.

We need your assistance in persuading the administration to raise dairy price supports to 90 percent of parity, to keep appropriations for agricultural conservation programs at needed levels, to restore funds for the school milk program, to protect price support programs and prices from gluts of foreign agricultural imports, to convince the Secretary of Agriculture that advance payments on the feed grain and other crop programs are essential, and to convince the administration generally that a serious farm recession is in progress and that help is needed today.

In the long haul, we need your help to pass legislation that would stimulate rural development and lead to a rational land-use policy. We need your assistance in enacting legislation that would allow farmers to better organize and bargain for the prices they pay and the prices they receive for their goods. We need your understanding in passing legislation that would preserve the family farm and prevent their takeover by large, corporate interests. We need your understanding in restoring economic health to an agricultural system that is the most efficient the world has ever produced.

Mr. BEVILL. Mr. Speaker, American farmers suffered many disappointments during 1970. The Department of Agriculture reported that last year farm prices declined to 67 percent of parity, a 37-year low and a 10-percent drop in 1 year. Adding to the troubles of our farmers in 1970 were increasing interest rates, higher machinery prices, and crop failures.

In June and July, dry weather conditions in Alabama did considerable damage to the corn crop. Then the corn leaf blight hit in August causing a $20 million loss to the State's farmers.

The last census showed that Alabama lost 16 percent of its total cropland acreage. Small farms of less than 50 acres declined by almost 25 percent. It is a disheartening fact that throughout the United States, the small farm is falling by the wayside.

There is a great need today to develop a strong program which will provide substantial assistance to the small farmers of America. In our desire to respond to the pressing needs of our large metropolitan areas, we must not neglect the American farmer. To do so would seriously undermine our economy.

Agricultural prosperity is essential to national security. Three out of every 10 jobs in this country are related to agriculture. Eight million persons are employed in the storing, processing, and merchandising of the products of our farmers.

Mr. Speaker, since becoming a Member of Congress, I have worked for a stable farm program, one which would provide substantial aid to the small farmers of America, who have suffered most.

We must have an open, continuing dialog in the Congress in order to explore all the problems facing our Nation's farmers and in order to devise adequate legislation to meet their needs.

To keep our economy strong and to

insure our national security, we must maintain a sound farm program.

Mr. ASPIN. Mr. Speaker, I am extremely pleased that this afternoon has been set aside in the House to discuss the problems of the American farmer. Indeed, it is a subject which has received far too little attention and concern from both the Congress and the administration in the recent past. Today, I would like to address a few brief remarks on future Government policy toward a particularly important segment of the farming population and of my district—the dairy farmers.

The basic Government issue facing the dairy farmer today is the question of parity. I urge the Secretary of Agriculture to raise the dairy support level to 90 percent of parity. Such an increase would provide equitable and needed income to dairy farmers—income which is necessary for these farmers to continue their operations in the face of increased costs of production.

Since 1954, the number of farms with milk cows has trended downward about 8 percent a year. In 1964, for example, there were about 700,000. By 1980, it is estimated that 200,000 or fewer dairy farms will supply all of the milk and dairy products sold to consumers.

Although herds on these farms will be larger, dairy farming should continue to be primarily a family operation. However, the larger herds will mean that a greater number of hired workers must be employed, and more sophisticated technology will require that this dairy labor be more skilled. Thus, dairy farmers will have to pay wages significantly higher than at present to get and keep reliable workers. This could indeed be a very heavy burden on many dairy farmers.

Increases in production costs are already imposing a serious burden on the dairy farmer. According to "Agricultural Prices," the monthly U.S. Department of Agriculture report, the U.S. average index of prices paid for commodities, service, interest, taxes, and wage rates has increased 4½ percent over last year. The specific breakdown of this figure shows that farm wage rates have risen 7 percent; interest and taxes are up 8 percent; and feed costs have increased by almost 9 percent. The Pure Milk Cooperatives of Wisconsin noted that these increases in production costs have been so great that the prevailing prices for milk have not maintained milk production in the great manufactured milk area of the Nation, including Wisconsin.

Continuing Government action favoring imports of dairy products is now probably of greatest concern to dairy farmers in my district. In the face of increasing imports, it is important that we maintain an adequate level of domestic dairy production through favorable prices. Certainly our farmers should not have to face lower milk prices because imports force some domestic production into the hands of the Government.

A true perspective, however, of the dairy farmers' problems can be obtained not only through reading the statistics, but by visiting some dairy farms and by talking to the farmers themselves. It then becomes immediately evident that these farmers are simply not receiving fair compensation for their products. If we are to expect domestic dairy farmers to stay in operation and provide the Nation with the bulk of its milk and milk products, a fair price floor must be established to assure a decent livelihood for these dairy farmers.

Thus, I am urging that the current milk price relationships for butter, powder, and cheese be adjusted upward to reflect 90 percent of parity. This is necessary to assure consumers of an adequate supply of safe and wholesome milk at reasonable prices, to check the decline in the number of dairy farmers and milk producers, and to assure dairy farmers of fair income levels.

Mr. Speaker, I urge the restoration of dairy prices for the manufacturers of milk to the full 90-percent parity in the current marketing year beginning April 1, 1971.

Mr. HAMILTON. Mr. Speaker, we must listen to the voices of rural America.

"What we have here is a process of degeneration," a farmer told me as he stood at the edge of his cornfield. "The population of this town consists of dropouts and people who can barely struggle their way through high school. Those who go off to college just do not return. I took my own son to college last week; I do not expect him to come back here to live."

Another rural community leader said, "The greatest difficulty in the development of this area is the shortage of leaders. I am just spread too thin. I cannot do it all and still stay in business."

Another one said to me, "Three days after the high school graduation, all of the high school senior class had gone from the county. There is nothing to keep them here."

The sights of rural America can be depressing, too.

Weathered and empty stores, broken windows, collapsed barns, rusted gas pumps, boarded houses, vacant lots littered with trash, closed movie theaters, schools needing paint and repair, unkept farms, eroded soil.

The economic stagnation of rural America is visible: in the shabbiness of small towns, in the demoralization of much of rural leadership, and in the overriding preoccupation with development in every rural community.

Every poll I have taken of the 16 counties in the southeastern part of the State indicates people are intensely preoccupied with jobs, economic opportunity, and the revitalization of their communities.

It is no secret that rural America has been declining for many decades. "Rural poverty and powerlessness" are facts of our time.

RURAL POWERLESSNESS

Powerlessness is if you live in rural areas where there is no hospital, and doctors are hard to find; where young people spend most of their time "just fooling around" and soon leave the community; where the meat you buy is not carefully inspected; where the house is a firetrap; where the schools are old, overcrowded, and dilapidated; where the teachers are underpaid and undereducated; where you cannot find a job or where you can but it does not pay enough to support you and your family; where you can buy a car but if something's wrong with it you cannot afford a lawyer to sue; where a conviction for burglary is impossible to get; and it is when you are not organized and do not know how to get organized, and when you have no spokesman for bringing your plight to the attention of the Nation.

Powerlessness is when you think your education was not relevant to what you needed to know and when you think your children go to a school that will prepare them for nothing. It is when you think that the police may not protect you, that industry pollutes your air and water, that your last place to fish is becoming fouled.

Powerlessness is when you are told to vote, but you know that it is a very dilluted power. You are told to write your Congressman, but you know that a Congressman cannot really serve a half million people. It is when you are told to go to the employment office but you have already waited there for long hours. Or you are told to complain to public officials, but you know they, too, are harassed. They cannot even answer their mail and when they answer it, it is usually in platitudes.

RURAL POVERTY

Most of us do not realize the poverty of rural America even exists—the people left behind says one Government report—but it affects some 14 million Americans. It is widespread, acute, and a national disgrace. Its consequences have swept into our cities, sometimes with violence. There is more poverty in rural America proportionately than in our cities. In the cities, one person in eight is poor; in the suburbs, one in 15; but in rural America one in every four is poor.

Rural poverty transcends races and ethnic groups. It certainly is not limited to the farm. In fact most of the rural poor do not live on farms, but in the open country and in the small towns.

Rural poverty causes us to confront some unpleasant facts:

First. Hunger: Many of the rural poor do not get enough food to sustain life or to maintain health.

Listen to the words of the physicians who toured the South:

We saw children who are hungry and who are sick, children for whom hunger is a daily fact of life and sickness in many forms an inevitability. We do not want to quibble over words but malnutrition is not quite what we found. The boys and girls we saw were hungry, weak, in pain, sick. Their lives are being shortened.

Second. Disease and premature death are startlingly high among the rural poor. Infant mortality is far higher than among the urban poor, and medical and dental care often conspicuously absent.

Third. Jobs: The rate of unemployment in rural areas often exceeds by two and three times the rate in urban areas.

The jobs in rural America pay less than in urban areas. There is also far more underemployment in rural America.

Fourth. Education: Rural education, by and large, just does not measure up to urban education. In a very rough measure, rural residents usually have only about 80 percent of the school attainments of urban residents. If you include the quality of education in terms of the variety of courses offered, the remedial courses, the use of modern educational techniques, this percentage of disadvantage is even more pronounced. Rural schools often lack libraries, laboratories, language facilities. Rural teachers earn less money. The expenditure per child in rural areas tends to be less.

Fifth. Housing: The rural poor live in atrocious housing.

One in every 13 houses in rural America is officially classified as unfit to live in.

Surveys have repeatedly shown that the major percentage of substandard housing units in America are in rural America.

Sixth. Communities: The rural poor often live in chronically depressed communities which have ceased to exist as effective institutions. Their tax bases are inadequate and so are their public services.

Lower bank deposits mean less capital. Fewer taxpayers with relatively low incomes mean rural governments simply cannot furnish public facilities and services. Some 30,000 small communities are without water systems, and about an equal number need a sewer system.

Seventh. Space: And, alas, even space—which is usually considered a blessing in rural America—often becomes a curse. So often the rural poor live in countryside which is a receptacle for trash, garbage, automobile graveyards, roadside litter, rubbish.

What must we do?

What then must we do about rural poverty and powerlessness?

The first step is to understand it better.

First. Population patterns: The long-range population growth patterns are not conducive to rural development. If present trends continue, most of the 300 million Americans of the year 2000 will be concentrated on a very small proportion of the land area.

The exodus from rural areas is often by young people, who represent the area's best hope and carry with them a considerable investment, by the rural area in education and training.

One of the great paradoxes of our time is that as the sprawling metropolitan areas of our Nation struggle with the miseries of overcrowding, the vast areas of rural America grow more desolate.

This week the Census Bureau reports that the proportion of the Nation's population still living in rural areas fell to 26 percent in 1970, down from 30 percent in 1960. That comes as no surprise to us who are close to rural America. We know that weary farmers, frustrated town dwellers and educated youth have been fleeing the farms and small towns by the thousands.

More efficient farmers have swallowed up their neighbor's land. Smalltown residents have sought a better life and a better job in the city. The young heed the excitement and the challenge of the cities.

Moreover, the forces which have been working to create the exodus are still working. There are still too many small farms, too many small towns, too many people in rural America who want the amenities of the city.

This exodus from rural America is part of the urban problem.

Although we only have an average of 58 persons per square mile, it ranges from 5,327 persons per square mile in New York City to one person for each two square miles in Alaska.

This massive maldistribution has occurred only in recent years. In 1920, the Nation was roughly divided between rural and urban residents, but today, according to that latest census report, there are 150 million residents in urban America and just over 50 million rural residents.

There are many reasons for the exodus and the maldistribution.

The areas that are losing population are primarily agricultural. The farmer is caught in the clutches of a frightful cost-price squeeze. To survive he must grow bigger and make his profit on volume and efficiency.

As he expands, others must leave the farm. Some find jobs in nearby towns, some do not, and leave the farm to find work.

The small towns of America find it hard to attract industry. They are sparsely populated, have a thin labor force, and are far away from the raw materials and the markets.

The rising education level of the young people has left too many highly trained for the scant opportunities in rural America.

The restlessness and mobility of Americans has contributed to the exodus, and so has the climate. Summer heat and long winter sieges have persuaded many to leave for more comfortable surroundings.

Second. Dependency ratio: We should also understand about the people of rural America, that the dependency ratio is high. They have a higher proportion of people under 18 and over 65. People will be in the urban areas during their productive and taxpaying years. The nonworking ratio is often 20 percent higher for rural counties than for urban counties.

Third. Political power of rural America is weakening. The political punch of rural America is weakening. The era of the farm bloc in the Congress is simply gone—and probably forever. Of the 435 Members of the House of Representatives, only 31 have districts in which at least one-fourth of the population is involved directly in farming.

In Indiana, often considered a rural State, not a single Congressman represents a district where one-fourth of the constituents are involved directly in farming, and bear in mind these figures are based on the 1960 census. They do not reflect the dwindling farm population.

As the Congress has become increasingly urbanized, Congressmen from rural areas have a difficult time interesting other Members of the Congress in rural concerns. We have about 268 subcommittees in the House, and not a single one of them focuses primarily on the problems of rural development.

Any legislative proposal concerned only with rural areas faces difficulties. A more feasible approach is to design the legislation to apply to both rural and urban areas. This, of course, dilutes its impact on rural areas.

Fourth. Lack of attention: We should observe that rural America suffers from lack of attention.

The Nation's attention has been riveted on the problems of the cities.

Frequently I am visited in my office by men representing the Urban Coalition. The Urban Institute, the Urban League. Where is the rural coalition, the rural institute, or the rural league?

Nobody's organized to speak for small-town people in this Nation's policymaking council. To be sure farm groups exist but their interest is in the economic interest of farmers as producers and most rural Americans are not farmers but small town and small city dwellers and they are not organized at all.

There has really been very little Presidential leadership on the question of rural development. The major Presidential messages, the state of the Union address, the economic report, give no attention to it at all. No Presidential message to the Congress has mentioned it.

Over the last decade I can only name one leading public figure who has made it his mission to sound the alarm on the question of rural development. That was Orville Freeman, the Secretary of Agriculture under President Johnson. He lead a personal and lonely crusade for what he called rural-urban balance.

President Johnson gave him moral support and made a speech or two on rural development and sent some minor messages to the Congress, but the subject remained low on his priority list.

We in the Congress have not done any better.

The Nation's academic and intellectual communities have treated rural development with disdain if not hostility.

Even the rural people themselves have not seen fit to become well organized and they have very few spokesmen to bring the Nation's attention to their problems.

We have concentrated on farm production—with amazing success, but we have neglected nonfarm, rural America.

Fifth. The urgency: We must also understand the urgency for action in rural America.

Simple justice demands that we get moving.

The rural poor have suffered enough. They do not understand why they have not shared in the benefits of economic growth.

They do not understand always that their communities, schools, churches, and governments have been unable to prepare them to participate in the modern world.

Unorganized and inarticulate, they have been shortchanged in transportation, housing, education, health services, area development, and income maintenance.

They see no real hope of improving their situation, and very few of them feel that Washington or the rest of the Nation are interested in their plight.

If we do not act, the rural poor will continue to flood the central cities of America, coming without training, without skill, without housing, but wanting employment. The end will be frustration, despondance, and despair.

Sixth. The complexity: We shall understand that the complexity of the problems of rural poverty preclude the success of a single program or approach.

Some argue for the growth center believing that by concentrating investment growth will occur and spread. Others do not believe concentration of resources is necessary. They say a single plant in a single town may be the most productive way.

Still others contend that many communities must recognize that they cannot expect to grow and to attract industry. The best solution is to improve the communities' services, especially education and training, and give the people the skills they need to migrate out successfully.

These approaches simply illustrate the complexity of even the theory of rural development, let alone the practice.

Along with the complexity of development, we should also observe the competition for development. Every community wants new industry and new jobs. There are only a few hundred new plants built each year, and there are about 1,400 groups seeking to induce them to locate in their area.

The cost to society for dealing with these complex problems will be high. But the cost of not dealing with them will be immeasurably higher.

Our present programs have failed to deal effectively with these problems. For too long we have confused the problems of commercial agriculture with the problems of rural America. Though related the two are not the same.

Just wanting change in rural America will not be enough. The development problems are too tough for that. It will take time, talent, and treasure to get the job done.

ENCOURAGING SIGNS

I do not think any man can be truly optimistic about the chances for success. But there are some encouraging signs.

More people are seeing more clearly that the problems of the cities and the problems of rural America are not two problems but one:

That we simply cannot put 70 and 80 percent of our people on 2 or 3 percent of the land space and live comfortably;

That the cities have problems because of the migration from rural areas;

That the solution of urban problems requires the acceleration of rural development; and

That it is not in the best interest of the Nation to continue indefinitely the depopulation of rural and smalltown America and the building of ever-bigger metropolitan complexes.

Hopefully, rural and urban interests are converging into an effective coalition, politically and otherwise.

If we approach rural development as a conflict between rural and urban interests than the odds against us are overwhelming.

It is just possible that rural development leadership will come, not only from rural America but also from the cities. As this convergence of interest is increasingly recognized.

There is hope in the findings of recent polls which show that as America urbanizes, the longing for rural life gets stronger. More than half the Nation would now rather live in the country. A nation longing for rural life will not let it deteriorate.

There is hope also in the rising tide of concern over man's headlong destruction and fouling of his environment. If people do not generally recognize the interrelationship between rural and urban America with most problems, surely they will see it in the environmental crisis. Rivers do not begin or end at the city limits and air blows willynilly over the city and the countryside.

Rural America is no Johnny-comelately to the cause of environment. My observation is that they have been sounding the alarm for years for clean air, clear water, and good stewardship of the soil.

As the Nation becomes increasingly concerned with its environment, it will recognize the leadership of rural America in this area and that will be beneficial.

There is hope in the expanding development of new roads, better communication, new water systems, large reservoirs, and the spirit and vitality of some communities.

There is hope for rural development because the problems of the cities are so great that rural areas look good by comparison. Increased costs in the city have made rural areas more attractive for some industries; for example, textiles and furniture.

There is hope in the progress that has been made. We are concentrating today on the problems, but we should pause long enough to see the prosperous farmers, progressive communities; the growing rural centers and sections in the Nation.

The wholesome aspects of rural living are becoming increasingly recognized.

The climate then for rural development has some favorable winds and we must assure that they blow gently and steadily and ever more forcibly.

LEGISLATIVE FRAMEWORK

We can do so by working for a proper legislative framework to encourage and accelerate the rate of growth in rural America. Our present programs must be greatly improved in their potency.

Jobs: We must find better job opportunities for rural Americans.

The task is formidable, but it is the indispensable element to development.

Thirty percent fewer man-hours of work in agriculture will be needed in 1980. This means that 40 percent of the people now working on farms should move elsewhere.

To create full employment in rural America several things must be considered:

Unemployment and underemployment must be reported systematically. Accurate employment information can often guide people to jobs; for example, by advising them where to move for their economic benefit.

Training and manpower programs must be enlarged with emphasis on such fields as conservation, recreation, health, and education. We have had some success here with Operation Mainstream and Green Thumb—these programs have pointed up the need and effectiveness of manpower programs.

Temporary Federal payments for rural families to cover the costs of relocation and to provide adequate training to help them make the transition from farm to city.

Equal protection for rural workers in workmen's and unemployment compensation, social security, collective bargaining, and minimum wages.

And in those cases where it is not possible for persons to find useful and productive roles, the Federal Government might serve as the residual employer.

Education: We must improve educational opportunities in rural America.

It is in the national interest to improve the educational opportunities of low-income rural areas. Sure there is little likelihood rural areas will be able to finance significantly better education, increased Federal and State assistance will be necessary. This assistance should not be given to schools too small to provide high quality education at a reasonable cost per pupil.

Special emphasis must be given to vocational training centers designed especially for the school dropout and the adult.

Communities: Rural communities present special problems. We are really confronted with the necessity of reorganization and reorientation of a rural community, and that does not come about easily. Even with the best of success, progress will be slow.

Public investment is needed in roads, hospitals, health care, vocational training, water lines and sewer systems, family planning, education, and all the infrastructure necessary to strengthen communities.

Every device must be used to encourage private investment: tax incentives, grants, loans, guarantees, subsidies, and industrial parks.

A Rural Development Credit Board should be considered to provide capital for rural housing, water systems and other projects. It would attract funds from outside rural areas, and might spark economic growth.

These communities need the active concern of churches, service clubs, foundations, and individuals, working at countless tasks and projects.

Organization: If rural development is to succeed we must bring greater sanity to its organizational structure.

The organizational problems of rural development have been a lack of coordination, too much duplication, lack of professional staff, and local leadership spread too thin.

We need multicounty and multicommunity organizational groupings. Tiny

jurisdictions lack expertise and professional skills. They are deficient in their capacity to conceive, plan, design, and expedite.

Only a larger grouping can marshal the resources and the professional skills needed.

Single multicounty agencies should be responsible for planning, promotion, and implementation of development.

CONCLUSION

Let me conclude simply by observing that there are many obstacles along the path of rural poverty and powerlessness to rural development.

Behind is a decade or two of experimentation, I hope we have learned from it, and that we will get on with the job of seeing that rural America develops its natural environment, harvests its fertile fields, makes its economy vital and vibrant, and gives each of its citizens an opportunity to become the best that is in them.

Mr. McCORMACK. Mr. Speaker, let me say first that I had hoped my maiden speech before this body could be of a positive nature. It distresses me that this is not the case—but I feel the seriousness of the matter before us today compels me to join my collegues in speaking out.

The plight of the farmer in my district in Washington State has reached a critical stage. High interest rates, the general tight-money situation, coupled with escalating operating costs have pushed a full 30 percent of potato farmers in this district to the brink of bankruptcy. They report to me that even if they could stand the going 10-percent interest rate, the money is not available to borrow.

It is no secret that 1970 was one of the worst years that farmers in this Nation have had to endure. With the parity index dropping to it's lowest level in 34 years, we wonder at the administration's promise of 2 years ago to stem the downward turn. At that time the President called 74 percent of parity unacceptable. At the end of 1970 it stood at 67.

And where is the help? The Farmers Home Administration? In the State of Washington alone, the FHA has $300,000 dollars worth of applications that it cannot process because there is no money. The amount needed is about $2 million for the remainder of fiscal year 1971.

The FHA has quit making initial loans because of a lack of funds. Although the State of Washington had an allocation of $6,300,000 for fiscal year 1971 in FHA money, it has already used all except for a small amount held back to meet subsequent needs of existing borrowers.

For the Nation, the FHA had $275 million to use for operating loans for fiscal year 1971—all but about 5 million of that has been allocated. The remainder is being held for what are called hardship cases. FHA officials report their existing applications for funds indicates the need for another $75 million this year.

It would seem, Mr. Speaker, that the time has come for a reexamination of values in connection with the individual American Farmer. The time has come when better fertilizers, better herbicides and pesticides, more efficient methods of operation can no longer keep him from the jaws of the cost-price squeeze—at least while prices for his products fail to keep pace with other consumer goods.

It is time for us to decide if we are, in truth, going to wrestle with the real economic problems of agriculture, or stand by and watch while the small farm operation disappears as a way of life in this country.

Mr. SIKES. Mr. Speaker, I am glad to join my colleagues in paying special tribute to agriculture on this day, March 1, 1971, which has been designated as "Farm Day" in the House of Representatives.

Agriculture has become one of the controversial subjects in the field of legislation. This is due to the high cost of food, plus the fact that most Congressmen and Senators are city-minded rather than rural-minded. Actually, only a fractional part of the high cost of food can be blamed on the farmer. Most of it stems from handling and shipping charges. But the effect of these factors has been to create an atmosphere in Congress which is unfriendly to agricultural programs. This is unfortunate because agriculture is an essential part of the American way of life. The American farmer has established unheard-of records of production and he is able, on comparatively few acres, to supply the agricultural needs of our Nation and much of the world. Much of our Nation's strength and independence has always stemmed from this agricultural capability, and it continues to be an important factor.

For years there have been subsidies for farmers. The farmer is not alone in this situation. Most American industry is subsidized in one way or another, including such giants as airlines and oil. It has long been accepted that without farm subsidies, prices to the consumer would jump to an unacceptable extent and that the farming industry in the United States would perish. Nevertheless, farm subsidies are constantly under attack. A continuation of the farm program is necessary if we are to have a strong farming industry and acceptable standards of living on the farms. Although decreasing, agriculture is America's largest single industry, and rural values, now generally overlooked, are a very important factor in the life and traditions of the Nation.

There is great need for a new program designed to check the rural exodus which now is significantly affecting our country. There has been in recent years a tremendous shift in population from rural and smalltown communities to the cities, to the detriment of both. Simply stated, people have left the farms and small towns because they thought the cities provided a better opportunity for a livelihood. For some of them, it has meant going on relief instead of working for a living and that too is unhealthy. I have long been convinced that one of the most important objectives of our age would be a reversal of this rural exodus to bring people back to the smaller communities and away from the city slums. If this is done, it will be necessary to provide more wholesome living conditions, more jobs, better jobs, and opportunity for the young.

This is something that should concern Government very much, but I see little to indicate real interest. If Government will begin to place more emphasis on a reversal of the rural exodus by the establishment of programs which encourage small industries or recreation programs and help to provide jobs and to improve living conditions, much can be accomplished in a most important area. Possibly in time this would serve to reduce some of the requirements for farm subsidies.

Mr. PICKLE. Mr. Speaker, I am honored to join my colleagues in this special discussion of the problems and promises facing rural America. This is a daily topic with me.

Just last week, I was visited in my Washington office by two outstanding farmers from the 10th District—Mr. Walter Mueller from Thrall and Mr. Rodney Gerner, of Maxwell. Both men issued a straightforward case of the need for corrective action needed to help rural America.

It is time that some champions emerge for these—the truly forgotten Americans. Mr. Speaker, a mere 5 percent of this great Nation is charged with the responsibility of feeding and clothing the rest of us, the other 95 percent. Yet, few people stand up for the farmer.

I am proud of my farm constituency. I am proud to stand up for them today.

As this country began, it was an agrarian nation. From these roots, we grew through the transition to where we are today—a highly technical and industrial and strong nation. But, it was those foundations, those principles which our ancestors learned from working the soil which live with us today and keep us strong.

Think of the enormous responsibility facing the farmers today. They must contend with the weather and the Government—both of which seem reluctant to offer their full assistance. I am glad there are still people who want to be farmers. I am glad there are still people who will take the burden of feeding the Nation. I am glad there are still people who can shake off the "urban press releases" charging that farmers get something for nothing.

And, Mr. Speaker, I think we may be on the verge of a new awareness of the importance of the rural Americans. I detect a small, but clearly discernable signal that the urban Americans are trying to reach back to their ancestors. I refer, Mr. Speaker, to what may seem frivilous but is not—I refer to the fact that many, many urban Americans are clamoring to "rent a farm" for their vacation—to get back on the soil.

To my thinking, this is significant. It may mean a lot of people really want to "go home."

Hopefully, this Congress will take the necessary steps to insure there is still a small measure of future for the man who gives all America an honest day of work from sunup to sundown.

Today, my colleagues speak of the rather bleak situation facing rural America. Our words today will echo against

the Agriculture Act of 1970—a compromise of considerable magnitude, though perhaps necessary at the time.

There are many things about that bill I would change—but the thing I would change most is the lack of understanding from our urban colleagues. In all probability, the bill last Congress was the only bill we could muster through and that is the larger tragedy. I am hopeful we can make legislative improvements during the months ahead.

Mr. HENDERSON. Mr. Speaker, 2 or 3 weeks ago, I asked Chairman POAGE of the House Agriculture Committee to conduct hearings on the situation of our pork producers.

Members of the House will recall the visit to Washington in early January of some farmers who brought hogs to Washington to demonstrate the huge gap between what they were receiving for their product and what the housewife was paying for such cuts as pork chops on the supermarket shelves.

It seems that in a year's time, the on-foot price received by farmers for "top" hogs had dropped some 6 to 7 cents per pound while the price of pork in supermarket display cases had remained the same. It was not until after this display by the farmers and the indication of interest by many public officials, including the Secretary of Agriculture that supermarket prices began to drop with the inevitable result that increased consumption began to use up the oversupply and prices paid to farmers began to go back up.

Obviously in an uncontrolled product like pork, where anyone is free to get into production on short notice and get out equally quickly, production is going to fluctuate depending on the market. When the market is up, a lot of people will be producing pork. When it is down, the number of hogs being produced will be reduced accordingly. The hog farmer expects to live by the law of supply and demand.

But the law of supply and demand is thwarted when others up the line above the producer continue to hold the prices to the consumer at an artificially high level.

No thinking person begrudges the meat processor a fair profit on his operation. Indeed, he cannot stay in business without one. And it costs him just as much to kill and process a hog which cost him 15 cents per pound as it does to kill and process a hog which cost him 25 cents per pound.

The same argument holds true for the supermarket operator, but in both cases, the final sale price for the product is determined by adding a percentage markup to the final cost.

I do not know whether in any instance, a processor or a supermarket operator, or all processors or all supermarket operators make unwarranted or unconscionable markups on pork products. Neither do I know what their normal pricing policy is; whether it is deliberately scheduled to make enough when onfoot prices are low to compensate for losses or smaller margins when onfoot prices are high.

But I do know that both the consuming public and the hog producers are entitled to know why onfoot hog prices can drop 6 cents per pound in one year with no discernible drop in what the housewife is paying for bacon, sausage, and pork chops.

I take this opportunity to urge again that the Committee on Agriculture hold hearings on this important question and invite all interests concerned to come in and tell their side of the story for public consumption and to guide us in whatever action seems to be warranted by us.

Mr. ICHORD. Mr. Speaker, I commend the gentleman from Montana, JOHN MELCHER, the gentleman from Kansas, KEITH SEBELIUS, and the gentleman from Iowa, NEAL SMITH, for arranging this special order to focus attention upon the plight of the agricultural interests. Something must be done to revitalize American agriculture if we are to avoid total catastrophe.

I personally feel that we have become so concerned with the immediate problems of our urban areas—and I do not condemn this concern because the problems of the Nation's cities are overwhelming—that we have overlooked the fact that much of the problems of the cities have their source in the ills of American agriculture. The increasing flow of untrained people flooding the labor market in the cities is a case in point. These people are not all native-born city dwellers. Great numbers of them are migrating to the cities from rural America, and we must devise means to not only stop the migration to the cities, but also to reverse the trend if we are to obtain any lasting solution to the problems of the cities.

We need to give immediate attention to the passage of measures now pending in the Congress such as the Rural Jobs Development Act and legislation providing special tax treatment for industry locating in rural America. The problems of the agriculture industry and all of rural and urban America are interrelated, and it is past the eleventh hour for positive action to be taken on the part of Congress to offer relief to the Nation's farmers who play such a vital role in the overall national economy.

America's farmers have contributed more toward building a better land than any other group of trained technicians. The 20th-century farmer has perhaps the greatest responsibilities facing any segment of American industry. On his shoulders rest the economic progress of our Nation, as well as our growing stake in world agriculture, for agricultural prosperity and security seriously affect trade and policies abroad.

I salute the American farmers, individually and collectively, and give much deserving credit to the throng of "agriculture experts" who provide the basic elements of life for America and whose dedicated bond with the soil is as enduring as the principles upon which our country was founded.

Mr. O'HARA. Mr. Speaker, in rising to join my colleague from Montana in his discussion of the problems confronting the Nation's farmers, I must admit unabashedly that I am a city boy.

While my present congressional district presently includes only a small rural area, at one time I was privileged to represent the fertile and prosperous farming area in what we in Michigan call the "thumb."

In those days I was well aware of the very difficult financial situation in which most farmers found themselves—in many cases through no real fault of their own but through subtle and complex changes in the economic underpinnings of our society. Today the farmers in my district with whom I talk tell me that the situation is much more desperate.

Those of us who represent urban constituencies have long noted a symptom of the economic sickness of American agriculture.

That is the intense migration from farm to city during the past decade. Our most serious urban problems may well have their roots in the economic distress down on the farm.

In my work on the Committee on Education and Labor, I have found that many Federal programs in the cities attempt to provide adequate schooling, work skills, and jobs to the children of those who fled the farms years ago.

This is just one example of my thesis that there are no exclusively "rural" or "farm" problems any more than there are exclusively "urban" problems.

The problems of one area inevitably have their impact upon the other, and its high time every American recognized that fact.

In plain economic terms, the transformation of the farm economy has a very real effect upon the pocketbook of the supermarket shopper in the city.

That is why I rise with enthusiasm to join in this special order on the problems of the farmer. If we don't solve this problem, we in the cities are going to find ourselves the losers too.

Mr. RARICK. Mr. Speaker, I wish to commend the gentlemen who arranged for the 3 hours of special orders to focus attention on the plight of agriculture and rural areas. With so much attention being given to the problems of the big cities, many are not made aware that ranchers, farmers, rural businessmen, and rural communities also face growing problems as a consequence of constantly rising costs and stable or declining farm prices.

A perplexing problem with which many farmers are faced is that of steadily increasing real estate taxes. The shifting of people from the overcrowded cities into suburbs and still farther out into the countryside together with improved State and local roads, interstate highways, and electrical services has caused the value of farm property to go up. As the value of farmland increased and local governments because more and more hard pressed for revenues to provide local services, there has been a tendency by local governments to increase the real estate tax on farms to such an extent that it is becoming difficult financially for many small farmers to make a living on farming.

Farmers and country people as a group are independent and solid citizens and form the backbone of our country. Ev-

erything possible should be done to enable them to continue earning a living in their noble work.

Local assessors should give every consideration to the plight of the small farmer and qualify farm assessments so as not to tax the small farmer out of business. The policy in the nearby State of Maryland of taxing functioning farms on their use and not their market value seems to be a desirable practice.

A newsclipping about the tax effect on farmers in Fairfax County, Va., states quite succinctly the growing problem our farmers encounter as they diminish in number and become a minority group. Their importance to our society should be remembered at every meal and in offering thanks to the Almighty for the bounty which he has provided us, we might also remember our farmers and their struggle.

I insert a clipping from the December 3, 1970, Washington, D.C., Post at this point:

FARMERS IN SUBURBAN FAIRFAX HAVE A TOUGH ROW TO HOE

(By Thomas Grubisich)

Before Mack Crippen Jr. manures his Fairfax County dairy farm, he checks which way the wind is blowing. Crippen worries about the sensibilities of his neighbors in the townhouses that were recently built across the road. Occasional inquiries—when the wind suddenly shifts—indicate that Crippen's concern is not misplaced.

The wind is not blowing very favorably for farmers these days in rapidly urbanizing Fairfax. Though some of them may become millionaires when they sell their land, many of them are trying—and failing—to survive doing what they know best: raising dairy cows or steers, planting corn or winter wheat.

Crippen is surviving—thriving may be a better word—because he owned 291-acre Lake Fairfax Park, which the county bought in 1966 for $1,717,000. The Crippen family lives in a rambling, low-slung brick home protected from the outside world by expanses of grass and stands of trees. There are also a pool and low-slung brick bathhouses and stables.

Crippen says not one brick of his property was paid for from his dairy farm earnings. He says he and his 70-year-old father, Mack Crippen Sr., who owns a neighboring dairy farm, spend all their agricultural earnings—and more—on real estate taxes. Their 450 cows, machine-milked twice a day, seven days a week, 52 weeks a year, don't—can't—produce enough to offset taxes of $30,000 a year, according to the junior Crippen.

Richard Cockrill owns a dairy farm on Hunter Mill Road, not far from the Crippens' spreads. Cockrill's farm is so close to the Dulles Airport Access Highway that road signs can be clearly seen from the fields. But with land development somewhat sluggish, Cockrill hasn't received any tempting offers from builders lately.

Come the end of the month, $7,000 in real estate taxes will fall due on Cockrill's 140 acres, but he said they'll have to go unpaid, at least temporarily. Cockrill works from "20 after 4 in the morning till 20 after 8 in the evening" six days a week and six hours more on Sunday to avoid more than one hired hand, but even 70 hours of work a week doesn't leave him enough income to pay his county taxes.

He plans to give up dairy farming shortly and concentrate on what he hopes will be more profitable activities—mending fences, maintaining lawns and selling hay to horse owners in the area.

One of Cockrill's vexations is people who, playing country squire on one-acre or two-acre subdivision lots, romp their horses in his open spaces—land on which he pays steep taxes.

Farmers in Fairfax and other jurisdictions in Virginia pay a tax on the marketable value of their land. Though a farm may be entirely planted in corn or used for dairying, its value is determined by the pressures of surrounding suburban land development. In contrast, Maryland jurisdictions tax functioning farms on their use, not their market value. This formula means an easier tax burden for farmers—and land speculators who keep their property in cultivation until they sell it.

Mack Crippen Jr. and other Fairfax farmers think the Virginia formula is unfair to them. Crippen thinks that farmers who earn 75 or 80 per cent of their income from agriculture should be taxed at a lower rate. Looking out toward his own land, he says:

"These cows are not creating anything that requires a tax dollar. These wide open acres don't require any police service, any sewer lines, any schools."

Farmers don't seem to get much sympathy from their suburban neighbors—"city people," as they usually call them. Suburbanites, very conscious of the price of quarter- and half-acre home lots, sometimes maintain that hard-pressed farmers could easily sell their land for $5000 or $8000 an acre and buy another farm several times as large beyond the subdivisions.

But farmer Cockrill does not want to leave the land he and his ancestors have tilled season after season * * * the long hours, provided I can make an equal living. But I pay as much taxes as 15 city people. This is an unfair situation."

Farmers in Fairfax and elsewhere in Virginia may soon be getting some sort of relief. The revised state constitution approved last month by voters permits local jurisdiction to provide lower taxes to farmers if they preserve their land as open space. First, however, enabling legislation must be approved by the General Assembly, which will consider the issue at its special session in January.

Just what form the tax break would take in Fairfax is not certain. The Board of Supervisors, however, did support the constitutional amendment. County Executive Carlton C. Massey thinks one formula might be to permit a farmer to defer his taxes until he sells his land. Then farmers could continue working their land as long as they wished rather than be forced to sell out because of mounting taxes.

Forced sales have not only cost farmers long-held family properties but encouraged "leap-frog" development that has given suburbia some of its unlovely sprawl.

Whatever new relief Fairfax farmers get, their future will not brighten too much. Taxes are their chief burden, but there are other problems, too, as the county moves further away from its agricultural heritage. Cockrill, for example, says hired help is hard to get and is increasingly expensive. He says: "We can't compete with doctors and lawyers who buy farms in other areas further out. They pay the help twice as much because they have other income. The dirt farmers or the dairy farmer doesn't."

Cripplen—who is not the typical dairy farmer—says the average farmhand gets $80 to $100 a week. Tenants are furnished with a home, lights and fuel. One of Mack Jr.'s hands has been with the Crippen family for 42 years, another 30 years. Another hand is a "city fellow with a college degree." Crippen said the man, a journalist by vocation, came by the house one day and said he wanted to work on a farm. "He is working out fine," said Crippen.

Fewer hands means more elaborate—and expensive—farm machinery. Crippen recently paid $6,800 for a hay machine. A tractor cost him $10,000.

Though Fairfax was one of the major milk producers in the state for many years, there are now only nine dairy farms—with a total of 1,200 milk cows—in the county. Twenty years ago there were more than 125 dairy farms with 7,850 milk cows.

One of the most successful farmers in the area is William Brockett. He has 2,800 acres—in both Fairfax and Loudoun counties near Dulles Airport—planted in corn, and 4,300 steers, which feed on the corn before they are shipped to packing houses. But Brockett is successful precisely because he doesn't own the land. He leases it from a syndicate of speculators. And with taxes rising and development sluggish, the price of a side of beef may become as important as the price of an acre of land. That might not be the good news the syndicate has been waiting for, but it can't hurt Brockett.

GENERAL LEAVE TO EXTEND

Mr. MELCHER. Mr. Speaker, I ask unanimous consent that all Members may have 3 legislative days in which to extend their remarks on the subject of the special orders today.

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

There was no objection.

FARM PROBLEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. SEBELIUS) is recognized for 60 minutes.

(Mr. SEBELIUS asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. SEBELIUS. Mr. Speaker, I consider it both an honor and a privilege to join today my distinguished colleagues, Honorable JOHN MELCHER of Montana and Honorable NEAL SMITH of Iowa, on this the first of what I hope will be a bipartisan effort to publicize the plight of the American farmer in the Congress.

I want to express my appreciation and the thanks of the citizens of the district I am privileged to represent, the big first district of Kansas, to both Congressman MELCHER and Congressman SMITH in their leadership in this discussion.

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

Mr. SEBELIUS. I yield to the gentleman.

Mr. THONE. Mr. Speaker, the gentleman from Kansas (Mr. SEBELIUS) and our colleauges who have joined him here today on the floor of the House are to be congratulated and commended for their leadership in dramatizing the struggle going on in rural America, and I thank the gentleman for allowing me to participate in this special order.

Mr. Speaker, my initial floor talk on Agriculture, 1971, shall be in a positive and affirmative tone. As affirmative as the current farm picture allows, I might quickly add.

Congress, of course, has enacted legislation for cotton, feed grains, and wheat. This legislation, which applies to these crops in 1971, 1972, and 1973 is based on the compensatory payment and allotment approach. It's the current law of the land, and legislation which gives the Secretary of Agriculture, Clifford

Hardin, discretionary authority to be used by him in an effort to keep supplies in reasonable balance with demand. The Secretary, I strongly urge, must use all of his authority in such a manner that farmers will have income opportunities more comparable to those of persons of other segments of the national economy.

First, last and always, the Secretary must be a spirited evangelist for increasing farmer's net income.

With two brothers, I own a farm in northeastern Nebraska. A farm on which I was born and raised. Mr. Speaker, that farm has not been doing well in the last few years—net incomewise. This is the pattern out our way. Something constructive must be done for rural America if the family farm is to survive, and the sooner the better.

So much for the glittering generalities. What is to be done?

Sure, there must be full utilization of all available soil conservation practices, more extended watershed development, more irrigation, extended on-the-farm storage practices, vigorous efforts at diversification and expansion of the animal-agriculture concept.

Also, without a question of a doubt, American agriculture has an important stake in a high level of mutually advantageous world trade.

All fair minded observers agree that parity, based on the 1910–14 formula, is a most fair means of comparing farm prices with farm costs. Make this comparison sometime, I urge you, and be shocked at what has happened to our farmers at the marketplace.

Such advances as mentioned above, and the like, will all help, but as advisable and necessary as they are, they are still not the vehicle for long-range farm prosperity.

In my opinion, there is a crying need to improve the legal foundation upon which farmers can build their own effective marketing and bargaining program. This Congress should enact legislation to improve the opportunity for marketing organizations to succeed. This is a must for American agriculture.

The sooner that new, responsive bargaining acts and marketing acts are passed, the better. Let us all urge and work with the Agriculture Committee of the House and the other body, Senate, to give first priority to strong, effective marketing and bargaining laws. As I see it, these self-help tools are vital if agriculture is to have a fair chance. All of the other proposed solutions are only aspirin-type help when major surgery is called for.

Not for a long time has there been such a clear-cut call for joint action by all farm organizations. The challenge should be most obvious to them. I suggest that they coordinate a massive legislative drive zeroed in on the passage of marketing and bargaining legislation that will get the needed job done.

This is the gut issue for agriculture, 1971. I am totally willing to fully contribute the resources of my office to this effort in an attempt to rescue agriculture from being the low man on the national economic totem pole. Let us go to work—now.

Mr. SEBELIUS. Mr. Speaker, I thank the gentleman for his remarks.

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

Mr. SEBELIUS. I yield to the senior Member of the Kansas delegation, the gentleman from Kansas (Mr. SHRIVER).

Mr. SHRIVER. Mr. Speaker, I want to from the big First District of Kansas, KEITH SEBELIUS, and the others who have reserved this time to discuss some of the problems being faced in our rural areas. It is important to point out that while this time might be designated as "Farm Day," the problems described have serious repercussions throughout our economy and our society.

We must recognize that the rural-urban gap is a thing of the past. We must acknowledge that the economic needs of rural Americans are the same as those of urban Americans.

Economic security and cultural satisfaction are worthwhile goals of our national policies in both rural and urban America. Congress recognized this in passing the Agricultural Act of 1970. Title IX of that act provided for a review of all existing rural programs and for assuring rural residents the same Federal service and privileges the urban dweller enjoys.

Rural Americans today are faced with a situation wherein increased farming efficiency and production costs are forcing more and more people to leave the land and seek employment elsewhere. The most logical and preferred source of employment would be found in nearby rural communities, but often this is nonexistant. Thus, an estimated 500,000 rural residents each year migrate to our already over-burdened big cities.

These people do not want to move to the cities, and the cities do not want or need them. Better solutions must be found in rural areas. Our efforts should be channeled toward two basic goals: fairer returns from farming to allow those who wish to continue farming a reasonable chance of doing so, and wider job opportunities in rural areas.

Farming today is the Nation's biggest industry. Its assets comprise about two-thirds of the value of all current U.S. corporate assets. Like any other industry, farming to be healthy must show a reasonable profit on its investment. However, at a time when farmers as consumers and producers are faced with the same problems of inflation nonfarmers face, the returns they receive from their production are going down. Americans pay the lowest percentage of their disposable income for food of any country in the world, and that percentage, now 16 percent, is the lowest it has ever been.

While farmers are justly proud of their efficient methods which feed our Nation so well at such a low cost, we must be concerned about the extent to which low food prices result from inadequate returns to the producers of that pood. In 1970 the par capita disposable income of the farm population was only 78 percent of the income of the nonfarm population.

It is imperative for the sake of the consumer and the producer alike that this farm income situation be improved. An unhealthy or desperate farming industry would benefit no one, and would probably result in much higher food prices in the long run.

Congress and the administration must make a concentrated effort to expand the marketing possibilities for farm produce both at home and abroad. Farm exports reached the $7 billion level in 1970 for the first time in our history. All efforts should be made to continue this upward trend, including a very cautious attitude toward the initiation of self-defeating curbs on foreign imports of textiles and other products.

Domestic marketing possibilities should also be expanded through the joint efforts of the producers and the Government. I support the President's actions which have tripled the number of people receiving food stamps and increased from 3.8 million to 6 million the number of needy children receiving free or reduced-price meals at school.

Last week, I joined in the introduction of the Rural Job Development Act of 1971. I also cosponsored two bills designed to modernize the operations of the Farmers Home Administration to reflect changing economic conditions and needs. Earlier this year I introduced legislation to assure rural America the means to establish comparable telephone service as is available in urban areas.

In introducing these bills, it is my intent to aid in the expansion of the quantity and quality of economic and social opportunities in rural America. I would hope that all of my colleagues, both urban and rural, would join in this effort for the betterment of all of our lives and of our Nation's economy.

Mr. SEBELIUS. Mr. Speaker, I thank the gentleman for his remarks.

Mr. HANSEN of Idaho. Mr. Speaker, will the gentleman yield?

Mr. SEBELIUS. I yield to the gentleman.

Mr. HANSEN of Idaho. Mr. Speaker, let me join those who have spoken earlier in commending my colleague, the gentleman from Kansas (Mr. SEBELIUS) as well as my colleagues from Montana (Mr. MELCHER) and Iowa (Mr. SMITH) for having arranged for this forum to examine some of the problems facing American agriculture. You have all done the country a great service in helping to focus attention on some of the needs of rural America.

I hope this will be a regular event in the Congress.

I was raised on a farm. I have the privilege of representing a farm district in the Congress and I take great pride in the enormous contribution that agriculture and rural America have made to the growth of this country.

The farmers have contributed over the last nearly two centuries of the history of our country the food and fiber and other materials that are essential to the building of our great country. They have also given us a rich legacy in a system of values that we associate with the character of our country. These are values that are often in short supply in this modern age and for which there is a great need today—the willingness to

work hard, to sacrifice, to help ones neighbor, to cooperate, independence, resourcefulness, pride in individual achievement. Somehow we have lost sight of many of these values today. American farms also gave our country the manpower that helped make possible our dramatic growth as an industrial Nation. But the farmer who contributed so much to the progress of our country, is now the victim of the very advance in technology and the rapid increase in efficiency, that has characterized the remarkable rise in productivity that is a part of the story of American agriculture.

We are now in a deep and serious crisis in rural America. We hear a great deal about the urban crisis, and it is there. There is no denying that it exists. But perhaps because we do not see the same kind of explosions and the dramatic incidents on the farms we often overlook what is a more basic and more serious crisis in the rural parts of our country.

By virtually every standard you can name, we are worse off in the country than we are in the city. Income is lower. Unemployment is higher. The people have less access to health facilities. There is less opportunity for education. The housing is poorer. We see a steady flow, especially of young people, from the farms and rural communities to the cities. Both the cities and rural areas suffer from this migration.

When we look at the solution to the problem of the cities, it is clear that the place to start is in the country. Lack of economic opportunity forces our young people leave the farms and the rural areas to move to the overcrowded cities.

If we are going to make it possible for those who prefer life in the country to remain in the rural areas where family ties and community ties are stronger, and where they can be free of many of the difficult problems of our society, we must create expanded economic opportunities and more jobs in our rural areas.

You cannot build jobs, raise income and stimulate economic growth in the rural areas without dealing with the problem of low farm income. The farm will always be the foundation of the rural economy, and we must raise farm income if we are going to give needed stimulus to the economic growth in our rural areas. We in this Congress and in Government can help by focusing attention on the problem through forums such as this. And, must create the kind of framework within which farmers can expand markets, develop and employ bargaining power that will assure a fair price for their product in the marketplace and maintain the conditions of fair competition that will protect farmers against discriminatory freight rates and import policies that can weaken and destroy markets.

In serving the needs of rural America and of our farmers who have contributed so much, we are serving the needs of America. I welcome the opportunity to join with the very distinguished gentleman from Kansas who is one of the most articulate and effective spokesmen for American farmers in the House of Representatives in the cause which should be the cause of all Americans.

Mr. SEBELIUS. I thank the gentleman from Idaho for his remarks.

I would underline one thing at this point. This year we exported more than $7 billion worth of agricultural products, and $6.2 billion of that was for hard cash, which made America have a favorable balance of trade. That should underline what the producers of farm products are contributing to the balance of trade at this time.

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

Mr. SEBELIUS. I yield to the gentleman from Kansas.

Mr. WINN. Mr. Speaker, I appreciate the gentleman from Kansas (Mr. SEBELIUS), yielding me a few minutes. Along with other Members of the House, I commend the gentleman from Kansas (Mr. SEBELIUS), as well as the gentleman from Iowa (Mr. SMITH), and the gentleman from Montana (Mr. MELCHER), for reserving the special time this afternoon so we may pay tribute to the farmers and bring out for discussion on the floor the problems that face the farmers of this Nation.

Mr. Speaker, as we all know, much of rural America is economically underdeveloped and lacking in the full range of public services. Millions of people each year are forced to leave our small communities and migrate to our cities because of the lack of economic opportunity. These conditions justify and, indeed, demand major new efforts to improve and expand economic and social opportunities available in rural communities.

It is becoming increasingly apparent that effective solutions to many of our problems relating to our cities—crime, welfare, housing, malnutrition, transportation—must include programs for a revitalized rural America. In order to save our cities, we must also save our countryside by creating a new environment of jobs, education, and favorable living conditions.

When the cost of providing services increases all out of proportion to total population growth, a city has become too big. This becomes perfectly clear when the cost is put on a per capita basis.

Statistics reveal that police protection costs approximately $5 per capita in cities with 100,000 to 300,000 people. When the community grows to 500,000, the per capita cost increases almost five times as much and in our large metropolitan areas, the cost increases to almost $40 per capita.

When a resident of Washington, D.C., moves to the suburbs, he costs the city an unbelievable $23,000 in capital outlay to provide facilities so he can drive to and from work. Contrast that commuter cost with street department budgets under $500,000 for an entire year in many of our communities 50,000 and under throughout rural America.

We must stimulate population growth in our rural and smalltown areas. This can best be accomplished through rural job development, improved farm income, and rural economic activity and income stability.

Mr. Speaker, I, along with our colleague, the gentleman from Texas (Mr. PRICE), have cosponsored H.R. 3141 and H.R. 3142, which we think would help alleviate some of these problems.

In short, too many of our rural communities are underdeveloped. Too many of our metropolitan areas are overcrowded. We must take strong, positive action in the 92d Congress to stimulate economic activity and create income opportunity for farmers and rural and smalltown America.

We must not only recognize rural potential, but we must work together to find solutions to the dual crises in urban and rural America. If we work together, we can reverse the flow of rural people to metropolitan areas and initiate a reverse migration. In short, we must realize the needs of rural and smalltown America and the needs of urban America are interdependent.

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

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

Mr. ZWACH. I thank the gentleman for yielding.

First, Mr. Speaker, may I commend the gentleman now in the chair (Mr. MELCHER), the gentleman from Montana; the gentleman from Kansas (Mr. SEBELIUS); and the gentleman from Iowa (Mr. SMITH) for making this special order available and for giving us the opportunity to point out a desperate situation in our country.

Agriculture, food production, is now and always has been the greatest industry in America, except for income.

We have 3 million producing farms which employ over 4.5 million workers. This is more than the combined employment in transportation, public utilities, the steel industry, and the automobile industry.

Total gross agricultural assets are $307 billion. This is two-thirds of the value of current assets of all corporations in the United States and one-half of the market value of all corporate stock on the New York Stock Exchange.

This represents about $50,000 investment for each farm employee, compared to about $25,000 investment for each manufacturing employee.

Three out of every 10 jobs in private employment are related to our business. Eight million people have jobs storing, processing and merchandising the products of agriculture. Six million people have jobs providing the supplies that producers use.

The farmer and his family represent only 5 percent of our population, however.

Farmers today are twice as efficient as any nonagricultural industrial workers. Farm productivity in the 1960's increased 6 percent each year, while output per man hour in nonagricultural industry increased only 3 percent.

And yet the producer gained not one cent of increased income from his increased efficiency.

One farm worker produces food, fiber, and other commodities for himself and 44 other people. He spends $40 billion for goods and services to produce crops and livestock, and $12 billion a year for food, clothing, drugs, furniture, appliances, et cetera. Yet the farmer is in the lowest income tax bracket in the United States.

American consumers benefit from the highest quality, lowest cost food and fiber in any nation in the world at any time.

In 1950 American families were spending about 25 percent of their take-home pay for food. In 1960 this was 20 percent. Today it is 16 percent.

Today parity is lower than it was at the depths of the great depression.

Mr. Speaker and gentlemen in the House, I submit that the No. 1 problem for countryside America and for city America, for that matter, is countryside fair prices. The No. 2 problem is countryside fair prices. The No. 3 problem is countryside fair prices. Then we can go to farm credit and we can go to development and all the other areas.

There is no question but that we will never solve the problems of the cities nor of the country until we have fair prices in countryside America.

I believe I am known in this Congress as "Mr. Parity." I am very proud of that designation. Parity is the farmer's yardstick.

It is established by the Congress of the United States. It is not a fixed figure in dollars and cents. The legal definition is long and technical, but essentially parity is that price for farm products which will give the producer the same purchasing power from the return of each unit of his products as in a reasonable past base period. The base period used is one where these relationships were considered normal. For example, in 1947–49, the based period now being used, the farmer's return on investment was around 14 percent. This is still much lower than industry's return but far better than what today's farmer is able to receive. Thus, if full parity were achieved today by producers, they would only be beginning to receive a fair return for their investment. Parity only assures a minimum economic position in agriculture. One hundred percent of parity only gives to the producer a mediocre fair price and a net return on net invested capital which is far lower than that received by the rest of the United States and industry; far less particularly than the food processing and the food distribution industries.

Why parity? Many wonder why this concern over parity of income for the producer. For instance, organized labor is protected by wage contracts and by laws. Businesses are protected by business contracts for price and other elements. Utilities are protected so as to be assured of a reasonable return on their investment. The farmer alone of all the large segments of the economy has no predetermined price protection except as the Government offers a price support on some commodities. Further, the producer is subject to many influences over which he has no control. He is subject to the hazards, the peculiar hazards, of the business of agriculture—the hazard of drought, the hazard of blight, as evidenced just recently. The hazards of all types of insects are there, too. There is an unlimited variety of hazards that are peculiar to this business of agriculture. Unlike other segments, the farmer today has no business forum in which to negotiate for his prices. The price issue comes up only after the farmer invested his work and expense and therefore must dispose of his product. It is for this reason that the parity concept setting up what is considered to be a fair price has been determined by the Congress to be in the interests of all of America.

Mr. Speaker, over the past years there have been efforts made to tamper with the parity concept. I would like to read to you a statement made recently by Senator MILTON YOUNG of North Dakota regarding the parity concept. He said:

I am opposed to any change in the parity formula now as I was when previous Secretaries of Agriculture rigged the parity formula to make their actions look better. This has been going on for at least 15 years. Former Secretary of Agriculture Benson started it. Secretary Freeman followed it with an adjustment of his own.

I want to point out the bipartisan nature of the need for an approach in this area. Let me speak for a moment to the historic significance of the parity concept. Year after year countryside America has been slipping further and further from a fair return as measured by parity. In the depression years, the years of the 1930's and the early 1940's, parity was averaged at 81 percent. In the years of the 1940's—and these are the years of the Korean war, the Truman years—parity was at 107.5 percent. These were the golden years in agriculture. In the Eisenhower years, in the 1950's and into the 1960's, parity was at 84.5 percent.

Mr. Speaker, in the Kennedy-Johnson years they started in the area of 80 percent and wound up in 1967, 1968, and 1969 at 74 percent. In January of 1969, to just show the bipartisanship of this matter when the present administration came in, parity was at 72 percent. It went to 75 percent in January 1970 and back to 68 percent in January of 1971. Right at the moment, in February of 1971, it is back to 70 percent.

Mr. Speaker, this gives us a picture that this is a nonpartisan and a bipartisan problem. I appreciate the fact—I appreciate very much the fact—that we have kept it in the main in that area so far.

Mr. Speaker, I would like now to speak to the period that supposedly has been the greatest period of prosperity in the history of our country, the fading years or decade of the sixties, which produced the most prosperous years in the history of the United States. Gross national product has risen an average of 9 percent per year over the past 9 years. In this same span of time net farm income has risen less than one-half of 1 percent per year, with no allowance for the over $6 billion of acknowledged farms investment that is required. Essentially, the rest of the American economy has increased its income by over 20 times more than the American producer.

Mr. Speaker, agriculture has not shared in our startling national prosperity. The farmer has not had an opportunity to receive the least bit of improvement. His agricultural prices have, in the main, been beaten back by any administration. It was so when I came and there has not been a lot of improvement now. Agriculture at the farmer level has contributed much with regard to the improved gross national product.

In 1940 each farmworker was producing enough to feed and supply 10½ persons. In 1964 he was feeding 44 persons. In spite of this unbelievable rise in efficiency and productiveness the farmer has received barely enough to offset his increased operational expenses.

The American farmer has not been put into the position of sharing the prosperity of the times but, rather, he has been forced into the position of subsidizing the American economy. Not all segments, Mr. Speaker, are treated in the same way. But, let me go now to employees in the U.S. Department of Agriculture, and it would fit doubly well for employees generally in the Government.

Every segment of our U.S. employees—and it would apply equally well to the employees of the House of Representatives and, generally, across the board to all people—in 1961 a grade 17 employee in the Department of Agriculture was receiving $16,680—$16,000 in round numbers. In 1966, 5 years later, that has increased to $25,040. In 1970 that same job is paying $34,810, a jump from $16,000 to more than $34,000.

And they just added another 6-percent raise that is not recorded here. That puts those people above $36,000.

I do not like to say this, but maybe some people around Washington have had parity themselves for too long a time, and forget—and forget—about those poor producers back there in the country producing our food. At least, we have been very, very generous—that is, the Congress—in providing for these increased salaries.

Now, I know that everything in this area cannot be done in Washington, there is not much question about that. The main battle—the main battle for production rages out there among themselves, they are going to need help for themselves, but there is a great deal more that ought and could and should be done here in the Congress of the United States.

In a great many areas there is more that ought to be done. I am speaking to these points today.

Mr. Speaker, I appreciate the gentleman yielding me this time.

Mr. SEBELIUS. I want to thank the gentleman for his very fine and cogent remarks.

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

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

Mr. SCHERLE. Mr. Speaker, I appreciate the opportunity this afternoon of participating in this generally bipartisan, cooperative effort by Members, rural and urban, in our expressions of concern for rural America. We have a problem that concerns each and every one of us. It is very important because we, as farmers and as agri-businessmen, have become, through modern research and technology, the most efficient food- and fiber-producing Nation in the world; yet we have become slaves to our own efficiency.

The backbone of this Nation is rural

America. When I talk about rural America I am talking about the farmers, as well as agri-businessmen and merchants in the communities. Proportionately there are a greater number of poor people in rural America than there are in the urban centers of the United States. But rural people are proud and they are not willing to tell you they are poor or want welfare. All we want is equal consideration.

It is difficult for me to comprehend in this wealthy America how one segment of our economy is so deprived of a fair return for its investments.

President Nixon is in Iowa today with a great many members of his Cabinet. I am proud of the fact that President Nixon has chosen my State to deliver a farm message. The President is there to give these people a ray of hope. He is the first President to ever address the Iowa Legislature.

I would like to correct a statement that was made by my colleague, the gentleman from Missouri (Mr. BURLISON). Unfortunately, he is not here at this time. He mentioned that President Nixon did not have one single word in his state of the Union message about farming, but we have a farm message today. I have read it. I also have read his prepared text of the message that he will use in the Iowa Legislature this afternoon. I will include that statement at the end of my remarks.

I might recall though that the criticism leveled at President Nixon is not really fair because President Lyndon Johnson in his last farm message only had 15 words. He mentioned agriculture, but he never did anything constructive about it. Many of the problems that exist in rural America today were the result of the inaction of the early and mid-1960's.

Yet, I am not going to leave President Nixon off the hook because the farmers of America are entitled to just a little bit more. I do not blame President Nixon entirely for ignoring rural America. My main concern is that his top aides are not rural oriented. They do not know a disk from a plow. That is the problem.

The President has been shielded out of ignorance because those people that he has surrounding him do not know what agriculture means or its importance to the economy of this Nation. The Secretary of Agriculture should speak out more forcefully for rural America.

President Nixon is in Des Moines and he will leave a farm message there that will be carried throughout the United States. This is fine. I hope he leaves them something to chew on. But I learned a long time ago that the most important part of a golf swing is a follow through. I hope that when the President leaves Des Moines with his aides, he will follow through and not just leave that as an anticlimax for farmers and employees and a lot of agricultural businessmen to say, "He was here and told us what we are going to be faced with in the future—but is he going to follow through?"

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. SEBELIUS. I yield to the gentleman.

Mr. SMITH of Iowa. Since he is in my congressional district, I hope he will also announce while he is out there that he is going to release the $66 million he is holding back.

Mr. SCHERLE. I agree with my colleague, the gentleman from Iowa, as a member of the Committee on Appropriations, Subcommittee on Agriculture, I will certainly support sewer grants.

Every day in this Congress we hear many remarks concerning minorities, but we do not hear one single thing about rural America. Six percent of the population is all we represent. We do not amount to much when you take numbers, but, ladies and gentlemen, we are getting sick and tired of subsidizing this Nation and the consumers by not getting a fair return for our investment. That 6 percent may be true when you take in the total of the Nation of 208 million people—we are only 6 percent. When you consider the Midwest we do not represent 6 percent—we represent 50 percent of the total population there. Anybody with one single ounce of political astuteness had better recognize that fact because these people are important and they represent voters. All we are asking for is a fair shake.

Every single farmer in business today, and a lot of people do not recognize this fact, every man on the farm today through the fact that he is there employs in related industries 40 other businessmen. So when you talk about the farmer, you are not talking of one man, you are talking of 40 related industries that he keeps in business. When the farmer ceases to have a fair return on his investment, you are going to find grass growing on the streets in every city and town in this Nation. Do not forget it. Agriculture is America's No. 1 industry.

As I travel through my district, I notice many empty farm houses and vacant buildings of all sorts. The average farmer today is 52 years of age. We should do what we can to keep our young people in rural America. These people should be entitled to their natural birthright. Our obligation as Members of the Congress is to reverse this migration. We have some of the finest institutions of higher learning in the State of Iowa. We also have the highest literacy rate in the Union. We educate our children and they move away. They are not lost—oh, no—the major cities of this Nation benefit by their intelligence. But I am selfish enough to want them to stay in Iowa if they choose, and I think we should provide these means for them. That is why rural development is so vital to this country.

We owe a great deal to the young people of rural America and agriculture. They are the backbone of the Nation.

I believe in progress. But by the same token, though many people believe it represents an insignificant part, the contribution rural America makes to the world is immense. We feed this Nation and others. It is unfortunate that today people resent buying food because it is a consumable item and not materialistic.

Look at the health and wealth of the Nation, that we produce. Everyone should be overjoyed and thankful that we have a rural America, that we have farmers, that we have agri-businessmen. This Congress, this administration, and those that follow should take into consideration what it means to everyone, that little farm State out in Iowa and her sister States throughout the United States, and what a great contribution they contribute to the fine life that we all have here in America.

I have been equally critical of past administrations. On October 25, 1967, I said:

> Members of Congress who are concerned about Agri-business have been fighting all year to secure import legislation to permanently curb excessive imports of meat, dairy products, textile, steel and other commodities. For example the Dairy Import Act of 1967 has 262 sponsors and the Meat Import bill 114 sponsors in both House and Senate. That, in my book, is a strong reflection of the will of the people. Seldom does any single issue result in the introduction or so many individual pieces of legislation with such overwhelming support.
>
> Recently the House of Representatives unanimously passed legislation authorizing the Administration to take steps to restrict imports produced under substandard working conditions, where these imports are threatening injury to the health and welfare of American wage earners.
>
> Now, finally, the Administration shows its true colors. Senator Long has opened hearings on a series of import bills, including dairy and meat, before the Senate Finance Committee. President Lyndon B. Johnson sent five members of his Cabinet to testify against these bills!!! They include Secretaries Rusk (State), Udall (Interior), Trowbridge (Commerce), Wirtz (Labor), and you guessed it—our Secretary of Agriculture, Orville Freeman. What complete disregard and utter contempt President Johnson is showing for our agri-businessmen.
>
> You would think that with farm prices the way they are, and with such widespread Congressional support for import controls, that the Administration would recognize that these controls are a must to bolster a sagging farm economy. Apparently they just do not care.

RESULTS FOR AGRICULTURE

The unicameral, nonpartisan Nebraska Legislature has just unanimously adopted a resolution which echoed the views expressed by me to President Nixon on the subject of agriculture. The unusually strongly worded resolution from the home State of the Secretary of Agriculture was extremely critical of Cliff Hardin's performance and his low-key approach to representing farmers.

Since those remarks were reported in the news media, a series of changes for the better have taken place. At my urging, the administration finally agreed to a 20-percent set-aside for the feed grain program. In addition, more than $700 million was returned to the Farmers' Home Administration budget. This administration has also pushed for annual development through special revenue sharing.

These welcome announcements have come as a direct consequence of President Nixon's increased awareness of the plight of the agribusiness community. It should not, however, be necessary for me alone to be the strong voice of agricul-

ture in this administration. That responsibility belongs primarily to Secretary Hardin, and he should begin to exercise his vocal chords without undue prodding from the legislative branch. Until he does so, however, I will continue to speak out for rural America.

On February 9, 1971, the Legislature of Nebraska, the home State of Secretary Hardin, unanimously adopted Legislative Resolution 20, introduced by Terry Carpenter, the 48th district, as follows:

Whereas, the agricultural middle west was basically responsible for the election of this Administration, it does not necessarily mean that we will forever be that way when the Secretary of Agriculture is being used to harm, in whole or in part, the very programs necessary for our nationwide prosperity; and

Whereas, the farm population is gradually and consistently diminishing for the reason that, under the present programs and the present Secretary of Agriculture, this exodus can only be continued. If people are going to be taken off welfare and re-established on the farms, a sympathetic change must be effective immediately in order to reverse the trend; and

Whereas, abundant food production and maintenance of an efficient and prosperous agricultural economy are basic elements in the preservation of our domestic security and free world defense; and

Whereas, the dimensions of world food and population problems are unprecedented in the history of man; and

Whereas, this country has the capacity to feed the world.

Now, therefore, be it resolved by the members of the Eighty-second Legislature of Nebraska, first session:

1. That the proposed dismantling of the United States Department of Agriculture is contrary to the national interest and would deny agriculture its rightful rank as a basic cabinet level participant in Federal government councils.

2. That the President has the power, with the stroke of the pen, to make mandatory 90 per cent of 1910–14 parity on farm products under the act and we recommend that he does just that.

3. That the President direct the Secretary of Agriculture to establish for the 1971 crop season at 20 per cent on the feed grain program which is now stalled in the Administration.

This is the concurrent resolution adopted by the Iowa Legislature on February 25, 1971:

Whereas the President of the United States, Mr. Richard Milhous Nixon, will be in Des Moines Monday, March 1, 1971, with cabinet members and members of the Iowa Congressional delegation serving on Agricultural committees, to hold a council on rural development with the Governors of Iowa, Missouri, Illinois and Wisconsin, and

Whereas Iowa is highly honored in the holding of this rural development conference in our capital city of Des Moines, and

Whereas all the people of the Midwest are concerned about our rural problems and appreciate the President's deep interest as evidenced by his special trip to Des Moines, and

Whereas addressing the Iowa General Assembly provides an ideal opportunity for an expression of the President's concern about rural problems,

Now therefore, be it resolved by the Senate, the House concurring, that the 64th General Assembly extend to President Nixon a most cordial invitation to attend a joint session of the General Assembly and present a message to the people of the Midwest.

Be it further resolved that the joint session of the General Assembly be held on Monday, March 1, at such time as is convenient for President Nixon.

Be it further resolved that the President of the Senate, Lieutenant Governor Roger W. Jepsen, and Speaker of the House of Representatives, the Honorable William H. Harbor, be delegated to present this Resolution to President Nixon and personally urge his acceptance of this invitation.

The statement by the President referred to follows:

PREPARED TEXT OF REMARKS BY THE PRESIDENT BEFORE A JOINT SESSION OF THE IOWA LEGISLATURE

I greatly appreciate your invitation to address this joint session of the Iowa State Legislature—both to share with you a few of my thoughts about America's future, and to reaffirm my own strong conviction that in the State capitols of America there is a wealth of wisdom and compassion and understanding of the great needs that confront our Nation's people.

This is my first appearance before a legislative body since I delivered my State of the Union address to the U.S. Congress—and I am especially pleased that it can be before this legislature, which I note was recently cited by the Citizens Conference on State Legislatures as one of the best in the Nation.

In that address, I outlined six great goals for America, and I urged the Congress to join in bringing about a new American revolution—a peaceful revolution, in which power was turned back to the people—in which government at all levels was refreshed and renewed, and made truly responsive.

It is especially appropriate that that appeal to the Congress should be followed by this, the first appearance as President of the United States I have had an opportunity to make before a State legislature. For as we consider the changes that are needed in American government, we must remember that we have not one chief executive in America, but many; not one legislature, but many—and that each of these is a vital part of the strength of America.

One of my key proposals to the Congress is that we make a $16 billion investment in renewing State and local government by sharing Federal revenues without the cumbersome restrictions that now follow Federal funds. I have noted that this legislature has already expressed its support for the principle of revenue sharing. I also have propsed a sweeping reorganization of the Federal Government itself to make it more responsive to the needs of the people.

Together, these changes can give us better government throughout all America—but they have special meaning for rural America.

First, in terms of dollars, I am announcing today that I am increasing by an extra $100 million the amount that I originally proposed in special revenue sharing for rural community development, bringing that to $1.1 billion for the coming year—which is 24 percent more for rural development programs than is being made available to the States under existing categorical grant programs this year.

The direct dollar benefit to rural America is obvious. In addition, rural America will share substantially in general revenue sharing funds, and also in special revenue sharing for manpower, education, transportation and law enforcement. Funds for urban community development will also go in part to urban communities in largely rural areas.

A second reason these changes have special meaning for rural America is that one of their chief purposes is to give each State and each community greater freedom to decide for itself those questions that directly affect its own future. If the lessons of the past decades mean anything, they mean that as power has been concentrated more and more in Washington, as decisions have increasingly been made by remote control, the special needs of our rural communities and of the great heartland of America more and more have either been neglected or even gone unrecognized.

I want those decisions that affect rural America made by people who know rural America. And the people who know a place best are the people who live there. To put it bluntly I believe that legislators in Iowa know better than bureaucrats in Washington, D.C. what is best for Iowa.

It is fashionable in a lot of quarters these days to scoff at State and local government. But to those who sneer at State legislatures, at city councils, at any level of government other than that in Washington, I say they don't know the American people.

I reject completely the contention that you cannot trust State and local governments. The patronizing notion that a bureaucratic elite in Washington knows best what is best for people everywhere is completely alien to the American experience.

The honesty and efficiency of government depends on people. Government at all levels has good people and bad people. And the way to get more good people into government is to give them more opportunity to do good things.

You know and I know how much dedication there is in State capitals, how much of a desire to do the right thing—and how much frustration there is with the restrictions and red tape that Washington so often imposes—and also with the tightening squeeze between needs and resources.

Like other State legislatures, you confront enormous problems.

Here in Iowa, as is the case in most of our States, I know you are wrestling with ways of avoiding the prospect of a deficit this year. And I know how heavy the burden of State and local taxes has become.

In the quarter-century I have been in public life, I have seen State and local expenditures rise twelve-fold—and I have seen property tax collections rise to six times what they were just 25 years ago, while State and local debt has increased ninefold.

Against that background, look at the double mismatch we now have: As the Nation grows and the economy expands, needs grow fastest at the State and local level, while revenues grow fastest at the Federal level. And at the same time, experience shows that the Federal Government is very good at collecting revenues and often very bad at dispensing services.

So it makes elementary good sense to turn over some of the money collected by the Federal tax system to meet State and local needs.

It makes good sense, because people on the scene are most often the best judges of what those needs are.

It also makes sense because our people need relief from the mounting burden of State and local taxes.

Here in Iowa, you could use revenue sharing to increase services, to avert a deficit, or perhaps to increase appropriations for the Agricultural Land Tax Credit. The point is that you could choose, according to your best judgment of the needs and wishes of the people of Iowa. That is the way it should be.

Let me also say a word about my proposal to reorganize the Federal Government—in particular as it affects the farmer.

One of the automobile companies has recently been using the advertising slogan "You've changed. We've changed." But when we look at the farmer and the way the Federal Government is organized, it is a different story. The only way to state the case, sadly enough, is that he has changed and we have not. The farmer is a man of many talents now—a businessman, a technician, a scientist—often a man who makes his living in more lines of work than farming alone.

The rural community is becoming increasingly diversified in its economic base and its land use and its population patterns. While all this has gone on, we have sat in Washington with the same Department of Agriculture we have had since 1862. "You've changed and we haven't"—it could become the epitaph for rural America, for the countryside where this Nation's roots are. But to be able to say that you have changed and so have we—that could be the keynote for a new surge of vitality and progress on the farms, on the ranches and in the towns and the open lands across this Nation.

It comes to a question of whether farmers and others in rural America want an Agriculture Department for its own sake or whether they really want things like better farm prices, better technical assistance for agricultural problems, wider development opportunities in rural communities, better schools, better roads, and so on. I think they want the latter—the tangible results.

Under the present setup, only one Cabinet department represents the farmer. Under my proposed reorganization, four Cabinet secretaries—half the Cabinet—will be speaking up for the farmer when his diverse interests are at stake. I submit that this is not less representation, but more—and more effective representation, because the rural interest will be represented wherever decisions are being made that affect that interest.

These proposals I have made are not Republican proposals or Democratic proposals. I have offered them in a bipartisan spirit, and I seek bipartisan support—for they cut to the heart of our hopes for progress in America not just this year, not just next year, but for the balance of the decade and the balance of the century.

I have met with many groups in these past few weeks, talking with them about my proposals for the reform and renewal of government in America. And I have told them that I know there are many objections that people will raise to specific parts of these proposals—but then I have put a challenge to them: Let the first person who thinks we ought to keep things as they are, I say, let him stand up and defend the status quo—and I have not yet had a single taker.

Many were shocked when I said in my State of the Union message that most Americans are fed up with governments.

But we know it's true. They are fed up because they think government costs too much, that it doesn't work and that they can't do anything about it.

What I have proposed is designed to meet these needs—to cut the cost of government, to make it work, and to give the people a greater voice in determining what kind of government they want.

People know that we need a change. They know that what may have been right 20 or 30 or 40 years ago is not right today. They know that like any living thing, government in America has to change and develop; it has to adapt itself to new circumstances. And it has to be made to meet the needs of our people, as those needs exist in today's America—so that for the farmer, the worker, the taxpayer, the housewife—for everyone in America—government can do a better job.

America's great strength lies precisely in its great diversity—in the fact that our States and communities are different, that we do not all fit in the same mold, that each of us has his own ambitions, his own desires, his own individuality. The essence of freedom is to give scope to that individuality and the respect that diversity.

When I talk about returning power to the people, I am talking about just that—about letting people make their own decisions, in their own lives and in the lives of their own communities.

For I have faith in the people of America. And faith in people is what the American system of government is all about. Here in the heartland of America, we can see that the heart of America is good—and that its people deserve our faith.

We became a great Nation because the Nation's founders had the courage to place their faith in people—and because, having that faith, they established institutions that allowed the people to prove themselves worthy of it.

Now the time has come to retun to that faith, to renew those institutions, and by so doing to lead America to a new birth of greatness—a greatness not simply as the richest Nation, not simply as the strongest Nation, but a greatness that springs from the unshackling of the spirit of the people themselves.

So I invite you to join with me in beginning a national renewal—in fitting our Government to the times we live in—in strengthening our Government at the State and local level—in forging a new partnership that can give us prosperity with peace, progress with unity and freedom with diversity.

[From the Des Moines Register, Feb. 26, 1971]

FEARS FARMER TO BE NEGLECTED IF "AG" DEPARTMENT IS DISMANTLED

We'd like to believe that the White House plan to abolish the United States Department of Agriculture has some merit. After all, we don't want to oppose something just because it is new.

No doubt the President is finding it very frustrating to get the bureaucratic machinery turning in Washington. It must be about like pushing jelly with a feather.

The plan that the President unveiled in his State of the Union speech would dismantle the 109-year-old USDA completely. Forestry, Soil Conservation Service and the REA might be taken over by a new Natural Resources Department. The Extension Service and the Farmers Home Administration might slip into a new Department of Community Development. The Economic and Agricultural Research Services, and perhaps the ASCS programs, could be absorbed by a new Department of Economic Development.

We suppose that Agriculture should feel complimented. No other Cabinet department is felt to have such far-reaching, vital functions that it is split three ways into the new alignment.

Is 109 years a long enough life for the USDA? Has the country changed so much, and has agriculture become such a small part of our national life, that we don't need the USDA anymore? Should we farmers scrape the moss off our backs and admit that our problems and concerns are like those in cities?

Maybe so. The White House staff must think so, else it wouldn't have recommended dismantling a venerable institution such as the Department of Agriculture.

As for us, we're unconvinced. We see it as another instance where agricultural affairs would be run by government agencies who don't know farming and who don't understand rural areas. There is more than just a change in labels here: The present functions of the USDA would become a subordinate part of larger departments.

There'd no longer be a secretary of agriculture "to speak for farmers and for American agriculture to the White House," as President Nixon is fond of saying. Farm affairs in these new departments would be the tail on an urban dog.

Take Health, Education and Welfare, for example, and its recent effort to scuttle vocational agriculture programs. What about those silly suggestions from the Department of Transportation regarding farm vehicles?

We think the new government setup would mean more of the same, doubled in spades. It's hard enough keeping USDA bureaucrats from going off the deep end—and they usually start with some understanding of farming.

We think that the President has bitten off too big a chunk. We suggest that he leave the present departments and appoint four stem-winding, go-getting "executive vice-presidents" to the White House staff. Put these four in charge of Natural Resources, Community Development, Economic Development and Human Resources. Give them head-knocking power to see that departments and agencies do co-operate with each other and that policies adopted by the Cabinet "board of directors" are carried out.

Mr. SEBELIUS. Mr. Speaker, I want to thank the gentleman from Iowa for his very fine remarks.

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

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

Mr. TERRY. Mr. Speaker, I rise in support of the gentleman from Kansas. Certainly, our Nation's farmers are one of the more neglected groups in recent years.

Even during the last decade of low prices received by farmers, our agricultural produce has played a major role in keeping our balance of payments in better shape than it might have been. In fact, on the relatively few times we have had a surplus in our balance of payments, the difference was in the export of farm products.

If receiving low prices for their products was not enough in the face of rising farm costs, the farmers and supermarkets have been singled out by the so-called consumer groups in recent years for adding to the high cost of living. Actually, analysis shows that most increases in food prices are due to the increasing cost of labor at the food processing plants.

The 1970 census now shows that while the rural population is still declining, it is doing so at a slower rate. At the other end of the spectrum, some of our inner cities are showing a decline in population also. It may now be possible to foresee the time when the migration of the farm will largely stop and with it the inmigration to our large cities. It is a well-known fact that our smaller communities have less crime and more civic pride, due to the very human fact that there is a strong sense of identity. You are not as likely to be overlooked in a small village as you are in Greenwich Village. All your actions and activities are known. Therefore, it is essential to the well-being of America that the outlook of rural America be retained for its virtues are many.

Eventually, demand will catch up with supply and farm income will become stabilized. But even then the farmer will still be subject to changing Government policies, foreign policies which affect his exports, and eternally the weather.

Taking all these factors into account, it seems to me that we in the Congress have to be more aware of the farmer when we legislate. Our Nation's syndicated columnists rant and rave about a few farmers who receive excessive payments for land not being farmed, and never once mention the family farmer, who can seldom get help long enough to

take a vacation, let alone come to Washington to lobby his Congressman.

Our rural areas must be made more attractive. A critical problem in the Finger Lakes Region of my district is the lack of adequate medical facilities in the small towns and villages. I have been working with the town of Cato in Cayuga County and the town of Elbridge in Onondaga County in attempting to obtain a doctor for them. The shortage of adequate medical facilities and personnel makes this task almost impossible.

For every small town, the situation is nearly the same. Another community in Ontario County recently obtained a doctor after months of negotiations, and the doctor was so overwhelmed with calls in the first months, that he suffered a physical collapse.

The need in our rural areas is not only strengthening the economics of the farmer, but also improving the services in the communities so that families not directly associated with agriculture will remain in the rural areas of the United States. These are matters with which Congress can effectively deal. The last Congress considered a major farm bill, but did not complete action. This Congress will give us the opportunity for a fresh look, retaining the good features of last year's bill and adding constructive provisions to a new bill. I pledge my wholehearted efforts to renew and refresh rural America and call upon my colleagues to join together in recognizing the need for a truly new approach to helping the agricultural communities of our country.

Mr. SEBELIUS. Mr. Speaker, I thank the gentleman from New York (Mr. TERRY) for those remarks.

Mr. Speaker, I suppose I will have the concluding discussion today for this first Farm Day in the House.

Mr. Speaker, I consider it both an honor and a privilege today to join my distinguished colleagues, the gentleman from Montana, the Honorable JOHN MELCHER, and the gentleman from Iowa, the Honorable NEAL SMITH, in this the first of what I hope will be a bipartisan effort to publicize the plight of the American farmer in the Congress. I want to express my appreciation and the thanks of the citizens of the district I am privileged to represent, the First Congressional District of Kansas, to both Congressman MELCHER and Congressman SMITH for their leadership in organizing this discussion.

It is also my understanding that much of the credit for undertaking this effort should go to the National Farmers Union and their leadership here in Washington. I am most pleased that I have been asked to join in this effort and wish to commend the National Farmers Union for their leadership and organizational help to get this bipartisan "Farmers Day" in Congress started.

Our intent is not to fix blame in regard to our problems in rural and smalltown America, but simply to publicize the fact farmers are asked to provide food and fiber for our Nation and a hungry and troubled world, and yet we find the farmer today cannot make a decent living. Our Nation's food supply, and to some extent the food supply of the entire world, depends upon what we in Congress, and in the Department of Agriculture, in the administration, in our many farm organizations, and in the agribusiness industry—what we all do as a team to find workable answers to the problem of farm income.

My remarks today concern primarily the need for hearings on Senator JIM PEARSON's Rural Job Development Act of 1971.

Every day we hear of the crisis in our Nation's cities. Crime escalates, pollution threatens the health of urban life, complexities of everyday affairs multiply, and the quality of life in general continues to decline. No one disputes the severity and crucial nature of the urban crisis, but there is another and equally important related crisis in this country: The declining economy and eroded vitality of rural America.

These problem areas are distinct; however, in terms of cause and effect, they are related. Over the past several decades, rising production expenses, higher taxes, and declining farm prices have forced millions of farmers out of business, as well as the closing of many business establishments in our rural communities. This coupled with the lack of adequate housing, educational opportunity, water and sewer facilities, health care facilities, community services, and general economic opportunity has created the tremendous population migration from rural to urban America.

Into the cities have come the unskilled rural poor attracted by the lure of economic advancement. Many gain, but a tragically high number do not. Instead of economic salvation, too many of the rural poor, both white and black, find tenements, unemployment, welfare, and the depersonalized, demoralized environment of the slum ghetto.

Into the cities also come the young, the educated and the talented. They often do much better materially, but for this economic gain they pay the social costs of the loneliness of the crowd, the frustrations of congested streets and crowded stores, the stultifying sameness of the bedroom suburbs, the loss of community identity, and the lack of contact with nature.

These overcrowded conditions in our cities have imposed impossible demands on urban resources to meet the requirements of transportation, education, welfare, crime control, pollution control, health care, public services, and housing. If answers are not found the pressure of people against the resources and services of our cities of the future may simply break them down.

In short, too many communities are underdeveloped. Too many of our metropolitan areas are overcrowed. This unequal distribution of population and economic activity will surely worsen unless we take strong positive action.

To underscore this fact, statistics show that even if today's rural population were doubled by the end of this century, there would still be up to 40 million people added to the metropolitan areas.

Former President Dwight D. Eisenhower was one of the first to recognize this problem in the decade of the 1950's. His proposed solution included the location of industry in rural areas and the possibility of creating new towns in the country. This proposal, in part, reached fruition with the development of the new pilot city, "Jonathan," located 20 miles southwest of Minneapolis, with an eventual population of 50,00 as its target.

The Secretary of Agriculture, Dr. Clifford M. Hardin, in announcing the creation of President Nixon's Rural Affairs Council, succinctly outlined our task in solving the problems of rural and urban America. Secretary Hardin said:

> We have to make the whole of rural America more attractive, economically, culturally, and socially. We must expand opportunity not only for the ten million farm people, but for the other 45 million residents living in the countryside. It is not enough that we think in terms of improving conditions and opportunity for the people living today in rural America, and thereby stemming the flow of people to the cities. We must do much more. We must make it a matter of national policy that we create in, and around, the smaller cities and towns sufficiently good employment opportunities and living environments that large numbers of families will choose to rear their children there.

This is an extension of Dr. Hardin's rural development commitment in the State of Nebraska, a commitment that resulted in the location of 144 plants owned by 84 of the Nation's top 500 industrial corporations in rural areas.

The recent success of the Farmers Home Administration under the very capable leadership of a former Member of this body, Mr. James V. Smith, represents what needs to be done to revitalize rural and smalltown America. This agency served more than 2.2 million people as it advanced $1.94 billion for home construction and improvement, family farms, and rural community facility projects in 1970.

Eighty thousand housing loans for rural families of low and moderate income, including residents of rural towns, accounted for nearly $1.1 billion of FHA's rural development effort. The FHA has become a primary and vital force in bringing water and sewer facilities to rural communities as a result of the landmark Poage-Aiken bill and the Byrnes bill recently enacted by the 91st Congress.

However, the work has just begun. Nearly 60 percent of the Nation's substandard homes are in rural America. Approximately 31,743 rural communities still do not have adequate waste disposal systems. FHA's most recent survey shows that roundly $11 billion will be needed to meet our rural water/waste disposal requirements in rural America.

We must provide this effective agency with new tools to improve conditions and income opportunity in rural America. In this regard, I would like to submit for the RECORD Administartor Smith's forthright statement before the House Agriculture Committee discussing in some detail FHA programs and the part FHA is prepared to play in helping to improve the quality of life in rural America.

The Rural Job Development Act of 1971 whose principal author is Senator JIM PEARSON, my good friend and the distinguished senior Senator from my home State of Kansas, would encourage job-creating industries in our rural areas which would stimulate economic activity and create income opportunity and would be a logical and reasonable means of implementing rural job development.

This legislation, sponsored by 48 Senators and 40 Representatives, is truly in the best interests of our entire Nation. This bill should and can be an integral part of our growing commitment to deal with our Nation's urban and rural crisis.

In brief this bill would work as follows: A series of tax incentives—a 7-percent tax credit on personal property, a 7-percent tax credit on real property, an accelerated depreciation allowance, and a 50-percent tax deduction on wages paid workers given on-the-job training would be offered to industrial and commercial enterprises locating in counties designated as "rural job development areas." Rural job development areas are counties which have no city of over 50,000 and where at least 15 percent of the families have incomes of less than $3,000. Indian reservations are also included. To be eligible the enterprise must hire at least 10 people and wherever possible, must hire at least 50 percent of the work force from the local area. The bill contains a prohibition against "runaway" firms and recapture provisions for those firms which willfully violate the terms of the program.

The economic potential resulting from rural job development is tremendous. Recently a community in my congressional district of western Kansas revealed the projected impact of 100 new jobs. In Hays, Kans., according to the statistics, 100 new jobs would mean a population increase of 296 people, 112 more households, 174 total additional workers employed, 107 more registered passenger cars, four more retail establishments, $360,000 more in annual retail sales, $270,000 more in bank deposits, and $590,000 additional personal income in the community.

We must work together to find solutions to the dual crisis in rural and urban America. United, we can reverse the flow of rural people to metropolitan areas and initiate a reverse migration.

This truly is the turning point in our history. We must provide the tools to achieve a true population balance.

I am hopeful that the record of the 92d Congress will reveal that we operated with dispatch to meet this challenge and that we provided new opportunity and better living conditions for all Americans.

Mr. Speaker, since the Farmers Home Administration is playing such a vital role in our efforts to revitalize rural and smalltown America, I wish to commend to the attention of my colleagues the recent statement by FHA Administrator James V. Smith before the House Committee on Agriculture.

And since the National Farmer's Union was so instrumental in organizing today's discussion regarding the plight of the American farmer, I also wish to commend to my colleagues the remarks of my good friend, Kansas Senator ROBERT J. DOLE, who was privileged to address the 69th convention of the National Farmer's Union here in Washington just this past week. Senator BOB DOLE's candid and forthright remarks clearly illustrate the obvious need for a bipartisan effort to find workable answers to our farm income problem. I include both Administrator Smith's and Senator DOLE's remarks in the RECORD:

FARMERS HOME ADMINISTRATION STATEMENT

(By James V. Smith, Administrator, before the House Committee on Agriculture for the Department of Agriculture, February 25, 1971)

Mr. Chairman and Members of the Committee, we are here at the invitation of the Committee to review the programs of Farmers Home Administration, and in particular to talk about rural development and the part FHA is prepared to play in helping to improve the qualitfy of life in rural America.

Members of this Committee have long acquaintance with FHA's supervised credit program. You have sponsored and, in many cases, originated the legislation under which we operate. We value highly the excellent cooperation you have extended to the Farmers Homer Administration.

The Farmers Home Administration is an agency in transition, growing in size and in the diversity of its services. We are a people-oriented agency, sensitive and responsive to the credit needs of rural America.

The agency has grown into a pre-eminent position as the supervised rural credit arm of the U.S.D.A. The budget for FY 1971 is nearly a billion dollars greater than it was two years ago. We have more than $7 billion in outstanding loans, and that figure increases by a billion dollars annually.

Another measure: In the past decade our program levels have increased more than 600 percent, loans outstanding are up almost 500 percent, and collections have increased about 250 percent. This has been accomplished with an increase of 77 percent in man-years of employment.

Our farm programs provide an economic and social base for small towns. The rural housing program makes attractive homes available, improving quality of life for rural residents. And modern water and waste disposal systems undergird our housing efforts.

We are making significant strides in our efforts to help rural America. Earlier this week, the Department issued a news story that started this way:

"In an all-time record year of activity, the Farmers Home Administration added nearly $2 billion to the supply of credit in 1970 for rural American families and communities.

"The agency directly served more than 2.2 million people as it advanced $1.94 billion for home construction and improvement, family farms, and rural community facility projects.

"Housing loans for rural families of low and moderate income, including residents of rural towns, accounted for nearly $1.1 billion of the year's lending by the Department of Agriculture agency.

"Farm loans totaled more than $630 million, and rural community facility loans more than $216 million."

A full copy of the release is attached as Exhibit A.

In cooperation with the Future Farmers of America, we have launched a nationwide program that will involve young people in rural development activities. Called "Build Our American Communities," this program—launched last July at a breakfast attended by many on this Committee—is now gaining impetus.

The rapid growth I have mentioned has been primarily in housing, and our long established farm loan programs have leveled off as illustrated in this table:

[In thousands]

	Fiscal 1965	Percent of Total	Fiscal 1971	Percent of Total
Farm ownership and soil and water loans	$186,123	23.3	$227,000	10.1
Operating and emergency loans	397,622	49.8	344,000	15.3
Total, farmer loans	583,745	73.1	571,100	25.4
Association loans	81,369	10.2	191,055	8.5
Housing	133,041	16.7	1,483,225	66.1
Total program	798,155	100.0	2,245,380	100.0

Even at these levels of funding, Farmers Home Administration is helping to hold people in rural areas, rather than letting them become displaced persons in urban areas. With our help, some small farmers are becoming successful big farmers and new blood has been entering farming, as it must if our agricultural plant is to continue to be strong.

Despite concern about the decreasing farm population, agriculture is still a primary foundation for our economy—and it is *the* primary foundation for most rural communities and the trade centers that serve them.

Farmers are primary producers, and the family farmer we serve is the man who sells about $5,000 to $20,000 worth of produce through the facilities of his market town—adding immeasurably to the wealth and well being of that community, and to the tax base that supplies essential services. Farmers are also consumers of goods and services of industry, buying food and clothing as well as machinery, tools, chemicals and other supplies and components needed in their production efforts.

The higher costs of farming and the decline in purchasing power of the dollar are having very real effects on our program. This is directly reflected in the average size of the loans we are making through Farmers Home Administration, as illustrated by the following:

	Fiscal 1965	Fiscal 1971
Average size of initial farm ownership loans	$16,418	$25,792
Average size of initial operating loans	6 072	8,031
Number of initial farm ownership loans	9,885	8,644
Number of initial operating loans	24,127	14,247

We have taken action administratively to multiply the effectiveness of our farm loan dollars. We have entered into agreements with the Farm Credit Administration whereby we may participate with the Land Banks in joint loans. We are pressing vigorously to encourage banks, insurance companies and other lenders to participate with us in our loans. The results of this participation are obvious. Every dollar of private sector money that we can bring into a loan on a participation basis makes that many more dollars available to lend to other farmers. This we consider a major achievement of the past year and it shows great promise in revitalizing the capacity of Farmers Home to serve the family farmer. The feasibility of a similar arrangement with the Bank for Cooperatives is now being explored.

We have also instituted a national Farm Family of the Year award program to call attention to the fine contribution these men, women and children make to their communities—and to the nation.

HOUSING PROGRAMS

The housing programs of Farmers Home Administration have grown to be the major undertaking of our agency. A considerable amount of our resources and energies the past three years has been devoted to building our capacity to deliver mortgage credit to low and moderate income families under the rural housing program.

New authorities make it possible for us to attract increasing numbers of builders into our programs. Builders have found that there is a strong market for housing in rural areas, and that the mortgage credit available through the Farmers Home Administration permits them to develop this new market. This has brought additional private capital to the scene, and additional hands to help extend our effort to low and moderate income families. There is strong public support of the rural housing program, and recognition of FHA as an important source of supplementary mortgage credit—credit that will build or refurbish some 120,000 rural housing units in this fiscal year.

To carry out a housing program of the size we now have requires the development of good building sites. This has become a problem in some areas, largely because of the difficulties involved in providing adequate water and waste disposal systems. Intensive research should be directed toward developing effective sewage treatment facilities for small subdivisions. Also there is a need for research in the development and treatment of water supplies in areas where an adequate supply of water is not available.

COMMUNITY WATER AND WASTE DISPOSAL PROGRAMS

The community water and waste disposal loan and grant programs of the Farmers Home Administration are authorized by the landmark Poage-Aiken Bill, Public Law 89–240. Under this authorization, the Farmers Home Administration has become a primary and vital force in bringing water and sewer facilities to rural communities.

Passage of the Byrnes Bill by the 91st Congress opened the way to a more liberal funding through use of insured notes, so that FHA may serve the immediate and cogent needs of many more rural communities. Our agency operates in small towns and in sparsely populated rural areas. Families living in these areas are particularly in need of financial assistance because of the high cost of construction resulting from low density population, long distance between users, and other technical problems.

As of January 31, 1971, we had on hand 2,680 applications for loans for water and waste disposal systems representing about $500 million. We also had 1,309 applications for grants representing about $104 million. In addition, over the past three years we have had to return 7,300 loan and grant applications representing $1,176 million to residents of rural communities after telling them that we could not assist them in the immediate future due to the lack of funds.

Our most recent survey shows that roundly $11 billion will be needed to solve our rural water/waste disposal requirements.

We continue to foster innovation and better methods in our personnel and business management of the agency. I want you to be aware of some of the steps we have taken, but will keep them brief so as not to belabor my point. We now use business administration graduates in county offices where the housing case load has become the dominate program. We use technical experts at district levels to augment county capabilities, and we are adding engineers and architects to state office staffs to provide professional, technical guidance. I'm sure that the Committee is aware that our operations are thoroughly decentralized, with loan making authority resting with our 1,700 county offices.

Let's move now to a look ahead. Even with our great diversity of programs and high level of funding, we cannot supply the necessary range of credit needed to rebuild and revitalize rural areas.

The point I wish to make has been underscored in the past few weeks by the report of the President's Council of Economic Advisors which said that "in 1969, families living in metropolitan areas of a million or more had average incomes 12 percent higher than those of families in smaller metropolitan areas, and 37 percent higher than those of families outside metropolitan areas."

Income opportunity must improve if we are to have rural development. Total rural development really absorbs the programs, resources and special competencies of many agencies of government—and calls for still more.

A national growth policy must guide the future commitment of the nation in rural development. The objective must be to rebuild and revitalize rural areas as a place to work, to live, and to raise a family, thus helping achieve a better distribution of population. A key is the generation of economic activity. An indispensable component is capital—high risk capital, operating capital and long term investment.

Farmers Home Administration has a tested delivery system for supervised rural credit. We are working to better coordinate the different authorities so we can offer a package-type service for development of communities: The preparation of building sites, water and waste disposal facilities, and housing.

We presently make loans to farmers to diversify their operations, and these programs could be strengthened. We have been offering help for very low income persons, as well as for cooperatives serving them through Title IIIA Office of Economic Opportunity loans, but this program is being phased out. Assistance to very low income individuals could be incorporated into our supervised lending program.

Selected authorities of this nature, combined with ease of funding from private sources made possible through the insured note authorities of FHA could make the Department even more effective in its rural development efforts.

These legislative items presently have our attention.

Employees of Farmers Home Administration bear harsh financial liability under the legislatively-mandated performance bond requirement.

FHA employees handling government funds are required by 6 U.S.C. 14 to be bonded under a "faithful performance" type bond. They are held fiscally liable for losses resulting from procedural errors or errors of inadvertence as well as for losses caused by fraud or dishonesty.

The bond protects the government, not the employee, so the first step in instances of loss is to seek restitution from the employee to the maximum degree possible. It has meant attachment of employees' final salary payments, travel reimbursements and retirement benefits.

We would like to institute a fidelity bond to protect the government against dishonesty, but to permit administrative action against incompetence or failure to follow procedure, rather than imposition of financial penalties.

We have in process of clearance legislative proposals to calculate all interest rates on a cost-of-Treasury-borrowing formula. Legislation will also be proposed to authorize user fees under the housing program to make it comparable to that of the Department of Housing and Urban Development. We also propose user fees for other programs under the Consolidated Farmers Home Administration Act of 1961.

We will propose an extension of the loan insurance authority under the Consolidated Act, and will propose extension of the October 1, 1971, deadline for making water and sewer development grants to communities that have undertaken, but not completed, a comprehensive plan.

In addition, it may become necessary to seek broader statutory authority for effectively servicing our loans, particularly association loans.

We are studying proposals to raise the $4 million limit on water and sewer loans, so we may fund economically stronger systems. I'm sure Committee members are aware of legislation introduced by Congressman Price. One is a Presidential priority bill to place our operating loans under insurance authority, a second increases operating loan ceilings from $35,000 to $50,000.

This covers our prepared statement, and I will be pleased to respond to questions you may have.

REMARKS OF SENATOR BOB DOLE, REPUBLICAN NATIONAL COMMITTEE CHAIRMAN, 69TH ANNUAL CONVENTION, NATIONAL FARMERS UNION, FEBRUARY 25, 1971, WASHINGTON, D.C.

I am pleased to be with you this evening at this 69th annual meeting of the National Farmers Union, especially for the opportunity it affords to discuss agricultural facts and the real issues. Over the many years of my strong and continuing interest in farm matters, I have learned much from my *NFU* contacts. I know these will continue to be constructive.

I welcome this opportunity to be with you, for we share a common concern. It is concern for American agriculture and for all segments of American life.

With that concern, we also share a common determination. It is a determination to face squarely the problems of the present, and together develop constructive answers for a brighter future.

It is significant that Tony Dechant has seen fit to invite the chairmen of the two great political parties to discuss issues affecting you this evening. It is significant as an indication of administration interest in farmers that President Nixon should choose for the top Republican political post a man from a western Kansas wheat town who has served on the House Agriculture Committee, is presently serving on both the Senate Committee on Agriculture and Forestry and the Select Committee on Nutrition and Human Needs. I have travelled abroad and will continue to travel whenever the need arises to promote the best interests of all people under the food for peace program. You will recall that this program was initiated by President Eisenhower in 1954 and has had strong bipartisan support ever since. It is one of the greatest and most constructive programs to advance the foreign policy interests of the United States.

Let me make one point clear—just as Secretary of Agriculture Clifford Hardin was given the charge by President Nixon to represent the farmers of this country in the councils of government—so will the present chairman of the Republican National Committee fight not only in the Senate, but also in the political arena for those interests.

Let me say at this point that those interests—the interests of farm people—are the interests of America—just as the strength of a dynamic and progressive agriculture is a source of strength and progress for our Nation and the world.

You know and I know that there is a great deal of misunderstanding among our citizens both over the importance and the complexity of farm and rural programs.

If you will permit me one small partisan remark—and I know you suspect that I have one little one tucked away—I can't help be dismayed by the attitude that city Democrats have toward agriculture.

REFUSE TO SERVE

That attitude was manifested this year when Congressman Herman Badillo of New York City refused to serve on the House Agriculture Committee. Congressman Badillo's fellow Democrats were unhappy that he did not remain on the Agriculture Committee, since the Committee oversees the major anti-poverty legislation concerning food stamps, commodity distribution and school nutrition. Two years ago Representative Shirley Chisholm said, "All I'm asking for is something more relevant than agriculture," when it was suggested by Democrat colleagues that she devote some time to tackling one of the major domestic problems facing the nation—our food and farm policy.

I believe the attitude of these two city Democrats is symbolic of a great segment of the Democratic Party—a group of people who hold dear very little of the values that exist in rural America; values that have made and do make America great.

I am reminded, of course, that similar observations have been made about my own party—that we Republicans don't care about the farmer and rural America.

I even recall a quote from my own friend, Bob Poage of Texas, who once said that neither political party cared about 5 percent of the population when the other 95 percent was off the farm.

GOP DOES CARE

Well, friends, I'm here to tell you that's only half right. The Republican Party does care, and I'm going to do my best to see that it continues to care, and I know President Nixon is going to do his very best to bring prosperity and tranquility to the ruropolis as well as to the metropolis.

Words and phrases are, of course, empty echoes unless accompanied by deeds. And this administration will be like every other administration—measured by its deeds—not its words.

There was a great Democrat who once said, "Let's look at the record." Let's take a quick look at some items of accomplishment that farmers and rural residents from across the nation can examine.

FARM INCOME

First of all, the 1961–1968 average realized net farm income was $13.8 billion. The 1968–1970 average—the Nixon years—was $16.0 billion, or 16 percent. You and I know this is still inadequate. It's still not fair, but it's a start. We intend to do even better with new programs.

GRAIN DUMPING

I recall the millions of bushels of grain dumped into the market to hold down prices during the Freeman years. I recall a former Secretary of Agriculture expressing pleasure when farm prices fell, and a Chairman of Economic Advisors under President Johnson stating on television that dumping corn and other grains on the market was good because it would result in lower hog prices.

I recall an effort made in the House Agriculture Committee to raise the minimum resale price above the 105 percent of loan level and the pressure that came from the Great Society to maintain that low resale price—an effort which was successful by the narrow margin of one Democrat.

I recall the outcries from the farmers union *GTA* against this market-destroying activity.

However, my recall mechanism does not include any statements of criticism of these policies by the present chairman of the Democratic National Committee in regard to the interests of our farm families on this real dollar and cents issue.

NO DUMPING POLICY

I can recall in the mid-sixties farmers would dread the day Commodity Credit Corporation was to announce the sale of some surplus grain. It was a pretty sure bet grain markets would drop 3c to 10c. I am pleased to say that the minimum legal resale for grains is now 115 percent of loan. *CCC* is getting that much and more. There is no "dumping" philosophy or practice in this administration.

Foreign nations know they can depend on the U.S. to deliver the quality grain they want. Your local cash price once again reflects export sales. This is a healthy trend, for as world markets expand, grain prices should increase. On top of this, the farmer still receives his marketing certificate for 100% of parity on his domestic production. When you combine the cash price you receive when you sell your grain and average the marketing certificate income, a blend price is the result.

Let's look at the blend price on wheat the past three years. In 1968 it was $1.79 per bushel. In 1969, it was $1.89, and in 1970 it was $2.11 per bushel. If the administration is successful in maintaining and expanding world markets for U.S. grains, we can foresee a further increase in this blend price in 1971.

IGA

In regard to the international grains agreement, there is another matter of overriding interest to grain farmers and to all the membership of this great farm organization—which I should like to lay on the table for your careful analysis. For it is time you got the real facts on the International Grains Agreement and what it did to you—not for you.

The I.G.A. proved to be an international economic disaster, especially for U.S. wheat growers, despite the following November 1967 statement by President Johnson at the signing on behalf of the United States:

"The new arrangement thus will prove new price insurance to U.S. wheat farmers."

It proved to be low price insurance and losing market insurance. Other countres undersold us and we were left "holding the bag" full of unexported wheat.

I will not take the time of this group to detail all the reasons for the quick demise of the I.G.A. Perhaps, just the following few words, couched in diplomatic language, by Secretary Hardin on November 17, 1969, are sufficient: "World production and exportable supplies have climbed to record levels, but import needs have fallen. These changes have been of sufficient magnitude to cause extreme downward pressure upon world wheat prices. Thus the price provisions of the new arrangement were immediately put to the severest possible test. Among the problems encountered with the wheat trade convention are a number of structural deficiencies, which tended to distort trade patterns and weakened confidence in the fairness and workability of the arrangement."

Just listen to this comment by the Australian Minister for Primary Industry, the Honorable J. D. Anthony: "What has happened is that France has increased her sales at the expense of Canada and the United States. At the same time, the Australian Wheat Board has taken full advantage of its favorable position under the I.G.A. and has been very vigorous and successful in its marketing. As a result—and there is no doubt about this—Australia has gained more than her traditional share of the world market. While this has been happening, countries who are not parties to the I.G.A.—particularly the Soviet Union and East European countries—have been expanding their sales at prices out of line with I.G.A. prices."

A NEW AGREEMENT

A new agreement was negotiated and announced earlier this week which enables U.S. wheat growers *to prosper from expanding markets*. The machinery of the International Wheat Council for consultation and the collection of detailed information about prices, commercial and concessional sales and freight rates will be maintained. The IWC will also keep under review the possibility of convening another negotiating conference when and if it appears that the problems of establishing a reference wheat and a pricing arrangement appears feasible. The new agreement also provides for period meetings and continuous consultations on the general wheat markets. During the life of the new agreement, wheat trading prices are determined by the ordinary play of market forces.

It is the intention of this administration to obtain our fair share of the world wheat markets. Our wheat growers deserve every consideration, and we intend to see that they get it.

HUNGER AND FOOD

Let us discuss another factor of our American scene in which *NFU* membership has a great direct and indirect interest. It is the question of hunger and malnutrition in the United States.

In May, 1969, President Nixon delivered a memorable "Hunger Message," in which he said, "That hunger and malnutrition should persist in a land such as ours is embarrassing and intolerable." Since that date, the United States has moved forward in overcoming these problems.

While there are some whose hunger for headlines exceeds their thirst for facts, I feel you should have an exposure to facts of record since 1969:

A tripling in the number of people benefitted by the Food Stamp Program, from 3.2 million to 9.5 million.

More than a five-fold increase per month in the value of food stamp bonus coupons, from $22 million to the current monthly value of $128.5 million.

An increase from 3.8 million to 6 million in the total of needy children receiving free or reduced-price meals at school. Some 800,000 additional youngsters benefit from special food service and school breakfast programs. Total participation in the school lunch program approaches 24 million.

A widening geographic research for food assistance. In May of 1969, 436 of the country's more than 3,000 counties and independent cities lacked a family food program for poor people; that total has now been reduced to 10.

A near doubling of the total coverage of family food assistance programs, from 6.8 million persons to 13.2 million today.

This is a proud record for all America, for we are well on the way to attaining the President's goal—to banish hunger from this land for all time.

Never before had the leader of a great nation set such a goal as a matter of national policy. Never before in the history of mankind had a nation committed itself to cope with hunger and malnutrition on such a vast and unprecedented scale. Never before have farm families benefitted from so many new and better customers.

But, one more comment. The Food Stamp Program now includes nearly 10 million people through the nation. It now incorporates a key element of the President's Family Assistance Program, that is, the "workfare" provision. It includes a specific requirement that those who are able to work should be willing to work if they want to receive the helping hand of their fellow citizens and taxpayers who finance the Food Stamp Program.

FARM EXPORTS

Just a week ago, the *USDA* issued a press release with the heading "1970 Farm Product Exports Hit Record $7.2 Billion." This was 22 percent above 1969. All of us should rejoice that American farmers cracked the $7 billion barrier for the first time in history . . . and like the man said, "You ain't seen nothin' yet," because we are on our way to a $10 billion annual export goal.

You and I know it is *most important* that

we expand our agricultural exports. In considering farm policy, one must be sensitive to the fact that export outlets for feed grains, wheat, cotton and soybeans, including the products, provide an important share of the market. And we have to be most concerned with the need to maintain and expand these outlets.

Our programs must look to overseas markets, and we must be prepared to compete for maximum utilization of our products throughout the world.

If U.S. farm exports are to reach our $10 billion goal by the next decade—a necessary objective—they must move competitively in the markets of the world. It will be our policy to do everything feasible in our discussions with foreign governments to stimulate export markets for U.S. farm families. We are not satisfied with the results of the Kennedy round of trade negotiations. We know now that in that round agriculture was treated as a poor relative.

MARKET OPPORTUNITY

The new agricultural policies in their emphasis on expanding markets provide an outstanding opportunity to gradually increasing orientation toward a market concept which lets you, the farmer, make most of the decisions. This is in distinct contrast to the previous supply management, government controlled view of commodity movements which assumed that those in Washington are endowed with greater market and production wisdom than you have. Actually, by the end of the 1970 marketing year we will have made considerable progress in keeping the government out of the market for sales of agricultural commodities. The statistics bear this out. Witness the following data on reduction of carryover stocks:

[In millions]

	1969	Estimated 1971	Reduction in carryover
Wheat (bushels)	819	725	−94
Feed Grains (tons)	50	34	−16
Soybeans (bushels)	324	75	−249
Cotton (bales)	6.5	5	1.5

I believe that by the end of this marketing year, the Commodity Credit Corporation will have disposed of all or practically all of its stock of soybeans and corn, and it is the administration's policy to develop programs that will prevent commodities from coming into CCC ownership. Implicit in this concept is the need for agriculture to hold and expand its markets, and achieve higher farm income.

FUTURE OUTLOOK

Now, let's take a quick look into the crystal ball and see what agricultural legislation is pending in coming months.

First, the Sugar Bill expires this year. The present program regulates sugar imports and assures domestic producers about 60% of the total market. A decreasing schedule of payments is made to the producer, based on the amount of his production. The Act is in effect self-financing. Hearings are expected to be conducted in the near future and Congressional consideration of this legislation is expected early in 1971.

Second, pesticide legislation is to be considered. I needn't remind you of the importance of this legislation. Anyone who has handled these chemicals as much as you have on your farms knows the two factors that must be considered in this legislation:

(1) They are dangerous. They will kill or injure if not handled and applied properly.

(2) They are vital to agriculture. These chemicals have in some cases, replaced the "hired" man . . . in fact, several hired hands if you were to attempt to farm without the valuable "tools" of pesticides and herbicides.

Proposed legislation by this administration would classify these chemicals and restrict the use of the chemicals. Hearings will be held on this legislation in the near future in the Senate. They are already underway in the House. Closely related to this environmental problem is agricultural pollution which is being considered in the Public Works Committee of the Senate of which I am a member. Through the use of sedimentation and other techniques, the abatement of water pollution from animal feedlots can be effectively controlled. The real problem in controlling the amount of runoff rain water that mother nature chooses to drop in the feedlot area. Hearings will be held on this problem soon.

RURAL DEVELOPMENT

Third, rural development is a term used throughout the Nation today. Some people would have you believe it is the answer to all the ills of the city. Some proponents visualize literally moving thousands of our urban dwellers back to the rural communities. I've seen the mess some of the urban renewal projects have created—and we don't need to copy that mess in rural America.

A good rural development program will come about only in time—it will evolve—for if we were to attempt a massive shift of population, the rural economic, social and ecological environment could be destroyed in the process.

Consequently, this administration is working toward providing the tools to assist this evolution. Title IX of the Agriculture Act of 1970 dealt with the first step—to appraise existing rural programs and assure residents of rural areas the same federal service and privileges the urban dweller enjoys. The Rural Telephone Bank Bill was favorably reported by the Senate Agriculture Committee yesterday. This legislation has been pending in the past four Congresses, but the Nixon Administration is the first to advocate and support it. I both hope for and anticipate prompt passage of this constructive measure. It will assure rural America the means to establish comparable telephone service as is available in urban areas.

A Rural Development Bank to make financial and technical assistance available for the establishment or expansion of rural private or public enterprises has also been introduced. Considerable research is underway on other rural development legislation, including a comprehensive revision and expansion of the farm credit system.

Fourth, and not to be minimized, is farm bargaining. Proposals along this line have been made repeatedly in the past with little success. Of the numerous proposals being discussed so far this session of Congress, it would seem a new emphasis is being aligned and there is some well-founded optimism that needed legislation will be worked out.

We all know we have problems. We all know that we all make mistakes. I am not foolish enough to try to tell you that this or any other administration has been perfect in its agricultural or rural record. You and I know there have been mistakes, but I want you to know that whatever errors that occurred were made without malice and in most instances were corrected as quickly as possible.

CONCLUSION

To conclude, I would like to draw attention to some areas where I see agreement between farmers and the Republican Party:

Neither the Republicans nor the farmers like to see surplus grain accumulate and "dumped" on the market to force farm prices down. Under this administration, CCC stocks have been reduced and that grain sold on the market was at margins which did not reduce cash prices to farmers.

Agricultural chemicals are essential "tools" for farmers, and this administration is working to preserve their continued safe and appropriate use.

Farmers like a chance to be independent and to make as many decisions on their farms as possible. This administration helped Congress pass legislation which, for the first time in a decade, permits farmers to plant more of whatever crop makes him the most money.

Export sales help improve domestic prices for grain and this administration has actively pursued expansion of exports of all grains.

Farmers and Republicans feel an obligation and a desire to feed the poor and hungry through commodity distribution, school feeding programs, and the Food Stamp Program. These programs are being expanded as rapidly as possible without losing control of their administration.

I think the farmers and the Republicans agree with the way Louie Armstrong put it on a recent television interview as he recalled an admonition of his father, "We ought to help the poor, needy people . . . but not the poor, lazy." If a man is not handicapped and can work, he should be willing to work to earn food stamps or welfare payments.

Dairy farmers have been generally satisfied with administration actions regarding price support levels, market promotion and other legislation—and this administration has not recommended that housewives use the "low-priced spread."

Rural people and Republicans are completely in tandem on the need for supplemental financing for rural telephone borrowers in order to expand and improve telephone service to farmers, ranchers, and other residents of rural America.

Farmers and Republicans agree the 16.7 percent of disposable income the American consumer pays for food is the biggest bargain in the world.

So let's keep tabs—deeds speak louder than words. From this list and those items we see as possible legislation in the near future, I can see farmers and Republicans already have a lot in common, and there's a lot more to come.

Mr. Speaker, in conclusion I do not want to pick on our good colleague on the Committee on Agriculture (Mr. BURLISON). However he asked the question, "In what way has farm income improved?" I would give him a bipartisan answer, because we must all work together. On January 15, 1969, the average wheat price was $1.27 a bushel. On February 15 of this year it was $1.40. Corn went from $1.08 to $1.42. Grain sorghum went from $1.74 to $2.10 per hundredweight.

I do not do this in a partisan manner, because I believe it is just not enough. It is not near enough, as Congressman ZWACH and others have pointed out. Parity must be reached, however, parity has gone down. That is why we are here today, to see what we can do to arouse the interest and the energy of farm people and give them an opportunity to get us back on the track using a proper approach.

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

Mr. SEBELIUS. Yes. I yield to the gentleman from Montana.

Mr. MELCHER. I thank my colleague and good friend from Kansas and my colleague on the Committee on Agriculture of the House for yielding to me. I want to compliment him on his remarks and for the part he has taken in setting up the 3-hour discussion we have had this afternoon of special orders. We have explored with our colleague participat-

ing during the past 3 hours what those of us from agricultural areas realize; namely, that this House must better understand the problem of rural America and of agriculture in general. To that end we have dedicated the past 3 hours during which we have participated in a bipartisan way.

Mr. Speaker, incidentally, we have involved numerous urban Members in our discussion. I think from this we can expect more understanding to be generated and developed with regard to the problems we are facing in rural America.

And I want to state that I hope we can again in this House have an opportunity to do the same thing, and to again focus our attention on these problems and have them openly discussed here at length.

Mr. SEBELIUS. I appreciate those remarks, and I am sure that the gentleman from Iowa (Mr. SMITH), and I shall be glad to join with the gentleman and others on an appropriate occasion in highlighting the real plight of our farmers and what we can do as a team to correct it.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. SEBELIUS. I am glad to yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Mr. Speaker, I want to compliment both the gentleman in the well and the gentleman from Montana for working together and cooperating in this discussion of the farm problem.

I do not believe anyone could have expected that we would have 3 solid hours of better discussion than we have had here today. Certainly anyone who wants to read the RECORD, if they were not able to be here today, will for the first time in a good many years have all of the information they need available in order to see what is going on in rural America.

I thank the gentleman for yielding.

Mr. SEBELIUS. I thank the gentleman from Iowa for his contribution.

Mr. SKUBITZ. Mr. Speaker, the American farmer for many years now has been in the cost-price squeeze. He is still confronted with increasing costs of the commodities that he must buy to work with the items he must buy to maintain his livelihood. Yet, the commodities he must sell to maintain his home and family remained at a price level equal to 30 years ago. The farmer is in an unsatisfactory and peculiar position. He cannot arbitrarily raise the price of his goods or commodity to keep pace with increasing overhead costs. Other segments of our economy have been able to increase their prices almost at will in the marketplace to offset increased costs of operation brought on by higher labor costs, higher equipment costs and other costs peculiar to the industry.

Faced with this seemingly perpetual problem wheat producers have made tremendous progress operating efficiently and attempting to offset the burdensome price-cost squeeze. Farm units have been forced to adjust upward in size in order to meet this economic problem. Smaller farmer units are being abandoned and absorbed by larger units. However, we must be ever mindful that there is an efficiency breaking point when additional capital and labor are added, the conditions I mentioned place the family farm in jeopardy and the inevitable result is an ever-increasing number of farmers going into the city either to add to the already overcrowded work force or increase the number on the relief rolls.

The age of many farmers precludes retraining for industry and in many cases contributes to the poverty problem in our cities. This exodus of farm people to the cities is not beneficial to agriculture nor to our economy as a whole.

In 1961, the State of Kansas showed 107,000 farms with land in farms of 50.2 million acres. The preliminary figures published January 1, 1971, by the Kansas Crop and Livestock Reporting Service showed 86,000 farms with land in farms of 49.9 million acres. The average farm size in acres has more than doubled since 1935. Among the 50 States, Kansas has the third highest acreage of farmland in farms and ranks 14th in the number of farms. Urbanization and highway construction are classed as a major cause of the decline of land in farms. Farm income is very important to our whole economy and when income is down, the adverse effect spreads to all other industries. When farmers prosper a tremendous wave of financial health spreads out to the whole country. It is important to everyone that we maintain a growing profitable industry in America. We know from past experience that a prolonged or drastic break in our agricultural economy with the resulting break in purchasing power has led this country into every depression; therefore, we must find ways to alleviate this cost-price imbalance that will eventually strangle our agricultural plant.

Some will say that agriculture contributes only a small amount to our national economy and than an unhealthy agricultural economy will have little if any effect on the overall economic picture. This simply is not true. For your consideration, I present to you a few figures compiled by the Departments of Agriculture, Commerce, Labor, Treasury and the U.S. Securities and Exchange Commission. To choose from the 12 largest industries in the United States, it is noted that spending for equipment per year in farming is $5.3 billion with assets of $256 billion and sales per year of $43 billion. Textiles and apparels spend $1.1 billion per year for equipment with $19 billion in assets and sales per year of $20 billion. Food products spend $1.4 billion per year for equipment, has $34 billion in assets and has sales of $88 billion per year. Motor vehicles show an expense per year of $1.9 billion for equipment with $31 billion in assets and show $46 billion per year in sales.

An agricultural leader once said that it is time that the American public understands the conflict between the farmer's image and reality. The farmer is the greatest producer in the entire American economy but the public sees him as hopelessly inefficient. He is subsidizing the American consumer with the best and the lowest priced food and fiber in American history. Consumers think that they are subsidizing the farmer. As it is with any nation of strength the farmer is the foundation of the economy, but the public thinks the economy is supporting the farmer. He has made abundance possible, but people have blamed him for creating surpluses. He is an amazing success in terms of production and is the envy of every minister of agriculture on the globe but the public considers him a failure and have applied the distasteful label of surplus and subsidy to every farmer in America. We are too complacent. Perhaps we should ask ourselves is it possible that the time may come when money will mean nothing because we cannot buy food or clothing or shelter with it. We hope not, but we must not become so complacent that we do not believe it can happen here. It has happened in other parts of the world.

It may seem farfetched if I say that it should be of urgent personal interest to those in the cities and in industry when government and agriculture set up acreage reserves or initiate a particular program that will assure the supply of food and fiber to us all. Yet, each of these things has a personal and direct effect. The programs for agriculture that we support may mean the difference between our farmers receiving a fair price and an equitable share of the Nation's economy or becoming second class citizens.

The work of our Nation is no greater than its individual parts and it always has been true that the lowest part has a tendency to draw all other parts down to its level. But let us work together as Americans for equity in our economy and strength in our Nation. Let there be a mutual respect in industry and in agriculture. This great Nation was founded on agriculture and the farm people have met every challenge to keep us supplied with an abundance of food and fiber and have contributed greatly to our national prosperity. Therefore, it seems only fitting that they receive an equitable share of the national economy. This is the way farmers and ranchers feel about it and this is the way Kansans feel about it. Let us work together for a greater Nation for all Americans.

Mr. VEYSEY. Mr. Speaker, I rise today to urge a nationwide awakening to the plight of agriculture in America and California. I appeal to this 92d Congress to assign the highest priority to informing the American public of this crisis, and developing the programs to solve it.

California is the Nation's leading farm State, producing some 40 percent of the country's fruits, nuts, and vegetables, 25 percent of our table food, and 10 percent of our gross farm income.

Yet the average California farmer barely ekes out a living on his capital investment of just under $300,000. Documented evidence from the Council of California Growers shows that the average California farmer in 1971 will earn less than 3 percent on his investment, in spite of the fact that the farm population works longer and harder hours than any other segment of our society.

Today in California, Mr. Speaker, one

of every three regular jobs is directly dependent upon agriculture. This adds up to more than 1,700,000 workers in California who depend upon the farm economy for their livelihood. This work force earned $8.4 billion in 1970.

That agricultural economy today is severely strapped by a cost-price squeeze which actually brought a lower net return to California farmers in 1969 than in 1959.

During that period, California farm production costs have increased from $2.2 billion to $3.3 billion. Meanwhile, gross income has increased from $3.6 billion to $4.6 billion, leaving a decrease in annual net farm income of $100,000,000 in the 10-year period.

At the same time, nearly half of the farmers in California have gone out of business. Ten years ago, we had 108,000 active, productive farm families. Today, we have only 57,000 farmers still actively producing food and fiber. And in 10 more years, if the current trend prevails, we can expect to see another 20,000 California farmers sell out their businesses or face financial ruin.

Mr. Speaker, some examples show, quite vividly, the trend that has created this crisis. While prices of virtually every commodity and wages of virtually every family have gone sharply higher each year since 1960, most farm prices in California have actually decreased. For example, farmers received 2.8 cents per pound for potatoes in 1959. In 1969, the same farmers received only 2.5 cents per pound for potatoes. For walnuts, the 1959 farm price was 24 cents per pound, and in 1969, walnuts brought the farmers only 20 cents per pound. Broilers, in 1959, returned 19 cents per pound to the farmer, and in 1969 only 17 cents per pound.

Oranges, a prime factor in California agriculture, returned 4.1 cents per pound in 1959, and only 3.3 cents per pound in 1969. The list goes on and on, for the over 200 major commercial farm products grown in California.

No other industry in America could have survived this long-term depression, and agriculture cannot continue to survive this trend. Can any of us imagine what will happen to the American family if our agriculture fails? The only alternative to making a total national commitment to saving our Nation's agriculture, is economic chaos.

Food prices will soar beyond our imagination, millions will be out of work, and food shortages will be an everyday plague to every American family.

American agriculture is the most efficient in the world. The average American family spends only 16.5 percent of its disposable income for food, by far the lowest such figure in the world.

In Asian countries, each family spends 50 percent of its income for food. In Russia, each family spends nearly 60 percent, and in Poland, last year, over 70 percent of each family's income went for food.

Poland, incidentally, if you will recall, is where the populace rioted because of high consumer prices just a few months ago.

Mr. Speaker, I submit that our current agricultural situation is, perhaps, the most critical and severe problem in America.

It is critical not only to our rural citizens and rural areas, but to every family and every profession. It is most critical of all to our minority areas and poverty-stricken families, who will suffer the most from sharp increases in food costs.

If we, as the leadership and the Government of this country, fail to find immediate answers to our farm crisis, the American free-enterprise economy, and the free-enterprise agriculture that sustains it, will almost surely crumble.

Mr. SCHWENGEL. Mr. Speaker, I commend my colleagues for taking this time today to discuss the problems of agriculture.

This is an area of great concern to me. Representing one of the best agricultural producing districts in our Nation, I have been very close to the farm situation.

While this discussion is taking place here today, President Nixon is meeting in Des Moines, Iowa's State capitol, with his Cabinet Committee on Rural Development. They are briefing the Governors and agricultural leaders of Iowa, Wisconsin, Illinois, and Missouri on this administration's rural development program.

I am pleased that President Nixon announced today that he is increasing by $100 million the amount originally proposed in the special revenue sharing program for rural community development.

There can be no doubt that this administration is concerned about rural America. It is devoting time and resources toward solving the problems faced. We should keep in mind that the problems of rural America have not developed overnight. We have been struggling for many years to solve the basic problems presented.

Mr. Speaker, President Nixon addressed himself to some of the problems facing rural America in an address he made today to a joint session in the Iowa General Assembly now meeting in Des Moines.

I include the remarks of President Nixon in the RECORD.

TEXT OF REMARKS BY THE PRESIDENT BEFORE A JOINT SESSION OF THE IOWA LEGISLATURE

I greatly appreciate your invitation to address this joint session of the Iowa State Legislature—both to share with you a few of my thoughts about America's future, and to reaffirm my own strong conviction that in the State capitols of America there is a wealth of wisdom and compassion and understanding of the great needs that confront our Nation's people.

This is my first appearance before a legislative body since I delivered my State of the Union address to the U.S. Congress—and I am especially pleased that it can be before this legislature, which I note was recently cited by the Citizens Conference on State Legislatures as one of the best in the Nation.

In that address, I outlined six great goals for America, and I urged the Congress to join in bringing about a new American revolution—a peaceful revolution, in which power was turned back to the people—in which government at all levels was refreshed and renewed, and made truly responsive.

It is especially appropriate that that appeal to the Congress should be followed by this, the first appearance as President of the United States I have had an opportunity to make before a State legislature. For as we consider the changes that are needed in American government, we must remember that we have not one chief executive in America, but many; not one legislature, but many—and that each of these is a vital part of the strength of America.

One of my key proposals to the Congress is that we make a $16 billion investment in renewing State and local government by sharing Federal revenues without the cumbersome restrictions that now follow Federal funds. I have noted that this legislature has already expressed its support for the principle of revenue sharing. I also have proposed a sweeping reorganization of the Federal Government itself to make it more responsive to the needs of the people.

Together, these changes can give us better government throughout all America—but they have special meaning for rural America.

First, in terms of dollars, I am announcing today that I am increasing by an extra $100 million the amount that I originally proposed in special revenue sharing for rural community development, bringing that to $1.1 billion for the coming year—which is 24 percent more for rural development programs than is being made available to the States under existing categorical grant programs this year.

The direct dollar benefit to rural America is obvious. In addition, rural America will share substantially in general revenue sharing funds, and also in special revenue sharing for manpower, education, transportation and law enforcement. Funds for urban community development will also go in part to urban communities in largely rural areas.

A second reason these changes have special meaning for rural America is that one of their chief purposes is to give each State and each community greater freedom to decide for itself those questions that directly affect its own future. If the lessons of the past decades mean anything, they mean that as power has been concentrated more and more in Washington, as decisions have increasingly been made by remote control, the special needs of our rural communities and of the great heartland of America more and more have either been neglected or even gone unrecognized.

I want those decisions that affect rural America made by people who know rural America. And the people who know a place best are the people who live there. To put it bluntly I believe that legislators in Iowa know better than bureaucrats in Washington, D.C., what is best for Iowa.

It is fashionable in a lot of quarters these days to scoff at State and local government. But to those who sneer at State legislatures, at city councils, at any level of government other than that in Washington, I say they don't know the American people.

I reject completely the contention that you cannot trust State and local governments. The patronizing notion that a bureaucratic elite in Washington knows best what is best for people everywhere is completely alien to the American experience.

The honesty and efficiency of government depends on people. Government at all levels has good people and bad people. And the way to get more good people into government is to give them more opportunity to do good things.

You know and I know how much dedication there is in State capitals, how much of a desire to do the right thing—and how much frustration there is with the restrictions and red tape that Washington so often imposes—and also with the tightening squeeze between needs and resources.

Like other State legislatures, you confront enormous problems.

Here in Iowa, as is the case in most of our States, I know you are wrestling with ways of avoiding the prospect of a deficit this year. And I know how heavy the burden of State and local taxes has become.

In the quarter-century I have been in public life, I have seen State and local expenditures rise twelve-fold—and I have seen property tax collections rise to six times what they were just 25 years ago, while State and local debt has increased ninefold.

Against that background, look at the double mismatch we now have: As the Nation grows and the economy expands, needs grow fastest at the State and local level, while revenues grow fastest at the Federal level. And at the same time, experience shows that the Federal Government is very good at collecting revenues and often very bad at dispensing services.

So it makes elementary good sense to turn over some of the money collected by the Federal tax system to meet State and local needs.

It makes good sense, because people on the scene are most often the best judges of what those needs are.

It also makes sense because our people need relief from the mounting burden of State and local taxes.

Here in Iowa, you could use revenue sharing to increase services, to avert a deficit, or perhaps to increase appropriations for the Agricultural Land Tax Credit. The point is that you could choose, according to your best judgment of the needs and wishes of the people of Iowa. That is the way it should be.

Let me also say a word about my proposal to reorganize the Federal Government—in particular as it affects the farmer.

One of the automobile companies has recently been using the advertising slogan "You've changed. We've changed." But when we look at the farmer and the way the Federal Government is organized, it is a different story. The only way to state the case, sadly enough, is that he has changed and we have not. The farmer is a man of many talents now—a businessman, a technician, a scientist—often a man who makes his living in more lines of work than farming alone. The rural community is becoming increasingly diversified in its economic base and its land use and its population patterns. While all this has gone on, we have sat in Washington with the same Department of Agriculture we have had since 1862. "You've changed and we haven't"—it could become the epitaph for rural America, for the countryside where this Nation's roots are. But to be able to say that you have changed and so have we—that could be the keynote for a new surge of vitality and progress on the farms, on the ranches and in the towns and the open lands across this Nation.

It comes to a question of whether farmers and others in rural America want an Agriculture Department for its own sake or whether they really want things like better farm prices, better technical assistance for agricultural problems, wider development opportunities in rural communities, better schools, better roads, and so on. I think they want the later—the tangible results.

Under the present setup, only one Cabinet department represents the farmer. Under my proposed reorganization, four Cabinet secretaries—half the Cabinet—will be speaking up for the farmer when his diverse interests are at stake. I submit that this is not less representation, but more—and more effective representation, because the rural interest will be represented wherever decisions are being made that effect that interest.

These proposals I have made are not Republican proposals or Democratic proposals. I have offered them in a bipartisan spirit, and I seek bipartisan support—for they cut to the heart of our hopes for progress in America not just this year, not just next year, but for the balance of the decade and the balance of the century.

I have met with many groups in these past few weeks, talking with them about my proposals for the reform and renewal of government in America. And I have told them that I know there are many objections that people will raise to specific parts of these proposals—but then I have put a challenge to them: Let the first person who thinks we ought to keep things as they are, I say, let him stand up and defend the status quo—and I have not yet had a single taker.

Many were shocked when I said in my State of the Union message that most Americans are fed up with government.

But we know it's true. They are fed up because they think government costs too much, that it doesn't work and that they can't do anything about it.

What I have proposed is designed to meet these needs—to cut the cost of government, to make it work, and to give the people a greater voice in determining what kind of government they want.

People know that we need a change. They know that what may have been right 20 or 30 or 40 years ago is not right today. They know that like any living thing, government in America has to change and develop; it has to adapt itself to new circumstances. And it has to be made to meet the needs of our people, as those needs exist in today's America—so that for the farmer, the worker, the taxpayer, the housewife—for everyone in America—government can do a better job.

America's great strength lies precisely in its great diversity—in the fact that our States and communities are different, that we do not all fit in the same mold, that each of us has his own ambitions, his own desires, his own individuality. The essence of freedom is to give scope to that individuality and to respect that diversity.

When I talk about returning power to the people, I am talking about just that—about letting people make their own decisions, in their own lives and in the lives of their own communities.

For I have faith in the people of America. And faith in people is what the American system of government is all about. Here in the heartland of America, we can see the heart of America is good—and that its people deserve our faith.

We became a great Nation because the Nation's founders had the courage to place their faith in people—and because, having that faith, they established institutions that allowed the people to prove themselves worthy of it.

Now the time has come to return to that faith, to renew those institutions, and by so doing to lead America to a new birth of greatness—a greatness not simply as the richest Nation, not simply as the strongest Nation, but a greatness that springs from the unchackling of the spirit of the people themselves.

So I invite you to join with me in beginning a national renewal—in fitting our Government to the times we live in—in strengthening our Government at the State and local level—in forging a new partnership that can give us prosperity with peace, progress with unity and freedom with diversity.

GENERAL LEAVE TO EXTEND

Mr. SEBELIUS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this subject.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

FEDERAL LEGISLATION NEEDED TO AID FARM LABOR RELATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. MATHIAS) is recognized for 5 minutes.

Mr. MATHIAS of California. Mr. Speaker, in any discussion of the problems of agriculture, I think it is important that we not overlook the need for Federal legislation to establish guidelines in the area of farm labor relations.

Unlike industry, agriculture has no Federal laws covering labor relations. Agriculture was specifically excluded from the National Labor Relations Act because the Congress recognized the unique and specialized qualities of agriculture. It was felt that utter chaos would result if the same laws were applied to farm labor as apply to industrial labor.

However, the lack of a Federal law has caused serious hardships to the farmers, loss of jobs to the farmworkers, and burdens to the consumers. The labor disputes, unharvested crops, and secondary boycott activities, during the past few years with respect to grapes and now lettuce, are proof that Federal action is desperately needed.

To resolve these threats and problems, a legal framework is needed to protect the rights of farmers, farm laborers, and consumers. The farmers need protection during critical production and harvest periods, and against boycott activities. Agricultural employees must have the right to collective bargaining whenever they freely decide to be represented by a union. And the consumers must be assured the orderly flow of food to the Nation's marketplaces, and guaranteed the right to buy the food they want, when they want it, without threat of violence, coercion, or disruptive harassment.

Failure to act can only result in further undermining agriculture, a critical shortage of food, and higher costs to the consumer. The agriculture industry and the Nation cannot afford strikes at harvest time. If crops are left unharvested and are subsequently destroyed, then a national food and economic crisis could result.

Assistant Secretary of Agriculture Richard Lyng in a speech last week in Atlanta, Ga., said that the Nixon administration will propose farm labor legislation to this session of Congress. He said:

> The time has now arrived when we must adopt Federal legislation governing the relationship between the farmer and those who labor in the fields.

I welcome this announcement of the administration's intentions.

I urge the Members of this Congress to recognize the threats that exist and to join together to take the necessary remedial action.

Today's farmers have enough troubles

without facing the prospects of not getting their crops harvested or marketed because of crippling labor disputes or secondary boycotts.

NEW HIGHER EDUCATION LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. QUIE) is recognized for 60 minutes.

Mr. QUIE. Mr. Speaker, I am pleased to announce the introduction of three major bills in the field of higher education: H.R. 5191, H.R. 5192, and H.R. 5193. Several of my colleagues on the Education and Labor Committee are joining me in sponsoring these bills which I believe will form a sound and workable basis for discussion in our committee.

Two of the bills represent the new proposals of the administration. The President is asking us to take some bold and progressive steps to improve the quality of our system of higher learning and to finally guarantee access to postsecondary education for hundreds of thousands of young people who would otherwise not be able to afford it.

The third bill would provide greatly needed general financial assistance to both 2-year and baccalaureate degree-granting institutions. It is similar to a bill I introduced last session, which has since gained the endorsement of a wide variety of individuals and organizations.

Mr. Speaker, I would like to discuss each of these bills and to have inserted in the RECORD other documents which will further explain them for the benefit of our colleagues.

HIGHER EDUCATION OPPORTUNITY ACT OF 1971

The major administration bill, H.R. 5191, is called the Higher Education Opportunity Act of 1917. It has been significantly improved, in my opinion, over the proposal sent to the Congress last session.

Joining me in sponsoring this important piece of legislation are Mr. DELLENBACK, Mr. BELL, Mr. ERLENBORN, Mr. ESCH, Mr. ESHLEMAN, Mr. LANDGREBE, Mr. HANSEN, Mr. FORSYTHE, Mr. VEYSEY, Mr. KEMP, and Mr. PEYSER.

The most dramatic aspect of this bill is the program for student assistance. We have for several years talked about the need to remove financial barriers from the path of any qualified student who wants to pursue further education. The administration has proposed a way for us to achieve that goal. The President is, in fact, giving a guarantee to every student with demonstrated need that financial assistance is available to him.

Before I explain the other aspects of the bill, I would like to insert at this point a thorough explanation of these far-reaching proposals for student aid:

PROPOSED STUDENT FINANCIAL ASSISTANCE PROGRAMS

FOREWORD

No qualified student who wants to go to college should be barred by lack of money.

This is the opening sentence in President Nixon's 1970 message on higher education. It expresses both the purpose and the theme of the Administration's proposal to improve and expand existing student aid programs.

The President's proposed changes in student financial aid programs would, for the first time in history, guarantee that every qualified student from a low-income family would have sufficient resources to attend college. Under the proposal, grants, work-study payments and subsidized loans will supplement what the families of low income students can afford to contribute to the post-secondary education of their sons and daughters.

The President's proposals will also increase the amount of unsubsidized loan funds available to students at all income levels. This improved access to federally-guaranteed loans will assist millions of undergraduate and graduate students to finance their education.

PRESENT PROGRAMS: DESCRIPTION AND PROBLEMS

The Office of Education presently administers four major programs for aiding students: Educational Opportunity Grants, the College Work-Study program, National Defense Student Loans and Guaranteed Loans.

The first three programs are mainly funded by the Federal Government and administered by colleges and universities. The amount of funds available to the institution for these programs depends on the total funds appropriated by Congress, State distribution formulas and the approval of regional review panels. Once the college has its various allocations, the student aid office determines what mix of grants, work-study payments and loans is appropriate for each individual eligible student.

Commercial lending institutions, primarily banks, operate the Guaranteed Loan programs. Loans are made to students at a maximum interest rate of 7 percent. The Federal Government guarantees the loans against default, pays the student's interest while he is in college and makes a special payment to banks during tight money conditions.

There are several problems with this system of student aid:

Availability of funds—Students do not receive all the aid for which they are eligible under the present system. Allocation formulas, matching requirements and insufficient funds limit the aid which institutions can award to individual students. Colleges enrolling large numbers of disadvantaged students are in an especially difficult position because of the matching requirements.

Limited loan funds—Existing loan programs provide an inadequate volume of lendable funds because (a) the National Defense Student Loan program requires capital outlays from the Federal budget which has been under severe fiscal pressures and restraints for the last several years; and (b) students must compete with other borrowers (who often offer more profitable investment opportunities) for the lendable funds of banks under the Guaranteed Loan program. (Low-income students with poor bank connections sometimes find themselves at a particular disadvantage.)

Open-ended expenditures—The Federal Government is obligated to meet its commitment to pay the interest on Guaranteed Loans while students are in college. As interest rates rise, and as more and more middle and upper income families find it in their interest to take advantage of these subsidies, a larger and larger share of Federal funds for student aid is being diverted away from the most needy students. The system as a whole has a built-in tendency to become less progressive as these subsidies absorb a disproportionate part of any budget increase for student aid.

Uncertainty—A student who wants to go to college cannot tell where he can get aid or how much he can count on in advance of his admission and the particular student aid office determination. Nor can a bank assure the student in advance that it will have funds to lend to him.

Inequitable distribution—Federal funds do not necessarily go to those students who need them most. Moreover, different colleges assess need in different ways. Substantial subsidies go to middle and upper income students, especially under the Guaranteed Loan program.

PROPOSED PROGRAMS: PURPOSES

The Administration's improvements in the existing student aid programs have five major purposes:

To assure the availability of funds to every qualified student.

To assure that Federal funds go first, and in the largest amounts, to the students who need them most.

To provide potential students with as accurate information as possible concerning the aid they can expect.

To assure that all students of equal need are treated alike.

To provide additional financial aid to students attending high cost institutions.

PROPOSED PROGRAM: CONCEPT AND STRUCTURE

The Administration is recommending a coordinated student aid system with two parts: (a) a combination of grants, work-study payments and subsidized loans for full-time undergraduate students with low to middle incomes attending public and non-profit postsecondary educational institutions as well as proprietary institutions of higher education; and (b) creation of a National Student Loan Association to raise money privately and make it available for all post-secondary students at all income levels.

A. Grants, work-study payments, subsidized loans

The basic concept is that all students whose families can be expected to make the same contribution should have the same help available for their education from Federal sources. The combination of family contributions plus Federal grants, work-study payments and subsidized loans would be enough to enable any student to meet minimum education expenses. The key determinant is family income (and, thus, family contribution). Students from lower income families would receive more Federal aid than students from higher income families. (Lower income students would also receive a larger proportion of their aid in the form of grants and work-study payments rather than in the form of subsidized loans.) But the total resources available (i.e., family contribution plus Federal aid) to students at different income levels would be made equivalent.

The system would work as follows. Each year the Secretary of HEW, after conferring with the Advisory Council on Financial Aid to Students, would publish a schedule indicating the amount of Federal funds available to students at different income levels. Each student's eligibility for aid would be calculated by determining the expected family contribution toward his educational costs. This determination would take into account such factors as the size of the family, the number of children in college, extraordinary family expenses and capital assets. The deficiency between expected family contribution and the amount of resources the student should have available to him would be met by a combination of grants, work-study payments and subsidized loans.

For example, under the Administration's fiscal 1972 budget proposals, students from families with adjusted family income of $10,000 or less, and with two children, one of whom is in college, would be eligible for Federal funds. The maximum total amount of subsidized aid (grant and work-study plus subsidized loan) available to any one student would be $1,400. The maximum grant available to any one student would be $1,000. In addition to these base amounts, students who (1) meet the eligibility criteria for

subsidized aid, and (2) attend schools with annual average cost in excess of $1,400 would be eligible to apply for an additional subsidized "cost of education" loan of up to $1,500. This program would be controlled by schools in a manner similar to the present NDEA loan programs and terms to students would be approximately the same as those governing present NDEA loans. The amounts of aid to be available at different income levels for the two-child family described previously as well as one with five children, two of whom are in school, under the funding levels contemplated by the Administration's proposals are illustrated in Attachment I.

Several other features of the proposal deserve mention:

All aid from State and private student aid programs would be *in addition* to Federal aid, and would permit students eligible for it a wide choice of the type of institution they attend.

A "grandfather" clause would assure that students receiving aid under the present program would receive no less under the new system than they were entitled to under the old one.

Institutions of higher education would preserve the option, within national limits set by the Commissioner of Education, of determining *the mix of grants and work-study payments* appropriate to the individual student.

The National Defense Student Loan Revolving Fund (currently about $140 million) would continue in its present form, except that no new Federal appropriations would be made to the fund. Loans would continue to be made in a manner similar to current NDSL's; however, cancellations for teaching, military service, Peace Corps service, etc. would be eliminated for new loans.

Loans from this fund would go first to students eligible under the "grandfather clause" in the bill; remaining funds would be used to provide subsidized loans under the Higher Education Opportunity Act.

Students attending proprietary institutions of higher education would be made eligible for all benefits.

Finally, these proposals would not alter the valuable features of existing programs.

Educational Opportunity Grants would continue as the basic grant program but without matching requirements.

The College Work-Study program would continue. Colleges would continue to match work-study funds provided by the Federal Government (one dollar for four) but this requirement would be waived for institutions or work programs which it would hamper.

National Defense Student Loan benefits would continue under the same terms and conditions as at present for both of the subsidized loan programs discussed above. However, lendable capital would come from the private money markets rather than the Federal Budget.

B. National Student Loan Association

The purpose of the proposed National Student Loan Association (NSLA) is to increase the amount of resources available for loans (both subsidized and unsubsidized) to all students at all income levels.

NSLA would be a private corporation, chartered and established by the Federal Government. It would raise funds by issuing its own obligations for sale in private capital markets. These obligations would be guaranteed against default by the Government, allowing the NSLA to pay a lower rate of interest.

With the proceeds from its sales, NSLA would buy, sell, or warehouse (buy under the condition that the seller will repurchase, i.e., NSLA "stores" the loans) student loan paper from colleges, banks or other eligible lenders. Typically, a college without funds of its own to invest in student loans would make a loan to a student and then turn immediately to NSLA to sell the student's note. NSLA would pay enough for the note to restore the college's cash position.

NSLA would significantly increase the flow of funds into student loan markets. Both banks and colleges would be encouraged to do more student lending. It is estimated that NSLA may buy up to $2 billion worth of loans in its first year of operation.

The Guaranteed Loan Program would continue to be open to all college students, however high their family incomes. However, some changes would be made in the program. First, the 7 percent interest ceiling would be eliminated. Second, the interest subsidy paid by the Federal Government on student loans to above average income students while they are in college and the special allowance paid to banks would be eliminated. Thus, it would now be an unsubsidized loan program except for students meeting a test of need.

Several other features applicable to both subsidized and unsubsidized loans are of significance:

Banks and other financial institutions would make both kinds of loans.

Loan ceilings would be raised and would apply to the aggregate of both subsidized and unsubsidized loans. A student could borrow up to $2,500 a year for up to seven years.

The length of the maximum permissible loan repayment period would be increased to twenty years from the present ten.

Student borrowers would not have to pay interest while they were still in college. Federal payments would cover interest charges on subsidized loans. On unsubsidized loans, lender would be required to allow the student to defer payments of both interest and principle while the student was in college. The Government would guarantee deferred interest payments along with principle.

The student could prepay his loan at any time without penalty.

Lenders would also be permitted to agree, at the time the loan was made, to allow the student to defer payments and interest up to an aggregate of five additional years. In such cases, the student would be allowed to choose those times during the repayment period when regularly scheduled payments would be especially burdensome. The Federal Government would guarantee interest charges during such periods.

PROPOSED PROGRAM: CONSEQUENCES

It is estimated that in Fiscal Year 1972, the first year of operation of the program,:

2½ million students would receive benefits (including unsubsidized loans), an increase of one million over the number of students receiving assistance under present programs.

Approximately $575 million in grants and work-study payments would be available, an increase of $242 million above FY 1971.

About $1.2 billion would be available to make loans under the subsidized loan programs, an increase of $830 million.

PROBLEMS SOLVED AND PURPOSES ACHIEVED

The Administration's student aid proposals overcome the problems and achieve the purposes noted earlier in this paper.

Availability—Every student who qualifies for direct Federal assistance under the schedule established by the Secretary of HEW will receive his Federal funds. NSLA will provide an adequate supply of lendable funds for students who do not qualify for subsidies.

Need—Grants, work-study payments and subsidized loans will be concentrated on those in most need: students from low-income families.

Certainty—The aid schedule published annually by the Secretary of HEW would inform every eligible student of the amount of aid he could expect.

Equity—Students whose families could be expected to make similar contributions would receive equivalent amounts of aid.

CONCLUSION

The Administration's proposals would assure that one of the President's deep convictions is fulfilled:

"Equal educational opportunity, which has long been a goal, must now become a reality for every young person in the United States whatever his economic circumstances."

AID ELIGIBILITY—BASIC PROGRAM (COST OF EDUCATION LOANS AND ALL OTHER STATE AND PRIVATE AID WOULD BE IN ADDITION TO THESE BENEFITS)

Adjusted family income [1]	Family contribution	Equal opportunity grant/ work-study	NDEA-type subsidized loan	Family contribution plus aid	Average summer savings	Total student resources	Cost of education loan [2]
Typical resources for a student from a 2-child family, 1 of whom is in college:							
$0 to $3,500	0	$1,000	$400	$1,400	$300	$1,700	$1,500
$4,500	$220	780	400	1,400	300	1,700	1,500
$5,500	430	570	400	1,400	300	1,700	1,500
$6,500	640	360	400	1,400	300	1,700	1,500
$7,500	850	150	400	1,400	300	1,700	1,500
$8,500	1,050	0	350	1,400	300	1,700	1,500
$9,500	1,250	0	150	1,400	300	1,700	1,500
$10,000 and above	1,400	0	0	1,400	300	1,700	0
Typical resources for a student from a 5-child family, 2 of whom are in college:							
$0 to $5,500	0	1,000	400	1,400	300	1,700	1,500
$6,500	110	890	400	1,400	300	1,700	1,500
$7,500	195	805	400	1,400	300	1,700	1,500
$8,500	280	720	400	1,400	300	1,700	1,500
$9,500	360	640	400	1,400	300	1,700	1,500
$10,500	440	560	400	1,400	300	1,700	1,500
$11,500	510	490	400	1,400	300	1,700	1,500
$12,500	580	420	400	1,400	300	1,700	1,500
$13,500	650	350	400	1,400	300	1,700	1,500
$14,500	700	300	400	1,400	300	1,700	1,500

[1] Adjusted family income represents gross family income adjusted to reflect the number of children in the family, the number of children in school, extraordinary family expenses, and capital assets.

[2] Cost of education loans would be available to eligible students who attend schools with average annual costs in excess of $1,400. The availability of these loans to students at various income levels is subject to appropriations for interest subsidy payments.

Note: Expected family contributions at higher income levels will depend importantly on the amount of capital assets available for meeting educational costs, and on other special family circumstances, as well as on family income. Hence, any aid to students from large families at higher income levels will depend on the overall financial situation of the family, and not simply on income.

Mr. Speaker, I think Members of the House will agree that the philosophy of these proposals is as fair and equitable, as far reaching in its impact on the access to higher education, as any we have seen.

A dramatic increase in grants—about 70 percent over this year—and three times the volume of 3 percent subsidized loans as are now available would be directed to 2½ million students in fiscal year 1972. The President's budget to carry out these programs is before our Appropriations Committee this week.

Mr. Speaker, these proposals give assurance to all low- and moderate-income families that they will get relief in meeting rising costs of higher education. If the Congress should decide it is in the national interest to assist higher income families—as I believe we should—then I hope we would provide tax credits for the expenses of tuition, fees, and books. Several weeks ago, I introduced H.R. 2615, which would do just that. If tax credits are not provided, we should at least enact legislation to allow educational expenses to count as deductions for purposes of figuring an individual's Federal income tax.

This bill also extends with minor amendments existing programs under the Higher Education Act of 1965:

Title I: Community service and continuing education;

Title II: Library programs;

Title III: Developing institutions; and

Title V: Education Professions Development Act.

The Higher Education Facilities Act of 1963 is extended. Added to this act would be a new program for Federal insurance of construction loans to private nonprofit institutions of higher learning.

Title VI of the National Defense Education Act—language development and area studies—would also be extended. Graduate fellowships, title IV of NDEA, would be consolidated with part E of the Education Professions Development Act so that Federal support to those preparing for careers in higher education can be better focused and better coordinated.

Five titles of the Higher Education Act of 1965 are repealed. Except for title VI—improvement of undergraduate instruction—which got its first appropriation amounting to $7 million in fiscal 1971, none of these categorical programs has ever been funded.

Finally, this bill adds a new title which would prohibit discrimination based on sex in any federally assisted education program, except where sex is a bona fide ground for differential treatment.

NATIONAL FOUNDATION FOR HIGHER EDUCATION ACT OF 1971

Joining me in sponsoring H.R. 5192, the National Foundation for Higher Education Act of 1971, are: Mr. DELLENBACK, Mr. BELL, Mr. ERLENBORN, Mr. ESCH, Mr. ESHLEMAN, Mr. STEIGER of Wisconsin, Mr. HANSEN, Mr. FORSYTHE, Mr. VEYSEY, and Mr. KEMP.

This bill is designed to encourage excellence, innovation, and reform in postsecondary education. It would be headed by a Director who would report to the Commissioner of Education. A Higher Education Foundation Board would be created to advise the Director. This Board would consist of 18 members, appointed by the President, and broadly representative of the public and the higher education community.

Mr. Speaker, I would like to emphasize that this proposal is quite different from the Foundation proposed by the administration a year ago. Unlike the first proposal, no existing programs would be incorporated into the new Foundation. It would have all of its funds—the President has in his budget $100 million in new money for the Foundation—for the support of new programs consistent with its purpose. Ongoing programs for the support of higher education would remain in the Bureau of Higher Education and other agencies within HEW.

Another difference from last year's proposal is the location of the Foundation. Instead of being an automous organization, this new proposal places the Director within HEW. The plan would be to have the Director of the Foundation and the Director of the proposed National Institute of Education both report to the Commissioner of Education. This will assure the necessary coordination of all education programs and would be consistent with the President's interest in consolidating Government agencies.

Because there is such interest in this proposal, I would like to insert at this point a paper prepared by HEW on the National Foundation:

PROPOSED NATIONAL FOUNDATION FOR HIGHER EDUCATION

THE NEED FOR A NATIONAL FOUNDATION

In his message on Higher Education to the Congress in March, 1970, President Nixon noted:

"For three decades now, the Federal government has been hiring universities to do the work it wanted done. In far the greatest measure, this work has been in the national interest, and the Nation is in the debt of those universities that have so brilliantly performed it. But the time has come for the Federal government to help academic communities to pursue excellence and reform in fields of their own choosing as well, and by the means of their choice."

To achieve this broad design, the President has proposed the creation of a National Foundation for Higher Education within the Department of Health, Education and Welfare.

This Foundation would help institutions of higher education to achieve change by:

Encouraging excellence, innovation, and reform in postsecondary education;

Providing assistance for the design and establishment of inovative structures and teaching methods in higher education;

Expanding the methods and patterns of acquiring higher education and opening opportunities for such education to individuals of all ages and circumstances;

Strengthening the autonomy, individuality, and sense of mission of postsecondary eductional institutions, and by supporting programs which are distinctive or of special value to American society; and

Encouraging postsecondary educational institutions to develop policies, programs, and practices which are responsive to social needs, and by providing an organization in the Federal government which is concerned with the rationalization of public policy toward higher education.

THE NATIONAL FOUNDATION AND THE U.S. OFFICE OF EDUCATION

Within the Department of Health, Education and Welfare, the Office of Education is—and will continue to be—the major instrument for Federal policy toward elementary, secondary, and higher education. However, the Office, as presently constructed, has two limiting factors:

The Office is expected to be, and should be, evenhanded in its distribution of resources. Yet the support of excellence and innovation often requires selectivity, rather than equal treatment.

The Office is oriented toward the support and reform of existing postsecondary institutions across the nation. Yet the need is not only for the reform of old structures but also for the creation of new ones.

The National Foundation for Higher Education will be able to surmount both of these limitations. It will have as its mandate the overall needs of the American people for postsecondary education. It will have as its operating premise the principle of selectivity. Its constituency will include people as well as institutions—the housewife struggling for some way to enhance the quality of her life, the college president with a dream to fulfill, the college dropout.

Last year, President Nixon proposed that the National Foundation be created as an independent agency. This year's proposal calls for the establishment of the Foundation as a separate agency within the Department of Health, Education, and Welfare. This latter location for the Foundation is consistent with the overall consolidation and coordination of Federal agencies which the President outlined in his 1971 State of the Union message. In its new location the Foundation will retain the advantages of independence in that it will be able to recruit a talented staff outside the usual Civil Service requirements and will be advised by a strong Board representing the higher education community and the general public. At the same time, it will be responsive to the general policy directions established for the Department of which it is a part. In addition, since it is expected that the Director of the Foundation will report to the Commissioner of Education, the Foundation's operations will be coordinated by the Commissioner with those of the Office of Education and the proposed National Institute of Education.

THE DECISIONMAKERS

To preserve the Foundation's own ability to respond to changing needs and priorities in post-secondary education, it will be guided by a Higher Education Board appointed by the President. This 18-man Board, appointed for staggered three year terms, will represent the full range of the higher education community and the general public. The Board will advise the Secretary of Health, Education and Welfare concerning the Foundation's policies and priorities. Through the Board, the academic community will be intimately involved in the decisions regarding the merits of competing programs, the allocation of resources, and the promotion of excellence and innovation.

Underlying this new structure is the belief that the Higher Education Board, representing the academic community and the general public, is best able to determine priorities for post-secondary education. The annual budget and appropriation process will ensure that the Congress and the Executive can discharge their Constittuional responsibilities and see that the broad outlines and dimensions of Federal support through the Foundation are meshed with other national priorities.

The daily operations and management of the Foundation will be the responsibility of the Director. This individual will be appointed by the President, with the advice and consent of the Senate.

TYPES OF ACTIVITIES WHICH MIGHT BE FUNDED

The Foundation's authorizing legislation lists a number of types of activities, designed to carry out the purposes of the bill, which

might be considered for support. The Secretary would not be limited to this list, however.

The creation of institutions and programs involving new paths to career and professional training, and new combinations of academic and experimental learning;

The establishment of institutions and programs based on the technology of communications;

Carrying out change in the internal structure and operations of postsecondary educational institutions when such change is designed to clarify institutional priorities and purposes;

The design and introduction of cost-effective methods of instruction and operation;

The introduction of institutional reforms designed to expand individual opportunities for entering and re-entering institutions and pursuing programs of study tailored to individual needs;

The introduction of reforms in graduate education, in the structure of academic professions, and in the recruitment and retention of faculties;

The creation of new institutions and programs for examining and awarding credentials to individuals, and the introduction of reforms in current institutional practices related thereto;

The development or revitalization of educational and training programs of national importance.

AN ENLIGHTENED CONCEPT OF INNOVATION

In recent decades, public and private agencies have often put a premium on "innovation" for its own sake. Too often, educational institutions have been obliged to devise "innovative programs" simply to satisfy requirements that ignored the real needs and priorities of the institutions. Reform is badly needed in higher education. New models of teaching and learning must be developed. Traditional practices do not merit support simply because they are traditional, but neither do new schemes simply because they are novel. At the same time, there must be a source of support for experimentation, for tentative probings into new areas of scholarship, and for radically different kinds of education. Built into this support must be the *right to fail* as well as the hope of success. For an experiment that is not permitted to fail is no experiment at all.

FUNDING LEVEL

President Nixon's budget for Fiscal Year 1972 includes a request for $100 million of new funds for the purposes of the Foundation.

HIGHER EDUCATION GENERAL ASSISTANCE ACT OF 1971

Mr. Speaker, the third major bill I am introducing today is not an administration bill, but one which I feel compliments the two bills I have just discussed. H.R. 5193 would provide general assistance to both 2-year and baccalaureate degree-granting institutions. I feel it is absolutely necessary for the Congress to provide general assistance to these institutions in a fair and equitable manner.

The following members on the Education and Labor Committee are cosponsoring this proposal: Mr. DELLENBACK, Mr. BELL, Mr. ESCH, Mr. ESHLEMAN, Mr. LANDGREBE, Mr. HANSEN, Mr. FORSYTHE, Mr. VEYSEY, Mr. KEMP, and Mr. PEYSER.

Grants would go to baccalaureate degree-granting institutions based on the number of such degrees awarded the previous year. But the grants could be applied to programs at the undergraduate or graduate level. We estimate the cost of this to be $260 million in fiscal year 1972.

The amount of each institutional grant would be derived from a formula which gives $500 per degree for the first 200 baccalaureate degrees, $400 per degree for the next 300 degrees awarded, $300 per degree for the next 500 degrees, $200 per degree for the next 1,000 degrees, and $100 per degree for the number exceeding 2,000 degrees awarded in a given year.

This scaled formula will not disadvantage the smaller institutions which cannot achieve the same economies of scale which should be possible at larger institutions. For example, an institution would receive a grant of $100,000 if it awarded 200 degrees—average of $500 per degree. An institution awarding 600 degrees would receive $250,000—average of $417 per degree.

For community colleges, and 4-year institutions offering noncredit career education programs, general assistance grants would be based on the full-time equivalent enrollment in the community college or in the career education programs of the 4-year institutions. Twenty percent of the total appropriation would be available for these grants based on enrollment. Using our estimate of $260 million for grants based on the formula applied to baccalaureate degrees, the amount required for grants based on enrollment is about $65 million.

I would like to summarize my feelings about the need for general assistance and how my proposal would meet that need.

First. Institutions of higher education are a national resource of immeasurable value. But the ability of many to continue this quality service to the Nation is in question. A combination of increasing costs and increasing enrollments is building pressure on college budgets as never before.

Second. Federal programs of student assistance in recent years have allowed many more to pursue postsecondary education. But no student pays the full cost of his education. Increasing the accessibility to higher education places an additional financial burden on the colleges for which the Federal Government should feel some responsibility.

Third. Private colleges are drawing on their endowments to meet operating costs. Many are borrowing on the open market. Still others have been forced to close their doors. Tuition increases are not always the answer, since these institutions must keep competitive to maintain enrollments.

Fourth. Diversity among institutions of higher learning has always been valued in America. It is impossible for categorical programs to be administered in a way that fully respects institutional autonomy. In addition, categorical programs often tempt institutions into activities which are not real priorities; or force them to shape a project in a way that is not best for them; or commit them to matching funds which should be spent in other areas. Categorical programs will always be important: they will never be the total answer.

Fifth. This bill is consistent with the concept of revenue sharing, and leaves no doubt as to how the amounts will be determined and to whom the money will go.

Sixth. General assistance grants would allow institutions to maintain or initiate programs authorized by State legislatures or the Congress but which are inadequately funded. The choice would be left to the institution.

Seventh. A formula based on output—number of degrees—is, to the extent practical, better than making grants based on input—number of students. It is also better than the so-called cost-of-education allowances, which would base aid on the number of students receiving Federal education opportunity grants. This latter approach presupposes that it costs more to educate all economically poor students. This approach also mistakenly assumes that all institutions do in fact spend additional sums on students receiving Federal EOG's. Further, under present student aid programs only a rather small portion of all students in college from low-income families receives Federal EOG's. So they do not provide a reasonable and equitable basis on which to allocate general assistance.

Eighth. Basing general assistance grants to 4-year institutions on the number of degrees earned should encourage a deeper commitment to dropout prevention. This approach is consistent with the concept of accountability. It rewards the college for helping a student achieve a complete educational goal.

Ninth. The formula, using a sliding scale for grants based on baccalaureate degrees, results in more assistance per graduate for small institutions which cannot achieve the same economies of scale that should be possible in large institutions. Generally, this approach will not give undue advantage to the lower cost public institutions over the higher cost private schools.

Tenth. Allowing baccalaureate degree granting institutions with noncredit career education programs to receive general assistance based on enrollment in such programs should encourage other colleges to move into this area.

Eleventh. General assistance will meet many institutional needs. It will allow colleges with a deep commitment to the disadvantaged and minority students to provide the additional special programs; institutions with construction needs to participate in the Federal subsidized loan programs; those hard pressed to take advantage of other matching-grant programs will have an easier time doing so. Again the choice will be left to the institution.

Twelfth. The cost of this proposal—about $325 million for fiscal year 1972—amounts to about 5 percent of the President's budget estimates will be the total of all Federal support to higher education in that year. While not a very significant proportion, general assistance is surely a needed and valuable addition to the present impressive list of Federal programs. It gives balance to the total Federal package. Its impact will be greater than its relative size.

CAREER EDUCATION

Finally, Mr. Speaker, I would like to mention one missing piece to a fully balanced Federal higher education package. That piece is occupational education, or as it is more popularly called, career education.

I was disappointed that the administration's proposal did not include a comprehensive program for postsecondary career education. But I do not doubt the commitment on the part of the President, Secretary Richardson, or Commissioner Marland, to far-reaching support in this area. We simply must do far more to provide training to those who do not wish and do not need a traditional baccalaureate degree.

I am now working on a comprehensive proposal for occupational and career education. I know that we can work with the Office of Education in the next several weeks as they, too, give further study to meeting this great need.

TAKE PRIDE IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a Nation. With our increased technology and shorter work week Americans are more able to enjoy their leisture time. For example, in 1940 Americans spent approximately $3.7 billion on various forms of recreational activity. By 1968 these expenditures had increased nearly nine times to $33.5 billion.

THE HIGHER EDUCATION LEGISLATIVE PACKAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DELLENBACK) is recognized for 15 minutes.

Mr. DELLENBACK. Mr. Speaker, I am pleased to join my colleague, the gentleman from Minnesota (Mr. QUIE) in sponsoring all three of the innovative higher education bills which he has introduced today: The Higher Education General Assistance Act, the Higher Education Opportunity Act, and the National Foundation on Higher Education Act.

Since the major existing higher education authorizations expire this June, it is essential that the Special Subcommittee on Education act with dispatch to produce comprehensive legislation. I believe the package of bills introduced today—two of which are administration proposals—offers a sound foundation from which we can proceed.

There is still, however, one major shortcoming in this package which particularly concerns me. I am referring to the lack of adequate support for community colleges, especially for the costly career education programs offered by these institutions.

Mr. Speaker, community colleges have had a phenomenal growth period during the last decade. In fact, in the past 10 years, the number of community colleges throughout the Nation has jumped from under 700 to well over 1,000, while enrollment has climbed from 750,000 to 2.5 million during the same time period. Moreover, these schools have added significant dimension to this country's higher education system. Their geographic, financial, and academic accessibility have greatly expanded educational opportunities in the United States.

H.R. 5193—THE HIGHER EDUCATION GENERAL ASSISTANCE ACT

I believe these institutions need and deserve generous Federal support to help them maintain quality in the face of such rapid growth. The Higher Education General Assistance Act introduced today as a vital supplement to the administration's two proposals would help fill the gap in Federal assistance to community colleges. Twenty percent of the total appropriations for this bill would be set aside for community colleges and for 4-year institutions offering nondegree career education programs. An estimated $65 million would be expended for this part of the general assistance program during the first year of operation, allotted to eligible schools on the basis of full-time equivalent enrollment.

In addition, an estimated $260 million of general assistance would be provided other higher education institutions on the basis of baccalaureate degrees awarded during the preceding year.

The Higher Education General Assistance Act will put the institutions themselves into the driver's seat as far as determining how to use Federal dollars. Categorical aid has been and will continue to be extremely beneficial to higher education institutions, but I believe that general assistance is overdue as a continuing and stable source of Federal aid for higher education.

I want to commend my colleague, Mr. QUIE, for his outstanding leadership in introducing the Higher Education General Assistance Act. His contributions to higher education have been many, and I believe this far-reaching proposal may prove to be one of the most valuable proposals he has made.

While this measure would indeed be a boon to community colleges, I believe we must look to comprehensive legislation in this area. Hopefully the administration's career education proposals will be available soon.

H.R. 5192—THE NATIONAL FOUNDATION ON HIGHER EDUCATION ACT

Considering the critical financial squeeze which so many institutions are confronting, it is likely that funds allocated under the Higher Education General Assistance Act would be targeted solely to meet escalating costs of operation. We must insure that, in the face of such severe financial difficulties, colleges and universities do not put aside reform and innovation. It is unfortunate that innovation has been discouraged by the theory that, in times of fiscal stringency, we cannot afford to be innovative. This concept surely threatens the future of higher education.

When these facts are considered, it becomes obvious that the creation of a National Foundation on Higher Education is a vital part of the higher education legislative package introduced today. As proposed by the administration, the mandate of the Foundation would be to foster change, excellence, and innovation in postsecondary education. It would operate strictly on a project grant basis, hopefully encouraging institutional autonomy and individuality. To prevent the Foundation from becoming another layer of categorical programing and to permit funding of a variety of projects, the language of H.R. 5192 is purposely broad.

With the passage of this bill, institutions would have for the first time a stable, continuing source of funds for experimentation. President Nixon's budget for fiscal 1972 includes a request of $100 million of new funds for the Foundation.

H.R. 5191—THE HIGHER EDUCATION OPPORTUNITY ACT

The third part of the higher education legislative package and the most comprehensive of the three bills is the administration's Higher Education Opportunity Act. The goal of this measure is one which I wholeheartedly support: to make equal educational opportunity in the United States a reality instead of a promise. This goal would be achieved through the enactment of the major student aid reform proposals outlined in the bill.

These proposals are specifically designed to correct some of the inequities that have weakened existing student aid programs. For example, this new legislation is designed to assure that assistance is available to every qualified student, that Federal funds go first and in the largest amounts to students who need help most, and that potential students can be provided with as accurate information as possible ahead of time regarding the aid they can expect.

The student aid package comes in two parts: First, a combination of grants, work-study payments, and subsidized loans for full-time undergraduate students with low to middle incomes attending public and nonprofit postsecondary educational institutions as well as proprietary postsecondary institutions. I was pleased that the administration wants to make proprietary institutions eligible to participate in student aid programs, since I feel strongly that excluding these institutions as we have in the past has unfairly discriminated against students who chose to pursue their education at an accredited proprietary school.

The second part of the student aid package is the creation of a National Student Loan Association to raise money privately and make it available for all postsecondary students at all income levels. The concept behind NSLA is one which I have strongly supported in the past in cosponsoring legislation introduced by my colleague, the gentleman from Illinois (Mr. ERLENBORN) to create a Student Loan Marketing Association.

The student aid reform proposals do not by any means reject all of the features of the existing programs. Several characteristics of the current student aid programs would be maintained. For example, educational opportunity grants would continue as the basic grant program, but without matching requirements that have impaired the program's usefulness. College work-study would also continue, and institutions would keep the option, within limits set by

the U.S. Commissioner of Education, to determine the combination of grants and work-study payments most suited to the individual student. National defense student loan benefits would continue under the same terms and conditions as at present for both of the subsidized loan programs; however, lendable capital would come from the private money market rather than from the Federal budget.

In addition to the student aid reform proposals, other significant provisions of the Higher Education Opportunity Act include the extension, with minor amendments, of the following programs authorized under the Higher Education Act of 1965: Title I, community service and continuing education; title II, library programs; title III, strengthening developing institutions; and title V, Education Professions Development Act.

My colleague, the gentlewoman from Oregon (Mrs. GREEN), the distinguished chairman of the Special Subcommittee on Education, has been in the forefront of the movement to end discrimination based on sex in any federally assisted education programs. I hope that she will be pleased by the title of the Higher Education Opportunity Act which would prohibit such discrimination except where sex is a bona fide ground for differential treatment.

The special subcommittee will begin tomorrow to hold hearings on comprehensive higher education legislation. In considering such legislation, I believe we should operate on the assumption of several very basic premises:

First, that higher education has been under increasing fire and has lost valuable sources of assistance during the last few years. In this climate, it is essential that Federal aid become a bigger slice of the educational financing pie.

Second, that institutions themselves often know best what their needs are and should be encouraged to make their own decisions about spending Federal dollars. We must put the institutions in a better position to answer for themselves the critics of higher education who have grown so vocal in recent years.

Third, it is the responsibility of Congress to make equal educational opportunity a reality in the United States. In making it possible for many more students to attend college, however, we must bear in mind that these institutions will face even greater operating costs. We must therefore be ready to make a major Federal commitment to help colleges meet these accelerating costs.

Fourth, we must be alert to the fact that change is coming to higher education, as indeed it should. In fact, if it does not come, I fear that the troubles we have seen already in financing higher education will be but a prologue of even more serious trouble ahead. The major part of the Federal Government's role in helping meet this need for change should be to provide adequate funding. It should be up to the institutions themselves to determine the directions that these changes will take.

Fifth, career education provides a necessary and desirable dimension to higher education, yet it is substantially more expensive for an institution than traditional academic courses. The Federal Government should recognize its responsibility to encourage quality career education, particularly through the development of comprehensive community colleges.

The achievement of comprehensive education legislation is a demanding but vital task. I believe the higher education legislative package introduced today gives us an excellent foundation from which to proceed with this task.

LEGISLATION PROVIDING COMPREHENSIVE IMPROVEMENTS IN THE SOCIAL SECURITY SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. MINISH) is recognized for 15 minutes.

Mr. MINISH. Mr. Speaker, a recent study has disclosed that 1 of every 4 Americans 65 years of age and over now is forced to live on a poverty-level income. This distressing survey, by the Senate Special Committee on Aging, also found that both the number and the proportion of aged poor have been growing in recent years.

In an effort to meet the pressing problems of our Nation's senior citizens, I am today introducing legislation providing for comprehensive improvements and reforms of the social security system.

Among the major provisions of my bill are the following: a 15-percent increase in social security benefits retroactive to January 1, 1971; a mechanism to provide automatic adjustments in benefits as the cost of living rises; an increase in the minimum benefit from $64 to $100 for single individuals, and from $96 to $150 for a married couple; eligibility for medicare for all disabled beneficiaries; permission for benefits to be paid to a married couple on their combined wage record; an increase in the earnings limitation from $1,680 to $2,500; coverage of prescription drugs under medicare; and a requirement that such drugs be furnished on a generic basis.

Mr. Speaker, the President has seen fit to recommend only a 6-percent increase in all social security benefits including the minimum payment level. His position is very disappointing to me and, I am certain, to America's 26 million social security beneficiaries. Such a meager increase is clearly inadequate at a time when the cost of living has been rising at an almost unprecedented pace. I believe the Congress has an obligation to our senior citizens to do more than simply allow them to "catch up" with the rest of the Nation. The 15-percent increase contained in my bill is the least we should enact for this most deserving segment of our population.

Inflation exacts its harshest toll on our elderly citizens. A partial solution to the dilemma of living on a fixed income while prices soar may be found in another section of my legislation. I refer to a mechanism whereby social security benefits would be automatically increased annually by an amount equal to the yearly rise in the cost of living. In this manner, we will insure that the elderly will be able, at the very least, to keep pace with our inflationary economy. However, just keeping pace is obviously not sufficient and the enactment of this provision should in no way preclude the need for periodic general increases in social security benefits.

Americans over 65 presently spend three times as much on drugs as younger persons. The health bill in 1969 for the over-65 group averaged $692, 2½ times that for the 19-to-65 age bracket. Yet, medicare currently pays less than half the health costs of the elderly.

Two related provisions of my bill concern the ever-increasing cost of drugs for senior citizens. The first would cover the cost of all prescription drugs under the medicare program, thereby greatly reducing the health care burden for older Americans. A second provision would require the furnishing of such drugs on a generic rather than a brand-name basis, thereby resulting in substantial savings to the Government.

Mr. Speaker, through the prompt enactment of this legislation we will help to lift our senior citizens from the second-class status to which they have been relegated by years of indifference and neglect. I hope that this measure will receive the enthusiastic endorsement of all Members of Congress.

PROPOSED REMOVAL OF 4½-PERCENT INTEREST RATE CEILING FOR CERTAIN LONG TERM GOVERNMENT OBLIGATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, I feel compelled to step forth today in strong opposition to the Ways and Means Committee's approved proposal to remove the 4½-percent interest rate ceiling for certain long-term Government obligations.

I have long been a member of the Low Interest Rate Steering Committee because of the obvious corrosive effects that high interest rates can have on our economy. Having been burnt, and still stinging from the high-interest policies imposed on our country, it seems somehow unwise for us to "ask for more of the same" by encouraging high-interest rate policies in promoting today's legislation.

For 53 years the Congress has mandated a 4½-percent ceiling on long-term Government bonds. For 53 years the Congress has stood fast to the standard of low-interest rate policy, which serves as an anchor and an incentive for debt managers to seek lower interest rates. And now, at a time when we should least encourage higher interest rates, we are asked to remove this check so that the debt managers can be free to impose any kind of charge on the American taxpayers. And though the removal of the ceiling is only "partial"—for $10 billion—we are not blind to the ease with which subsequent extensions will likely follow.

So, let us look to see why the Treasury Department and the present administration are pressing the Congress to abandon its longstanding policy.

Could it be because Treasury is unable to sell its bonds at the present rates? No, Treasury can borrow at rates well below 4 percent at the present time. Practically, the short-term bonds have been used to finance the deficit during periods of high interest rates; and during low rates, the longer term obligations for 30, 40, and 50 years, have been used—similar to the sound business practices followed by the private sector.

Could it be because there is not sufficient flexibility under the present system for difficult periods of attracting bondbuyers? No, Treasury has the authority to increase the rates in short-term bonds. It seems much more beneficial to the taxpayer to allow this emergency valve, rather than to open up the throttle and allow high interest rates to be paid for longer periods of time. Without the interest-rate ceiling, Treasury would have already obligated its taxpayers for the higher rates, thereby locking them in for generations to come.

I wholeheartedly agree with our illustrious and knowledgeable colleague, Chairman PATMAN, that we should continue to make it "difficult for the Federal Government to gouge the taxpayer," and stand by our convictions.

In light of the possible increase in the national debt to $435 billion, and the obvious tremendous impact that higher interest rates will have on the other interest rates in our economy, I see no alternative but to defeat this proposal today, just as we did during the Eisenhower administration.

REPRESENTATIVE MIZELL REINTRODUCES LEGISLATION PERMITTING LEASE AND TRANSFER OF BURLEY TOBACCO ALLOTMENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MIZELL) is recognized for 5 minutes.

Mr. MIZELL. Mr. Speaker, I rise at this time to reintroduce legislation permitting the lease and transfer of burley tobacco allotments within a 10-acre limit.

I introduced this legislation in the last Congress, and the House responded by passing the bill by an overwhelming margin. I ask for the same response from the 92d Congress.

To briefly recount the features of this bill, I shall begin with its basic purpose, and that is to afford the same treatment to burley farmers that other tobacco growers now enjoy.

Many of the burley growers in my district in North Carolina, as well as in other parts of the State, do not have the labor or the facilities to fulfill their tobacco allotments.

My bill will give these persons the opportunity to make money by leasing their allotments to other growers in the same county.

When a leasing arrangement is made between farmers in the same county, the crop from the leased land will be considered as having been produced on the original cropland. This provision will protect future allotments, as well as referendum voting rights.

Leases, which may be binding for up to 5 crop years, must be filed with and approved by the County Agricultural Stabilization and Conservation Committee. Only farmers who already have burley tobacco allotments will be eligible to lease other allotments.

I urge my colleagues to lend their support to this legislation. At last, it will provide fair treatment to our burley growers and will require no additional Federal funds to be enacted.

The burley growers of North Carolina need this legislation. They have asked for such legislation for years, and they are anxious for a reply from this Congress. I ask that that reply be a positive one.

DEFICIT SPENDING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. WILLIAMS) is recognized for 15 minutes.

Mr. WILLIAMS. Mr. Speaker, President Nixon's fiscal year 1972 budget calls for spending $229.2 billion with a $11.6 billion deficit. Mr. Nixon calls this a "full employment budget in which spending does not exceed the revenues the economy could generate under the existing tax system at a time of full employment." If we are to spend at a "full employment" rate, it is imperative that we tax at a rate to cover the cost of this budget without deficit spending.

Our economy cannot survive continued deficit spending. National debt interest is our third largest budgetary item, exceeded only by defense and welfare. It will become the second largest item in fiscal year 1973 when it will substantially exceed $30 billion.

Meanwhile, in fiscal year 1972, which begins July 1, 1971, national debt interest will exceed $26.4 billion. This includes $5.3 billion in interest paid on money borrowed from the various Federal trust funds. This interest payment comes from your Federal tax dollars. It is a fantastic increase over the $10.5 billion paid in interest on the national debt in fiscal year 1962. Of this interest $1.4 billion was paid to the trust funds in fiscal year 1962.

Of the myriad of trust funds, 10 are major in character. They include those for social security, Federal employees' retirement, and the highway system. In fiscal year 1972, all of our trust funds should contain a total of $115.8 billion. However, the Federal Government has borrowed $110.5 billion from these trust funds to cover deficit spending. Had this money been invested in positive ventures, it would have produced a yield of at least 6 percent, which would not have been taken out of taxpayers' pockets. That would have strengthened the trust funds, increased their value, and made it unnecessary to raise taxes to pay interest on trust fund money borrowed to cope with deficit spending. Deficit spending must stop.

BANKPAC

The Special Committee To Investigate Campaign Expenditures now verifies that I did not receive a 1970 campaign contribution from Bankers Political Action Committee. It says unsolicited BankPAC checks were mailed "to a member of the association in the immediate area of the candidate," and that an unsolicited check intended for my campaign was mailed from Memphis, Tenn., "to a banker in Pittsburgh." Pittsburgh, nearly 300 miles from Springfield, is hardly in my "immediate area." BankPAC seemed as malinformed, geographically, as in presuming I wanted a contribution.

Noting that I "won reelection by a substantial margin," but that the effect of BankPAC's action "could have been devastating," the Investigating Committee recommends that the Committee on Standards of Official Conduct prepare strong legislation to prevent a repetition of this lobbyist action. I am a member of this committee, and you can be assured that this legislation will be developed.

VIETNAM PROGRESS

For many years, the North Vietnamese Communists have been sending troops and supplies into South Vietnam down the Ho Chi Minh Trail through Laos and Cambodia. After the United States-South Vietnamese incursion into Cambodia ended the Communists' use of Sihanoukville, Cambodia, as a major supply port, the trail became all the more vital to the Communists' aggression. On February 8, 1971, U.S.-backed South Vietnamesse forces moved into Laos to cut that route.

This was vital to the Nixon schedule for reduction of U.S. forces in South Vietnam to no more than 284,000 by June 1971; with those men removed from combat roles. This will represent great progress from conditions in January 1969, when, in assuming the Presidency, Richard Nixon found more than 540,000 U.S. troops enmeshed in an escalating war in South Vietnam. This progress will be continued in April 1971, when Mr. Nixon announces further withdrawals. Meanwhile, it must be remembered that the Communists are the Indochina aggressors. Not one square inch of Communist territory has been threatened. These facts should be kept firmly in mind when considering wild charges by the North Vietnamese, their allies, and some Americans.

SOCIAL SECURITY

Social security has more benefits than many people realize. Benefits include help with hospital bills when social-security-covered workers and certain dependents reach 65. Also available is voluntary medical insurance, medicare, through which persons 65 or older may receive help in paying hospital and doctors' bills and other medical expenses. When a worker's earnings stop or are reduced by disability or retirement, monthly cash payments will be forthcoming. When he dies, lump sum payments may be made to survivors. Monthly payments can go to certain dependents when he is retired or disabled, or when he dies.

For example: A retired worker 65 or older or a disabled worker under 65 can receive a maximum monthly payment of $250.70, if the worker had the maximum of $7,800 to his credit. A retired worker at 62 can receive as much as $200.60

monthly. A dependent child of a retired or disabled worker can receive payments of up to a maximum of $125.40 monthly. A widow under 62 with two or more children can receive up to $434.40 monthly. Obviously, each case is different and must be determined accordingly.

You may lose benefits if you wait too long to apply for social security benefits. If at any time you even think that you may be eligible for social security benefits, call the Social Security Administration office in Upper Darby, 6801 Ludlow Street, FL 2–2360, or write to my Washington office, so that you do not risk losing what is properly yours by law.

WELFARE PROGRAMS

President Nixon's budget for fiscal year 1972 calls for a total expenditure of more than $35 billion for welfare programs. Welfare programs have done much to destroy the very fiber upon which the United States was built. They have inspired people to migrate to joblessness in big cities, where welfare payments are more readily available, from rural and small urban areas where jobs were available. They have broken up families, increased the number of dependent children in fatherless homes and intensified problems they were designed to solve. The more welfare benefits are increased to provide adequate living standards the more some persons will refuse to work. Thirty percent of those who participated in job-training programs in Philadelphia said they would not accept job interviews. Of the 70 percent who said they would accept job interviews, 40 percent failed to report for them.

We have a responsibility to care for the aged, the blind, and the mentally and physically infirm. But we should phase out other welfare programs in favor of an employment plan sponsored by the Federal, State, and municipal governments in cooperation with private business and industry. Using Federal minimum wage standards as a base, such a program would assure all families of an income well above the current level of poverty.

MINORITY STAFFING

The Legislative Reorganization Act of 1970 made major changes in the congressional operation for the first time in 40 years. I supported this as an enlightened effort to modernize that operation. One provision provided that the minority members of all House standing committees be assigned one-third of the committee's investigative staff. However, on January 22, 1971, the day after the 92d Congress convened, the House Democratic majority, in a questionable procedure, eliminated the provision from the rules of the House. The Republican minority was thereby denied proper development of "the other side" of legislative questions.

SENIORITY REFORM

House Republican rules now make it necessary for Republicans to vote automatically and secretly on the qualifications of each ranking senior Republican member of the committee on which they serve. If the ranking Republican fails to gain the majority of these votes, the Republican committee on committees must select another name. House Democrat procedure permits a vote on a committee chairman's qualifications only upon demand of 10 members at a meeting of the Democrat caucus. It is extremely difficult to get 10 members to demand a vote on the qualifications of a committee chairman whose powerful position affords him numerous means of retaliation against those who seek to unseat him.

AEC PROPOSES TO DUMP ATOMIC WASTE IN KANSAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. SKUBITZ) is recognized for 5 minutes.

Mr. SKUBITZ. Mr. Speaker, the Atomic Energy Commission has proposed that some 1,200 acres of land near Lyons, Kans., be set aside for the construction of a depository in which nuclear wastes from private powerplants would be permanently stored.

The proposal, which has been included in budget proposals sent to Congress, has raised considerable controversy throughout Kansas and indeed in many other parts of the United States. Persons concerned with environmental pollution are protesting the burial within the continental United States of deadly radioactive wastes that will continue to emit fatal levels of radioactivity for 100,000 years or more.

I ask that as part of my remarks there be included newsstories and editorials that have appeared in various newspapers throughout Kansas and elsewhere. Following these newspaper comments, I ask that there be printed the text of a February 12, 1971, letter from me to Gov. Robert Docking of Kansas, the text of Governor's Docking reply of February 20, and my response of February 25 to the Governor.

The material follows:

[From the New York Times, Feb. 17, 1971]

KANSAS GEOLOGISTS OPPOSE A NUCLEAR WASTE DUMP

(By Anthony Ripley)

TOPEKA, KANS., February 16.—A state geological report, sharply critical of plans to build a permanent nuclear waste dump in a central Kansas salt mine, was made public today amid rising opposition to the project.

The report, submitted to Gov. Robert B. Docking last December by the State Geological Survey, said the Atomic Energy Commission's Oak Ridge National Laboratory and the staff of the A.E.C. had "exhibited remarkably little interest" in studying the effects of radiation and heat on the salt.

Plans for the transportation of radioactive waste across the state to the burial site are "completely inadequate," the report states, and plans for removing the radioactive substances if something should go wrong "do not exist at all."

The report was made public by Ronald H. Baxter, chairman of the Kansas Sierra Club. It came to light as Representative Joe Skubitz, a Kansas Republican, asked Governor Docking to join him in opposing a $3.5-million appropriation requested from Congress by the A.E.C. to purchase 2,000 acres of land at Lyons, Kans., and begin preliminary architectural and engineering work.

The Federal agency is also requesting authorization for $25-million for the entire project.

"The fact is," Representative Skubitz wrote the Governor in a letter that arrived in Topeka this afternoon "that however the Atomic Energy Commission may phrase it semantically, a part of Kansas is proposed as a dump for the most dangerous garbage in the knowledgement of mankind. A dump is a dump no matter how the garbage is packed.

Governor Docking's office reported that he had received the letter but had not yet read it.

John A. Erlewine, assistant general manager for operations for the A.E.C. said in a telephone interview in Washington that he had gone over the whole matter in detail with Representative Skubitz on several occasions and had apparently been unable to satisfy the Congressman's objections.

He said that the A.E.C. had worked on all the problems cited in the geological report and suggested that some areas in which the A.E.C. was charged with exhibiting "little interest" were subjects it had already studied. He said those subjects had not been gone over again in detail "perhaps because there isn't any reason to be concerned."

The A.E.C. plans to take radioactive wastes from the nation's nuclear power plants, draw off the liquid and form the residue into ceramic blocks that would be encased in steel capsules for transportation. Once moved to Lyons, they would be inserted by remote control into holes drilled in the underground salt.

The capsules would be extremely hot with outside temperatures of 200 to 400 degrees centigrade and temperatures inside capable of reaching 1,800 degrees. The heat is generated by the decay of radioactive materials.

Because many of the radioactive products are extremely long lived, the storage site would have to be maintained for thousands of years.

Each of the ceramic blocks is expected to contain about 10-billion rads of radioactivity. Rad is an acronym for radiation absorbed dose and is a common measurement of the strength of radioactivity. The present yearly dose of radioactivity approved for the general public is 0.17 rad.

Mr. Erlewine said the central Kansas site had been chosen because of its great geologic stability. A 1966 report by the National Academy of Sciences and the National Research Council said the present four major A.E.C. sites where highly radioactive wastes are stored are located in four geological locations.

Most of these wastes are now stored in liquid form in giant tanks that boil with radioactivity.

Mr. Skubitz asked for the support of the Kansas Legislature and the entire Kansas delegation to Congress.

"The Federal Government cannot compel a sovereign state to do itself and its citizens possible irreparable injury if its officials refuse to be stampeded and bow to Federal pressure," he wrote Governor Docking.

He said that instead of transporting nuclear wastes to Kansas, which he said was "less convenient," he suggested using salt mines in Michigan, Ohio, Pennsylvania or other places closer to the nation's presently operating 17 nuclear plants.

[From the Parsons (Kans.) Parsons Sun, Feb. 19, 1971]

SKUBITZ' BATTLE

True to the traditions of his native Kansas Balkans, Rep. Joe Skubitz has fought many scraps in his time, but none may be as important as one which finds him raining blows on the Atomic Energy Commission.

The AEC proposes to dump the nation's atomic wastes into an old salt mine near Lyons, in central Kansas, and Skubitz has turned into the leading congressional critic of the plan although the site is not in his district.

Scientists are uneasy about the scheme. They say the AEC has given it only cursory study and does not know or cannot foretell the ultimate consequences of storing live radioactive material underground—particularly since the wastes will remain "alive" for the next 500,000 years.

While Gov. Robert Docking conceivably still could be in office by the end of that time, the state GOP having failed to recoup and regroup, few of the rest of us will be around, alive and kicking. Skubitz is engaged in a monumental struggle, both for the present and countless future generations.

It is noteworthy that the greatest wastes will be produced in New York, Ohio, Pennsylvania and Michigan, which have atomic power plants and also abandoned salt mines. Transportation of the highly hazardous materials could be eliminated if mines much closer to the source were utilized.

But the AEC doesn't want to do that. It chooses instead the Lyons mine, presumably because the population hereabouts is much thinner and fewer persons will be subject to risks if the whole fantastic project were to blow up one day. Kansas nevertheless puts a high value on human life, even if the state lacks the concentration of it that exists elsewhere.

If it hasn't tumbled yet to the fact, the Atomic Energy Commission will find that it is tangling with a buzzsaw in Skubitz. Once he has chosen his target and his ammunition, Skubitz is a hard man to dissuade or defeat.

In challenging a hitherto sacred cow among federal bureaus and indeed of American life in general, Skubitz not only is waging a battle for Kansas but probably for the whole nation. He is questioning dubious premises on which the AEC has staked moentous gambles that extend far beyond lyons mentous gambles that extend far beyond Lyons modest municipal limits.

[From the Chanute (Kans.) Tribune, Feb. 22, 1971]

THE EAGLE'S CRY

Congressman Joe Skubitz spent nine months researching the questions arising from the Atomic Energy Commission's plan to store atomic wastes near Lyons.

The further he dug, the more convinced Joe became that Kansas was designated an atomic dump not because it would be safe, but rather because it would be the easiest way out. If the AEC tried to store the wastes near populated areas, people would object. So ship it to the bumpkins in Kansas.

Thanks to our Congressman, the plan may be blocked. At least until it is proven safe beyond all reasonable doubt.

When you consider that Lyons is not within his district, it seems an exemplary thing. He deserves the thanks of all. But wait.

At this point in steps The Wichita Eagle. "Such questions should be understood by the public not as positive dangers but as potential hazards postulated by geologists whose duty it is to imagine every possible thing that could go wrong. It would only hinder the search for answers if every Kansan got as hysterical as has Rep. Joe Skubitz of Pittsburg who represents southeast Kansas not the central area in which Lyons is located."

Maybe nine months of research strikes the high-flying Eagle as hysterics, but others should see it as responsible inquiry.

And since when are atomic wastes not positive dangers? If The Eagle writers postulate that they are something less, they might stump to locate the dump in Wichita.

As for telling Skubitz to mind his own business, since when did the interests of Kansans change at the lines drawn for congressional districts? (When stumping for the SST, The Eagle suggests all Kansas would benefit.)

It's hard to understand this slap at Skubitz. He deserves gratitude. The Eagle not withstanding.

[From the El Dorado (Kans.) Times, Feb. 18, 1971]

JOE FIGHTS "DUMPING" PLAN

Rep. Joe Skubitz is the sworn enemy of the plan to make "Kansas the dumping ground for deadly atomic wastes" of nuclear plants in various parts of the country.

The Atomic Energy commission has proposed, and is making plans, to bring in this waste from places where it is now stored and bury it in layers of salt about a thousand feet underground near Lyons, Kansas. That area is not in Joe's Kansas Fifth district, but he submits he has a responsibility as a Kansas congressman to deal with federal actions that affect and concern our state. Therefore, he has addressed a long letter setting forth his position to Governor Docking, to the two Kansas senators and other congressmen and to other officials.

Joe has done his home work well and makes a number of points for his side of this controversy. In reference to a letter which Dr. Glenn T. Seaborg, chairman of AEC, wrote to the Wichita Eagle, Joe quotes him as saying that the Lyons site will not be a national "dumping ground." The wastes will be "carefully packaged, and will be emplaced within the repository in a very precise manner, carefully recorded and surveyed," he wrote.

To this statement, Mr. Skubitz retorts: "But wastes are wastes whether they are garbage in plastic bags or 1800 degree radioactive blocks in stainless steel containers carefully packaged or not. And the danger of pollution to the air above and the water below will continue to exist for a half million years, the period Dr. Seaborg says the waste will remain dangerously radioactive for all living things."

This is a fair sample of Joe's hard-hitting. The late Sen. Andrew F. Schoeppel was bitterly opposed to dumping wastes in Kansas but did not go into the subject as deeply as Joe Skubitz has done. Joe is a fighter and if the AEC succeeds in placing its wastes underground at Lyons, it will figuratively be over Joe's dead body.

[From the Chanute (Kans.) Tribune, Feb. 18, 1971]

RIGHT ON, JOE!

Congressman Joe Skubitz has looked a proposed federal gift horse in the mouth and suggests that it be pastured outside Kansas.

To which we say, right on, Joe.

Rep. Skubitz wanted more information than was offered when the Atomic Energy Commission proposed storing atomic garbage in salt fields outside Lyons in central Kansas. Considering that the atomic wastes will be lethal for a half-million years, assurances indeed should come from first-hand information rather than from those looking for a dumping ground.

To begin with, the wastes are from privately owned nuclear power plants. If salt beds are safe for storage, Skubitz asks, why not use larger beds closer and more convenient to the reactors?

He suspects Kansas is "honored" because we won't object. Storing poisonous wastes is a touchy thing in the areas where the power plants operate.

And what about transporting by train these wastes that are 1,800 degrees hot? Our Congressman remembers the derailment at Melvern last fall, and asks what's to prevent it happening with nuclear poisons. The AEC promises to be working to reduce the likelihood of a rail accident.

That's a good idea. It could best be carried out by storing the atomic wastes in the salt deposits in Michigan, Ohio, Pennsylvania and New York. That's where the waste is created, that's where it should be stored if salt beds are safe.

Skubitz objects to turning Kansas into an atomic junkyard for the convenience of power companies on the eastern seaboard. So should all Kansans.

[From the Wellington (Kans.) Daily News, Feb. 17, 1971]

SKUBITZ AGAINST MAKING KANSAS A GARBAGE DUMP

TOPEKA, KANS.—"A part of Kansas is proposed as a dump for the most dangerous garbage in the knowledge of mankind," Rep. Joe Skubitz, R-Kans, said in a letter to Kansas' governor, which was made public Tuesday.

Skubitz said he has spent nine months studying plans of the Atomic Energy Commission (AEC) to store waste nuclear material in abandoned salt mines near Lyons in central Kansas.

The congressman's letter to Gov. Robert Docking was made public by the Kansas chapter of the conservation-oriented Sierra Club. The club also disclosed a study completed early in December by the Kansas Geological Survey, which raised equally serious questions about the safety of the AEC project.

Skubitz said he felt the project is "a convenience for privately owned utility corporations operating nuclear power plants who are seeking a cheap means of disposing of dangerous wastes away from their own populated areas."

Congress is being asked to provide $3.5 million this year and an eventual total of $25 million for the Lyons repository, Skubitz said. He told Docking Kansas should oppose the authorization at the hearing on the money request, adding "The AEC tried Idaho and that state's senators came in with a loud 'no.'"

The geological survey report said the AEC has shown little interest in studies of radiation damage and a heat flow problem.

The survey said various interaction around the project "could be responsible for breaking the seal of overlying rocks and permitting entry of surface or subsurface waters."

[From the Coffeyville (Kans.) Journal, Feb. 17, 1971]

IN LETTER TO DOCKING: SKUBITZ BLASTS AEC DUMP

TOPEKA, KANS.—"A part of Kansas is proposed as a dump for the most dangerous garbage in the knowledge of mankind," Rep. Joe Skubitz, R-Kans., said in a letter to Kansas' governor, which was made public Tuesday.

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DANGEROUS IN TRANSIT

PORTLAND, OREG.—A research executive for some facilities at the Hanford Atomic Works said Tuesday, in discussing disposal of nuclear wastes, "I don't like the thought of subjecting people to the possible hazard of radioactive salts all the way from here to Kansas by truck or rail."

R. E. Tomlinson, manager of research and development for the Atlantic Richfield Hanford Company, said company engineers are studying the possibility of drilling a tunnel into the basalt underlying eastern Washington.

Wastes have been accumulating in underground storage at Hanford for 25 years, he said and are so vast that to move the high-level solids to the Lyons repository would take a string of trucks spaced 10 minutes apart, moving continuously at 60 miles an hour for five years to complete the job.

"I don't like the odds," he said.

Tomlinson said the suggested tunnel would have to be 20 feet in diameter and 17 miles long to handle past accumulations and future wastes in Washington.

If preliminary studies are favorable, he said, "we will be ready to sink an experimental shaft and dig a cavern about 1978 or 1980." The tunnel would be at about the 3,500-foot level underground and cost perhaps $5 billion, he said.

[From the Chanute (Kans.) Tribune, Feb. 17, 1971]

SKUBITZ OPPOSED TO NUCLEAR DUMP

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[From the Caney (Kans.) Chronicle, Feb. 18, 1971]

SKUBITZ KNOCKS WASTE IDEA

Plans of the Atomic Energy Commission to convert an area near Lyons, Kan., as a permanent dump for atomic wastes have come under heavy fire of Congressman Joe Skubitz.

He has written to Governor Docking, all members of the Kansas Legislature, and the Kansas congressional delegation in Washington urging united action to block the plan.

He said he has made an intensive, six-month study of the idea of using salt mines as a repository for atomic waste. He said atomic garbage attains the heat of 1800 degrees and will be a danger of pollution to the air above and the water below for half a million years.

In his letter, Skubitz says:

"Atomic wastes produce high levels of heat, dangerous levels of radiation and the potential for a kind of horrible air, ground and water pollution that is beyond the present ability of mankind to control.

"Since we are dealing here with wastes that will remain dangerous for a half million years, who can be sure that underground water sources in adjacent Kansas, indeed in the entire midwest lower river basins, will not eventually become radiation-contaminated?

Certainly, the Kansas Geological Survey suggests this possibility."

[From the Iola (Kans.) Register, Feb. 17, 1971]

NOT AT LYONS, NOR ANYWHERE

Yesterday Rep. Joe Skubitz was quoted at length in opposition to using the salt mine caverns around Lyons as a dumping ground for atomic waste.

His arguments are impressive. The waste involved has a deadly "life" of 500,000 years. It would be dangerous to any living thing for that period of time if not shielded.

Skubitz also stressed the obvious hazard involved in moving the material from the atomic energy plants on the East Coast to Kansas by rail to the proposed Lyons dump. Why take this risk?

The Fifth District Congressman stopped his arguments short. Until scientists find a way to deactivate such waste—if deactivation is within the realm of possibility—can we justify producing it at all?

How can we guarantee to ourselves and to generations yet unborn that any method of storage can be devised which would remain secure over half a million years?

Who is to say that earthquakes, volcanic eruptions or other natural massive shifts of land and water would not release deadly radioactivity wherever such wastes were stored?

The congressman's research should not only persuade Kansans to decline the opportunity to become the nation's atomic dump ground but also provoke new studies on a wider question: Does this generation have any right to produce atomic wastes which pose a threat to the next 17,000 generations?

The answer to the question must be a quick negative. It's time to re-evaluate the atomic waste question, using the future safety of the race, not the immediate economic needs of a few, as the yardstick.

[From the Iola (Kans.) Register, Feb. 22, 1971]

WE'RE PRODUCING TIME BOMBS

Speaking of the proposal to dump radioactive waste in the saltbeds near Lyons, the Wichita Eagle said Sunday:

"It would only hinder the search for answers if every Kansan got as hysterical as Rep. Joe Skubitz, who represents Southeast Kansas, not the central area in which Lyons is located.

"Skubitz has demanded that the governor, without further question, oppose the installation as making 'Kansas an atomic garbage dump.' That's catchy, but quotable phrases aren't what is needed to decide this serious matter.

"What is needed is a full set of answers from the Atomic Energy Commission. And they should be made public as soon as the state receives them."

Joe Skubitz made his argument against storing atomic waste in Kansas after spending nine months trying to get the AEC to give him assurances that the proposal was absolutely safe.

This hardly qualifies as an "hysterical" decision.

The State Geological Survey report on the AEC plan is negative. Our resident experts believe some radiocativity could pollute underground water which would then flow to the surface and be dangerous.

AEC representatives could not persuade either the Kansas geologists or Rep. Skubitz such catastrophes were beyond the realm of possibility.

Scientists tell us the wastes which would be stored would be lethal for the next half million years.

It is utterly incredible that any sane individual would undertake to guarantee that nothing could happen within 500,000 years that might not release this deadly substance from its storehouse.

If the material can be put underground by man, then other men 20 generations from now—a mere 600 years—could dig into it searching for minerals or building an underground city against some unknown threat and die, victims to our callousness.

Is Lyons and that area forever safe against earthquakes or volcanos? How can anyone be certain? And isn't certainty required when we are talking about a length of time many times greater than the total span of civilization to date?

Our responsibility for the atomic wastes we are generating lasts as long as the material is deadly, not just for the future we can foresee. It would seem very much to the point to start a crash program on ways to defuse these bombs before we bury them.

At the very least, it would only seem prudent to insist that no wastes be produced which would remain lethal longer than the generation which produces them can be certain that their location and the nature of the threat they pose would remain known.

We have no way of knowing that such information can be preserved for more than a very few generations.

Far from being hysterical, Joe Skubitz appears to be one of the few in a position of responsibility in Kansas who is looking at this question clearly. He should be congratulated, not put down, for speaking to the issue.

[From the Kansas City (Kans.) Star, Feb. 21, 1971]

DOCKING HEDGES ON SALT MINE PLAN

TOPEKA.—Gov. Robert Docking said yesterday that if there are any questions that the proposed radioactive disposal site near Lyons, Kas., poses any potential danger to the lives, health and safety of Kansas citizens, or to future generations of Kansans, he will not hesitate to use all the powers of the governorship to halt the project.

Docking's comments were in a letter to Rep. Joe Skubitz (R-Kas.) who had told the governor he believes the state should oppose the athorization of money for the Lyons repository.

"I have not come lightly to this decision to oppose," Skubitz told Docking. "It is the end result of more than nine months of combing of available facts."

Skubitz said his probe into the Atomic Energy commission plan to store the coun-

try's nuclear waste materials in the abandoned salt mines at Lyons led him to the conclusion that ". . . a part of Kansas is proposed as a dump for the most dangerous garbage in the knowledge of mankind . . ." and that ". . . the AEC is itself far from certain of the safety of its proposed procedures for burying this atomic garbage."

Docking said interim reports from the State Geological Survey raise serious questions with respect to heat problems, water circulation, radiation-damage effects, subsidence and shear of rocks over the site, retrieval of radioactive wastes and transportation.

"The State Geological Survey regards these problems as extremely critical to the safe storage of radioactive wastes at the Lyons site and expresses concern that the staff of the Atomic Energy commission has demonstrated remarkably little interest in these problems," Docking said. "AEC and Oak Ridge staff members attribute failure to undertake appropriate studies to a lack of funds.

"It will be outrageously incongruous the Atomic Energy commission has no funds to support studies costing several hundred thousand dollars per year which will provide answers we seek, but is requesting an authorization of 25 million dollars for conversion of the Lyons site into a permanent repository. I am convinced that all the recommended studies are feasible, possible and can be completed before mid-1974."

[From the Kansas City (Kans.) Star, Feb. 21, 1971]

KANSAS DUBIOUS ON AEC WASTES

WASHINGTON.—What once looked like an easy way to get rid of the nation's growing stockpile of deadly radioactive wastes—dump them in the Kansas salt beds—is rapidly turning into another environmental nightmare.

Scientists are tearing apart the Atomic Energy commission's bland assurances that burial in the salt mines of Kansas will be completely "safe."

They've discovered, for one thing, the AEC doesn't have the vaguest idea of how the wastes, which will give off 1,800-degree heat as well as intense radiation, will react with the salt. No one has determined if they could end up polluting water and air by melting or cracking through the salt.

Nor has much study gone into other long-term effects of dumping tons of radioactivity into one place—material that by most estimates would remain dangerously "hot" for 500,000 years.

In the opinion of some Kansans, the AEC's lack of research smells of one thing: Expediency.

"The AEC is in a bind," says an aide to Rep. Joe Skubitz (R-Kans.), an opponent of the dumping plan. "They are holding this radioactive waste in liquid form in temporary vats and the vats will soon wear out. They've got to get rid of it and the salt mine in Kansas is the only place they've studied.

Skubitz, who is trying to kill the 25-million-dollar project by stopping a 3.5-million-dollar down payment appropriation, points out that vast underground salt beds exist all through Michigan, Ohio, Pennsylvania and New York—states where many of the existing or proposed nuclear power plants which generate the waste are situated.

If those beds were used, he says, the danger of hauling the hot cargo all the way to Kansas could be avoided—that is, if such burial is really safe. The AEC has indicated to Skubitz it is skittish about dumping the waste near Detroit with its large population in case of an accident.

How then could it be safe for Kansas? The answer seems to be the proposed national "repository"—as the AEC prefers to call the dump—would be near a small town, Lyons, Kans., with a population of fewer than 5,000 that could be easily evacuated.

What really bothers Skubitz is that most of the wastes would come from privately owned reactors. The AEC, he says, will be subsidizing their disposal at the expense of Kansas, which doesn't have a single nuclear power plant.

"The federal government does not subsidize waste product handling for private non-nuclear power?"

The lawmaker also is wary of wastes getting loose in a railroad accident, noting the town of Malvern, Kans., was nearly wiped out in a non-nuclear rail pileup last year.

The AEC proposes to transport the wastes, after removing the liquid, in steel cylinders imbedded in 100-ton ceramic blocks to prevent radiation exposure to the public. Each block would contain some 10-billion rads of radioactivity—enough to kill everyone in the nation if dispersed in the air.

The cylinders are to be lowered 1,000 feet below the surface of the Lyons mine and dropped by remote control in holes bored in the salt.

Scientists of the Kansas Geological Survey say the AEC expects the 1,800-degree heat to melt away the cylinder casings in about six months so the wastes will begin working directly on the salt.

At present, they say there is no information as to what will happen next. But there are fears the cylinders could melt right through the salt or the waste could react with minute amounts of water in the salt and cause an explosion that would vent radioactivity to the surface.

The AEC has told the state's geologists the heat over a period of time will raise the temperature of the surface only one degree. But the Kansas scientists dispute this, saying it could rise 13 degrees and change the surface environment considerably. Again, no one is certain.

Opposition to underground burial of nuclear wastes already has stymied the AEC in Idaho and Washington. The suspicion here is that if Kansas also defeats the plan, no state will ever buy it and the AEC will have to go elsewhere.

This would spell big trouble for the struggling nuclear power industry, which already has had many plants held up because they would inflict other types of environmental damage. Without waste disposal they can't operate.

Meantime, there is the matter of the AEC's temporary storage vats containing 80 million gallons of radioactive "soup." They are deteriorating every day.

[From the Parsons (Kans.) Sun, Feb. 18, 1971]

WASTES IN KANSAS SALT MINE: SKUBITZ FIGHTS AN ATOMIC NIGHTMARE

(By William E. Howard)

WASHINGTON.—What once looked like an easy way to get rid of the nation's growing sea of deadly radioactive wastes—dump them in Kansas' salt beds—is rapidly turning into another environmental nightmare.

Scientists are tearing apart the Atomic Energy Commission's bland assurances that burial in the state's salt vaults will be completely "safe."

They've discovered, for one thing, the AEC doesn't have the vaguest idea of how the wastes, which will give off 1,800-degree heat as well as intense radiation, will react with the salt. No one has determined if they could end up polluting water and air by melting or cracking through the salt or triggering an explosion.

Nor has much study gone into other long-term effects of dumping tons of radioactivity into one place—material that by most estimates would remain dangerously "hot" for the next 500,000 years.

In the opinion of some Kansans the AEC's lack of research smells of one thing: expediency.

"The AEC is in a bind," says an aide to Rep. Joe Skubitz R-Kan., an opponent to the dumping plan. "They are holding this radioactive waste in liquid form in temporary vats and the vats will soon wear out. They've got to get rid of it and the salt mine in Kansas is the only place they've studied."

Skubitz, who is trying to kill the $25 million project by stopping a $3.5 million down payment appropriation, points out that vast underground salt beds exist all through Michigan, Ohio, Pennsylvania and New York—states where many of the existing or proposed nuclear power plants which generate the waste are situated.

If those beds were used, he says, the danger of hauling the hot cargo all the way to Kansas could be avoided—that is, if such burial is really safe. The AEC has indicatel to Skubitz it is skittish about dumping the waste near Detroit with its large population in case of an accident.

How then could it be safe for Kansas? The answer seems to be the proposed national "repository"—as the AEC prefers to call the dump—would be near a small town, Lyons, Kan., with a population of less than 3,000 that could be easily evacuated.

What really bothers Skubitz is that most of the wastes would come from privately owned power reactors. The AEC, he says, will be subsidizing their disposal at the expense of Kansas which doesn't have a single nuclear power plant today.

"The federal government does not subsidize waste product handling for private non-nuclear plants. Why then should it do so for private nuclear power?"

The lawmaker also is wary of wastes getting loose in a railroad accident, noting the town of Melvern, Kan., was nearly wiped out in a non-nuclear railroad pileup last year.

The AEC proposes to transport the wastes, after removing the liquid, in steel cylinders imbedded in 100-ton ceramic blocks to prevent radiation exposure to the public. Each block would contain some 10-billion rads of radioactivity—enough to kill everyone in the nation if dispersed in the air.

The cylinders are to be lowered 1,000 feet below the surface of the Lyons mine and dropped by remote control in holes bored in the salt.

Scientists of the Kansas Geological Survey says the AEC expects the 1800-degree heat to melt away the cylinder casings in about six months so the wastes will begin working directly on the salt.

At present, they say there is no information as to what will happen next. But there are fears the cylinders could melt right through the salt or the waste could react with minute amounts of water in the salt and cause an explosion that would vent radioactivity to the surface.

The AEC has told the state's geologists the heat over a period of time will raise the temperature of the surface only one degree. But the Kansas scientists dispute this, saying it could rise 13 degrees and change the surface environment considerably. Again, no one is certain.

Opposition to underground burial of nuclear wastes already has stymied the AEC in Idaho and Washington. The suspicion here is that if Kansas also defeats the plan, no state will ever buy it and the AEC will have to go elsewhere.

This would spell big trouble for the struggling nuclear power industry, which already has had many plants held up because they would inflict other types of environment damage. Without waste disposal they can't operate.

Meantime, there is the matter of the AEC's

temporary storage vats containing some 80 million gallons of radioactive "soup." They are deteriorating a little more every day.

[From the Iola (Kans.) Register, Feb. 16, 1971]

SKUBITZ ARGUES AGAINST DISPOSAL OF ATOMIC WASTES IN KANSAS

Opposition to dumping atomic wastes in the saltbeds around Lyons was voiced late last week by Rep. Joe Skubitz in a lengthy letter addressed to Gov. Robert Docking.

Copies of the letter were mailed to the other congressmen and the senators representing the state in Washington, as well as to the press.

Urging Governor Docking to oppose the plan, Representative Skubitz said:

". . . The Atomic Energy Commission proposes to ship into Kansas 80 million gallons of radioactive 'soup.' This is a waste product from privately owned nuclear power plants. For transport and burial purposes, the waste is converted into solid blocks. These blocks are 1,800 degrees in temperature and will remain hot for hundreds of years.

"When Kansas was first suggested as the national dump for atomic wastes the State's Geological Survey and I promptly asked that the AEC initiate extensive studies on geologic stability. I asked that transportation risks be carefully analyzed. I asked for a survey of alternate sites in more remote areas of the globe, not just in the United States.

"If the AEC studies and investigations and surveys have been made, they have, like so many other Atomic Energy Commission affairs, been kept a deep, dark secret.

"In my view this is not a decision to be made unilaterally by the Atomic Energy Commission; it is a decision that directly affects Kansas residents and they have the right to know the facts, express their views, and indeed make the ultimate decision. Kansas has rights which even the federal government must respect.

"To this day, so far as I can determine, no plans for retrieving the dangerous wastes in case of emergency have been developed even though the Commission chairman admits removal may be necessary. Should Kansas accept AEC's 'generous' offer and Congress authorize $25 million based on this kind of research and facts?

"The State of Kansas has the right, even the duty to evaluate, monitor and insist upon a higher set of standards than those presently relied on by the AEC.

"Most misleading of all is the suggestion that if Kansas agrees to become the nation's atomic dump by permitting the construction of a tax-exempt federal facility, it will be doing the nation a 'vital' service. The fact is that Kansas would be performing a 'vital' service only for the privately owned nuclear power companies of the eastern seaboard. Nearly all of the wastes of future years will come directly from the nuclear power plants of such companies as Consolidated Edison of New York, Detroit Edison in Michigan, and Commonwealth Edison of Illinois. There are no nuclear power plants in Kansas today.

"Atomic wastes produce high levels of heat, dangerous levels of radiation and the potential for a kind of horrible air, ground and water pollution that is beyond the present ability of mankind to control. Since we are dealing with wastes that will remain dangerous for a half million years, who can be sure that underground water sources in adjacent Kansas, indeed in the entire midwest lower river basins will not eventually become radiation contaminated. Certainly the Kansas Geological Survey suggests this possibility. The AEC believes—remember it cannot be certain—that the heat of the wastes will melt the salt and eventually provide a seal that the radiation will not penetrate.

"It occurs to me, as it must to you, Governor, that if the AEC is so certain of its physics and chemistry theories, why are not other, larger and far more convenient salt beds in the United States proposed as atomic dumping grounds? Indeed, why dump in the United States at all? Surely there exists places more remote and much safer for mankind than in the center of the richest and most productive country in the world. Until all of us, including the experts of the Atomic Energy Commission, know more and are sure of their facts, I suggest that this is a safer course to follow."

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 12, 1971.

Hon. ROBERT B. DOCKING,
Governor of the State of Kansas,
State House,
Topeka, Kans.

DEAR GOVERNOR DOCKING: You are aware, I am sure, that the Atomic Energy Commission has requested from Congress an initial authorization of $3.5 million this year and $25 million overall to convert the area around Lyons to a permanent repository for atomic wastes of the entire United States. This request will be considered shortly by the Joint Committee on Atomic Energy.

It is my conviction that the State of Kansas should oppose this authorization at the hearing. The purpose of this letter is to solicit your support, the support of the cognizant State officials, and the Legislature to join in registering our opposition to making Kansas an atomic garbage dump.

In taking this position, I owe you, as Governor, the Members of the State Legislature, and my colleagues in the House and Senate of the United States Congress an explanation. I have not come lightly to this decision to oppose. It is the end result of more than nine months of combing available facts. Indeed, it is this very paucity and unsureness of facts by those who are scientifically best informed that has in large measure compelled this proposal to you.

Moreover, while I have a responsibility as a member of Congress from Kansas to deal with Federal actions that affect and concern our State, it must also be understood that the Governor and the legislature of a State have an equally important role in certain circumstances. The Federal Government cannot compel a sovereign State to do itself and its citizens possible irreparable injury if its officials refuse to be stampeded and bow to Federal pressure. It is for this reason that I ask for careful consideration by the Legislature and by you of the problem and hopefully your subsequent support in opposition.

Let it be understood beyond any question that the issue is not the erection and operation of nuclear power plants. No one, certainly not I, is opposed to the installation of nuclear power plants, whether in Kansas or in any other State, so long as safety and environmental factors are considered. Seventeen such plants are now operating in the United States and undoubtedly over the next quarter century or less there may be plants in every State. What I oppose and what I believe we must all oppose is making Kansas the dumping ground for the deadly atomic wastes of these plants.

With this firmly in mind, let us look at some facts and ask ourselves some questions.

The Atomic Energy Commission proposes to ship into Kansas eighty million gallons of dangerously radioactive "soup." This is a waste product from privately owned nuclear power plants. For transport and burial purposes, the "soup" must be converted into solid blocks. These blocks are hot inside—1800 degrees hot! And they will remain hot for hundreds of years! While the outside of the block at time of burial is held at 400 degrees, corrosion and deterioration of the container will take place in a few years. An additional minimum of three and one half million gallons will be accumulating each year over the next ten years from privately owned power plants now operating and to be operating all over this country.

When Kansas was first suggested as the national dump for atomic wastes the State's Geological Survey (I presume at your direction) and I promptly asked that the AEC initiate extensive studies on geologic stability. I asked that transportation risks be carefully analyzed. I asked for a survey of alternate sites in more remote areas of the globe, not just in the United States. I asked that these studies be undertaken by the AEC and considered *before* definite planning went forward at the Lyons site. Incidentally, some of the geological observations by the Kansas Geological Survey raise important questions for all of us.

If the AEC studies and investigations and surveys have been made, they have, like so many other Atomic Energy Commission affairs, been kept a deep, dark secret. We faced a fait accompli when the Commission's demand to the Budget Bureau for authority to buy 2,000 acres and to make preliminary plans for the Lyons atomic dump surfaced in Congress.

In my view this is not a decision to be made unilaterally by the Atomic Energy Commission; it is a decision that directly affects Kansas residents and they have the right to know the facts, express their views, and indeed make the ultimate decision. Kansas has rights which even the Federal Government must respect.

The Wichita Eagle, in a perceptive bit of journalism on January 31, asked AEC Chairman Glenn Seaborg some important questions dealing with the safety of the atomic waste burial proposal. To an Eagle inquiry on safety, for example, Dr. Seaborg said, "retrieval of radioactive waste if absolutely necessary" would be possible but concepts for such retrieval procedures have yet to be examined. Dr. Seaborg thus not only honestly admits the inherent danger of the burial plan, but his answer discloses the lack of thorough planning and research by the AEC before choosing Kansas as its atomic garbage dump.

To this day, so far as I can determine, no plans for retrieving the dangerous wastes in case of emergency have been developed even though the Commission Chairman admits removal may be necessary. Should Kansas accept AEC's "generous" offer and Congress authorize $25 million based on this kind of research and facts?

Dr. Seaborg insisted to the Wichita Eagle in another answer that the Lyons site will not be a national "dumping ground" because, he said, the wastes will be "carefully packaged, and will be emplaced in the repository in a very precise manner, carefully recorded and surveyed." But wastes are wastes whether they are garbage in plastic bags or 1800 degree radioactive blocks in stainless steel containers carefully packaged or not. And the danger of pollution to the air above and the water below will continue to exist for a half million years, the period Dr. Seaborg says the waste will remain dangerously radioactive for all living things.

What are the economic benefits that the Atomic Energy Commission promises us? During the construction phase jobs for perhaps 200 persons will be provided. Thereafter, Dr. Seaborg suggests the surface "could be considered for such a beneficial use as a site for an industrial park." Why the area will be more attractive to industry with the wastes below than it is now is difficult to understand. Is it perhaps because the surface area will be warmer due to the tremendous heat underneath? We should ask ourselves why the Kansas salt beds were chosen for this

questionable honor instead of other, more convenient and larger salt beds?

Even the most casual study of the facts shows that Dr. Seaborg has again hedged on other questions raised by the Eagle. Nuclear waste disposal directly involves transportation safety, a danger that could be substantially lessened by locating the disposal dump in the immense salt deposits of the Salina Basin of Michigan, Ohio, Pennsylvania, and New York. This vast salt Basin lies almost directly under and adjacent to the large midwestern and eastern nuclear power plants that will be the principal source of future wastes. The Lyons site, on the contrary, will require transportation by rail over long distances, in some cases across half the continental United States. This will subject large parts of the population of this country to the risks of derailment, collisions, and similar accidents.

Consider, for example, a derailment as tragic as the Melvern, Kansas, accident of last Fall that would involve a train load, or even a single box car, carrying 1800 degree radioactive blocks, material that will remain radioactively fatal for thousands of years. What would happen to Melvern, to the entire state of Kansas, indeed to a large part of the Midwest if such an accident should befall?

Dr. Seaborg promises that the AEC "will be working to reduce the likelihood of a rail accident; we will," he says, "maintain our high standards of containment should an accident occur." Thus Dr. Seaborg agrees that accidents are likely. There can be little doubt that transportation accidents and accidents at the dump site will occur. Moreover, many AEC standards have been sharply criticized by atomic scientists who have studied such disasters as the loss of the submarine *Thresher* and the Rocky Flats atomic plant fire.

The State of Kansas has the right, even the duty, to evaluate, monitor, and insist upon a higher set of standards than those presently relied on by the AEC.

Most misleading of all is the suggestion that if Kansas agrees to become the nation's atomic dump by permitting the construction of a tax-exempt Federal facility, it will be doing the nation a "vital" service. The fact is that Kansas would be performing a "vital" service only for the privately owned nuclear power companies of the eastern seaboard. Nearly all of the wastes of future years will come directly from the nuclear power plants of such companies as Consolidated Edison of New York, Detroit Edison in Michigan, and Commonwealth Edison of Illinois. There are no nuclear power plants in Kansas today.

On the contrary, Kansas has six large and sixty-six smaller power plants all of which burn fossil fuels. All use substantial amounts of coal, oil, and gas produced within Kansas. The great majority of power plants in this country use fossil fuels. The facts are that the use of coal, for example, for the production of electrical power has increased more than two-fold in this country in the past decade and continues to rise at more than 7% annually. The coal resources of this nation are immense. Estimates are that up to as much as one thousand years supply is currently available at present usage rates. Fossil fuels remain safe. The principal drawback of one of them, coal, has been air pollution, a problem that is now well on the way to being moderated and perhaps ultimately solved.

But atomic wastes produce high levels of heat, dangerous levels of radiation and the potential for a kind of horrible air, ground and water pollution that is beyond the present ability of mankind to control. Since we are dealing here with wastes that will remain dangerous for a half million years, who can be sure that underground water sources in adjacent Kansas, indeed in the entire midwest lower river basins will not eventually become radiation contaminated. Certainly the Kansas Geological Survey suggests this possibility. The TEC believes—remember it cannot be certain—that the heat of the wastes will melt the salt and eventually provide a seal that the radiation will not penetrate.

It occurs to me, as it must to you, Governor, that if the AEC is so certain of its physics and chemistry theories, why are not other, larger and far more convenient salt beds in the United States proposed as atomic dumping grounds. Indeed, why dump in the United States at all? Surely there exists places more remote and much safer for mankind than in the center of the richest and most productive country in the world. Until all of us, including the experts of the Atomic Energy Commission, know more and are surer of their facts, I suggest that this is a safer course to follow.

In summary, it behooves all of us to keep firmly in mind these facts:

1. The fact is that however the Atomic Energy Commission may phrase it sematically, a part of Kansas is proposed as a dump for the most dangerous garbage in the knowledge of mankind; a dump is a dump no matter how the garbage is packaged.

2. The fact is that the Atomic Energy Commission is itself far from certain of the safety of its proposed procedures for burying this atomic garbage.

3. The fact is that the Lyons project is not basically for the welfare of the United States Government, nor even in its entirety for the Atomic Energy Commission. It is rather a convenience for privately owned utility corporations operating nuclear power plants who are seeking a cheap means of disposing of dangerous wastes away from their own populated areas. Such disposition is as much a cost of doing business and a part of the final cost of electrical energy as is the construction of a smokestack to vent off the burning coal. The Federal Government does not subsidize waste product handling for private non-nuclear power plants. Why then should it subsidize the cost of handling atomic waste products for other private power plants who use nuclear energy?

4. The fact is that the atomic dump will be of no economic advantage to Kansas and Kansas people. The AEC predicts that peak employment some twenty years later may reach 200 persons. Some of these may be Kansans; a number of atomic technicians will supervise the burial of the radiation material as it rolls in from the country. No plants, no factories, no long-time economic benefits will flow. On the contrary the very presence of the atomic wastes may deter and frighten off prospective industrial plants.

5. The fact is that for reasons that remain somewhat obscure, the AEC doesn't want to bury the wastes in other, larger salt beds adjacent to and far more convenient to most of the existing nuclear power plants. If one reason is AEC concern for the large urban populations in those areas, then I share an equal concern for the more rural Kansas populations that will be exposed.

6. The fact is that some eighty million gallons of hot, dangerously radioactive wastes are now in temporary storage in various places adjacent to privately owned nuclear power plants and AEC operated nuclear facilities in Idaho, Washington, Georgia and elsewhere. AEC is frantically seeking a permanent burial site because the containers are deteriorating rapidly. AEC tried Idaho and that State's senators came in with a loud "no." For reasons not yet clear it can't use Washington as a permanent site. It settled on nice, quiet, clean Kansas as a likely place. Kansas, it is assumed, might buy the subtle propaganda that we were really being honored to be chosen.

7. The fact is that the Federal Government shows more concern for Okinawa than it does for Kansas. Residents of this far-away Pacific island which we are abandoning as a military base protested the continued storage on their land of mustard gas left over from the Korean War. At great cost for repackaging, the Pentagon shipped hundreds of tons of mustard gas to tiny Johnston Island, a coral atoll in the Western Pacific, for burial there. In my view, what is good enough for Okinawans is good enough for Kansans.

I regret that this letter is overly long but I felt it imperative that you, as Governor, the Members of the Legislature, and my colleagues have before them this condensed review. My research has convinced me that a prudent consideration of the available facts inevitably must lead to rational opposition to a project that would make our State the future and permanent home of our country's atomic garbage. I will appreciate your usual courtesy in advising me of your position and the course of action you will follow.

Sincerely,

JOE SKUBITZ.

OFFICE OF THE GOVERNOR,
Topeka, Kans., February 20, 1971.

HON. JOE SKUBITZ,
U.S. Congressman, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN SKUBITZ: Your letter expressing concern for the federal government's proposal to establish a nuclear depository near Lyons, Kansas, has been received in this office. I share your concern.

Your studies of this important problem is most reassuring for I can be certain that the proposals of the Atomic Energy Commission will now be as carefully scrutinized by the Congress as they have been by this administration.

In Kansas we have not taken lightly the federal government's proposal to establish a permanent repository for atomic wastes at Lyons. *I repeatedly have stated publicly that no atomic waste will be stored in Kansas unless recognized authorities can prove without question the safety of this proposed operation.*

For nearly two years, many persons have been gathering scientific data concerning the proposed depository—as well as reviewing proposed safety precautions. Involved in these planning and study sessions have been the distinguished members of the faculty and staff of the state's two largest universities, the members of the State Advisory Council on Ecology, the Kansas Nuclear Energy Council, the Kansas State Department of Health, and the State Geological Survey of Kansas.

In April, 1970, I directed the Kansas Geological Survey to undertake extensive investigations of the Lyons site. This work is now in progress and is being funded, in part, by the Atomic Energy Commission, and involves the active participation of the United States Geological Survey.

Interim reports from the State Geological Survey raise serious questions with respect to heat problems, water circulation, radiation-damage effects, subsidence and shear of rocks over the site, retrieval of radioactive wastes and transportation. The State Geological Survey regards these problems as extremely critical to the safe storage of radioactive wastes at the Lyons site and expresses concern that the staff of the Atomic Energy Commission has demonstrated remarkably little interest in these problems. AEC and Oak Ridge staff members attribute failure to undertake appropriate studies to a lack of funds.

In view of these problems, I have directed the Advisory Council on Ecology and the Nuclear Energy Council of Kansas to scrutinize and review plans and investigations for this repository site. In addition, I have requested that the Kansas legislature approve funds for a public symposium sponsored by the Advisory Council on Ecology which would be a public review of all plans and studies by

competent scientists of national stature. This proposed symposium would be another step in informing the people of Kansas of the proposed depository.

We now are in the process of preparing a response to an environmental statement on the Lyons project prepared by the Atomic Energy Commission. In preparing a response, I have sought the advice of scientists in our state agencies and academic institutions. My response will be highly critical of recently completed studies and will reinforce the equally critical response submitted by Mr. Hollis M. Dole, assistant secretary of the Interior.

The Committee on Radioactive Management of the National Academy of Sciences has recommended that additional studies and investigations be undertaken concurrently with planning and site acquisition. If these studies and investigations reveal problems or conditions which would jeopardize the safety of the storage site, the project should be reconsidered. As I repeatedly have said: *If there are any questions that the proposed depository poses any potential danger to the lives, health and safety of Kansas citizens, or to future generations of Kansans, I will not hesitate to use all the powers of the governorship to halt the project.*

It is my opinion that the Congress is in the most strategic position to require compliance with the recommendations of the Committee on Radioactive Management of the National Academy of Sciences for additional studies and investigations when the joint Committee on Atomic Energy considers the funding proposals of the Atomic Energy Commission. Furthermore, the Congress should make certain that the environmental statement of the Atomic Energy Commission receives extensive and careful review by the Environmental Protection Agency and the President's Council on Environmental Quality. The Congress also can take steps either to make new funds available to the Atomic Energy Commission or require diversion of funds to complete studies that competent scientists in Kansas regard as essential before a final decision on the proposed depository near Lyons is reached.

It will be outrageously incongruous if the Atomic Energy Commission has no funds to support studies costing several hundred thousand dollars per year which will provide the answers we seek, but is requesting an authorization of $25 million for conversion of the Lyons site into a permanent repository. I am convinced that all of the recommended studies are feasible, possible and can be completed before mid-1974.

You can render Kansas an invaluable service if you will assume a leadership role with other members of the Kansas congressional delegation and (1) urge strongly that Atomic Energy Commission funds be made available for the required studies in Kansas; (2) *place constraints upon any development funding so that the project will be abandoned if studies and investigations reveal any potential danger to the lives, health and safety of Kansas citizens;* and (3) make certain that the Environmental Statement is scrutinized most carefully by the Environmental Protection Agency.

I hope you will join me in demanding that the utmost caution be used in considering the proposed depository site in Kansas, and the most complete information concerning the project is made available.

With every good wish.

Yours sincerely,

ROBERT DOCKING,
Governor of Kansas.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 25, 1971.

Hon. ROBERT B. DOCKING,
Governor, State of Kansas, State Capitol Building, Topeka, Kans.

DEAR GOVERNOR: I have your letter of February 20 in answer to mine of February 12 in which I raised questions with you about the proposed Lyons nuclear-waste dump.

Your letter seems to say that you agree that some serious questions exist that require answers but you want me—and the Kansas delegation in Congress—to take leadership. The point is—to take leadership to do what?

If I understand the import of your letter, you want additional Federal funds to be made available for "required studies in Kansas." Does this mean you want Federal funds for the State Geological Survey to continue the work it has begun as detailed in its Report of December 2, 1970? (Incidentally, I don't understand why this valuable report that was sent at that time to you and to your Advisory Council on Ecology wasn't promptly made public *then* to alert Kansas people.)

Or are you proposing that the AEC itself carry out additional studies. What types of studies? In my view the official Kansas position ought to be that research should be directed toward finding ways to make the existing nuclear wastes less deadly for all living things. Your letter suggests that the research could be limited merely to *Kansas geological factors* in an effort to come up with an opinion that the wastes can safely be buried in our State. Clearly such a finding would be largely subjective. As a Kansas resident, I don't want the wastes buried there unless and until I know that the wastes are safe, not that the Kansas salt beds are a safe repository.

You suggest that "constraints be placed on development funding so that the project will be abandoned if studies and investigations reveal any potential danger. . . ." Surely Governor, that's a weasling statement if you ever wrote one. To me, it means that you are perfectly willing that taxpayers' dollars be spent to begin the facility—$3.5 million the first year and maybe continue until $25 million is spent—and then abandon it years later if the research indicates danger. It suggests that we Kansans are hungry enough for Federal dollars to see a lot of them spent even if they are wasted. I don't believe that.

You affirm that you will use your powers as Governor to halt the project if it poses any potential danger to the lives, health and safety of Kansas citizens or even to future generations of Kansas. I applaud that statement, particularly since it represents an about-face from an Associated Press dispatch from Topeka that appeared in the July 31, 1970, issue of the Augusta Daily Gazette. The AP quoted you then as saying that "there is nothing Kansas can do now to stop the Atomic Energy Commission from placing a nuclear waste repository at Lyons."

I am pleased that you now agree that this nuclear waste project is your special responsibility as Governor, and surely you can no longer doubt that it does indeed pose at the very minimum a "potential danger" to Kansans. Under these circumstances, you may want to reconsider your suggestion that I, and the other members of the Congressional delegation, assume a leadership role.

Of course, I am willing, and I assume the Kansas delegation in Congress would be willing, to take leadership in any move to protect our State and to oppose the project in its present frame of reference. But you can hardly expect me, or us, to limit ourselves specifically to the three conditional stances you have outlined; i.e., "(1) urge strongly that Atomic Energy Commission funds be made available for the required studies in Kansas; (2) place constraints upon any development funding so that the project will be abandoned if studies and investigations reveal any potential danger to the lives, health and safety of Kansas citizens; and (3) make certain that the Environmental Statement is scrutinized most carefully by the Environmental Protection Agency."

Your final paragraph presumably means you will present these views personally to the Joint Atomic Energy Committee, and while they continue to allow considerable leeway to the AEC to do just what it wants to do, I am glad that you are "joining" the club. I continue to hope that your position will be less equivocal so that the Committee and the AEC will understand that Kansas officialdom is unambiguously opposed to making our State a nuclear dump.

Sincerely,

JOE SKUBITZ.

MR. WILLIAM BLACKIE HONORED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. MICHEL), is recognized for 5 minutes.

Mr. MICHEL. Mr. Speaker, on Thursday, February 25, 1971, at the closing banquet of the Mid-America World Trade Conference at the LaSalle Hotel in Chicago, Mr. William Blackie, chairman of the board of Caterpillar Tractor Co., was the recipient of the first Man of the Year in Mid-America World Trade Award.

Mr. Blackie was chosen for this award, the first of its kind, on his record of leadership and in the promotion of international understanding, international trade expansion, progressive trade policy, and the encouragement of educational activity in world trade.

Mr. Blackie was named president of Caterpillar Tractor Co., in 1962, and in the 8 years since, company sales have risen from $827 million to over $2 billion annually. The company payroll has jumped from 36,000 to 65,000, making Caterpillar the largest private employer in the State of Illinois.

An article appearing in the February 1971 edition of the magazine Government Executive provides us with a close look at this remarkable man and gives us the benefit of his views on some of the more important issues facing the country today. I include the article at this point in the RECORD:

CATERPILLAR'S BLACKIE: "THE FIRST OBLIGATION OF GOVERNMENT . . ."

(By C. W. Borklund)

Born in Glasgow, Scotland, Caterpillar Tractor Co. Board Chairman William Blackie, 64, came to the United States in 1930, still talks with a strong Scottish burr. He went to work for Caterpillar in 1939 as controller, became a vice president in 1944, was named executive vice president 10 years later, president of the company in 1962 and board chairman in 1966.

In the eight years since he was named company president, sales have soared from $827 million to over $2 billion annually today; the employee payroll has jumped from 36,000 persons to 65,000. Today, he commands an industrial giant with 20 manufacturing plants, 24 parts depots and more than 800 dealer outlets, all of them spread all over the world.

Because the firm makes primarily construction equipment (bulldozers, road graders, etc.) and diesel engines to power this heavy equipment (and for other commercial uses), the company does a lot of business directly or indirectly with Government; and because the equipment is used for building—of which Government inspires a lot (see *Government Executive*, October 1970, p. 42)—Caterpillar is at the cutting edge of some prime trends in Government spending.

That involvement also gets Blackie enmeshed in advising Government itself on policies, procedures and programs. Examples: he was a member of the Special Com-

mittee on U.S. Trade Relations with East European Countries and the Soviet Union; the U.S. Department of State's Advisory Committee on International Business Problems; the Blue Ribbon (Fitzhugh) Defense Panel; a member of the Advisory Committee of the Export-Import Bank of the United States; a trustee of The Conference Board; a member of the Emergency Committee for American Trade; board member of the International Executive Service Corps.

Against that background, Blackie paused recently in the midst of a routinely hectic, globe girdling schedule to give *Government Executive* his personal views on a range of problems affecting both Government and his company. These are the highlights:

HIGHLIGHTS

1—Caterpillar Tractor Co. Board Chairman, Bill Blackie, believes past antimilitary-industry complex talk is "tempering a bit"; thinks, as part of that, industry has an obligation to help defense—but without getting into a "strenuous underbidding competition."

2—Caterpillar antipollution, emergency power, community improvement work is being done as much for pragmatic company payoff as for corporate "good citizen" reasons.

3—Besides sales profits, Blackie sees both balance-of-payments and peace-keeping values to being an international minded company—which is one of the reasons why the company opposes laws which would tend to restrict international trade.

4—"In some quarters" of Government, Blackie finds a lack of knowledge of just what industry is trying to do to help Government solve national problems.

As a summary comment relative to all the factors which influence why you do the kind of business you do, what is your attitude toward the current, often highly emotional debates today about funding for defense vs. funding for domestic programs, too?

I think the debate is tempering a little bit, but I share the view that the first obligation of Government is to create and maintain national security. If we don't do that, we won't have our kind of Government. We'll have some other form imposed upon us.

That obligation, of course, extends in many ways into many things. In the military sense, it means being strong enough to resist attack and, if necessary, to retaliate with sufficient strength to win. I see no alternative to that.

The military aspect of national security is particularly complicated today because of the variety and the vagueness of what it is we're trying to protect ourselves from. And the difficulty here, as I see it, is in preparing ourselves to meet every possible kind of contingency from the super war to brushfire guerrilla insurgency.

Then you discount the "butter" side of the "guns-or-butter" equation?

I realize there is this problem of preserving the country from being something other than an arsenal. There has to be a measure of balance, and that's particularly true here because our people would not tolerate the development of this country as a military power, *per se*, as Germany under Hitler for instance.

On the other hand, few of us—and I certainly am not—are competent to pass on the relationship between the budget and the military strength necessary. The performance quality of weapon systems may be more important than their quantity. And there is an inevitable conflict among weapon systems themselves. That's natural. You know of the battle between the submarine and the aircraft carrier and between those and the varieties of missiles. These are very, very difficult problems in which some kind of balance has to be worked out by those who are reasonably expert. And I would deem it to be the responsibility of the top military, under civilian direction, to work it out with the appropriate Congressional committees. The man on the street is not competent to pass on it.

How about the outspoken views to the contrary from some colleges?

I regret that some of the most prestigious universities have given in to the clamor of uninformed students.

I believe that appropriately qualified colleges should be kept in certain types of defense research. I believe that the ROTC program should be preserved. I believe also that our West Point, Annapolis and Air Force academies should be preserved because I think we will need all they can contribute. Indeed we are going to need them more than ever because certain aspects of military life are becoming less attractive to many. The soldier is no longer held up as a hero, but we must nevertheless have adequate sources of officer recruitment and training.

As part of that, what is your view of campus riots?

The extremes of Kent State and Wisconsin seem to be operating, as extremes often do, to produce a reaction, a little better balance. So far, there hasn't been much trouble since those explosions; and from all I can hear there's a good possibility that most universities are going back to their primary function of teaching and learning. But before they can do that with full effectiveness, some members of some faculties are going to have to understand better their responsibility in the scheme of things.

Through your plants, you have sensors nationwide, indeed, worldwide. Do you sense in general public opinion that same kind of reaction to extremism is tempering past indictments there, too?

As far as I can sense, it is—attributable in part to the fact that we're withdrawing from Vietnam. The policies we've been pursuing there in the past year or two are apparently succeeding. By that I don't mean we're going to end the war. Too many people are assuming too quickly that our withdrawal means ending it. Actually, we're just going to leave the fighting to the people on the spot, but that may continue for a long time.

From your customers elsewhere in the world, do you detect that these "guns-or-butter" problems we sometimes think are uniquely our own are really pretty universal?

Yes. We know, for illustration, that in Russia the absence of consumer goods has been a matter of concern. Khrushchev discerned it. And some programs had to be modified in order to provide a few of the better things for more of the people.

That's one reason why I'd like to see closer association between East and West—so that they can know what we have. It's one thing to condemn our way of life. But when they see more of the good things it produces, compared to the things they don't have, they are both human and pragmatic enough to want change. I think the results are already becoming apparent. The Fiat deal is one example. The creation of that arrangement is surely a bowing to the fact that they have so few automobiles—responding to the question they have asked themselves: "What's wrong with us as a country? A lot of less powerful countries have far more automobiles."

The dissent, the discontinuity as has Drucker called it, is apparent elsewhere. Japan, for example, has had far more trouble with its universities than we have. Scandanavian countries have been involved in it. Britain had some of it. France had a kind of mild revolution that had a part in the demise of de Gaulle.

Does Caterpillar plan to put a plant in, say, Russia?

No—but if we get an order and then consent from BIC (for Bureau of International Commerce) we would ship from here or other of our sources. Essentially, we try to carry out U.S. Government policy and when BIC approves a transaction with any of these countries that is policy.

But the mood of this country is such, at the moment, that emotions are still a little stronger than reason—and will be, I think, until we get nearly all our men out of the shooting arena in Vietnam.

Do you agree that economic interdependence is one very effective tool for preserving peace?

Yes. You may argue that it didn't happen that way in Germany and Japan 30 years ago. But there, I don't think war was the will of the people. It was the act of a power-mad military and I'm thankful that our system works to guard against that very thing.

I appreciate very much that all our top-flight military leaders espouse civilian control as established by law. From time to time when that control is exercised, they may not be entirely happy about it; but they certainly subscribe to the principle.

But can't the same kind of takeover by militants occur here?

The existence of an aggressive minority is always dangerous. Every movement started with a minority, of course, and if it succeeded, it was because it gained support. In spite of the present agitation by the unsilent minority, I would guess that substantial support for any radical movement is not in the cards.

Incidentally, we don't have any particular trouble with the students—such as the engineers or accountants or whatever they may be—who join us. The ones who want to join us are not the type who want to burn the science lab.

Students aren't all of it. How about the so-called Silent Majority?

The backbone of our country is the guy here in our shops, the man who's producing. He's still the basic American citizen. We've got 25,000 of them here in Peoria (Ill.) alone. They're not quite the same the "hard hats" but they're related.

And they're not willing to tolerate a lot that's been going on. Many of them didn't go to college and they don't want to see their children go to college for anything other than an education.

The campus crowd gets the attention right now, and that's only natural and inevitable because news consists of what's different or violent or exceptional. Otherwise, it isn't news.

But there's a lot of solid citizenry working in plants like ours for an hourly wage. I've got great faith in them; and, you know, they're the ones who do the fighting, too. Most of these students who riot and burn have contributed little or nothing to national security. They've got exemptions of one kind or another.

In a more pragmatic vein, is the Defense Department a good customer?

First of all, I believe that any company operating and existing by the consent of its government is obligated to support that government when it needs help. Our position, by and large, is that we're ready to do anything within our capacity—and I think the military users know what our capacity is.

But we're not prepared to go into strenuous underbidding competition for that kind of business. We don't need it (we've got a pretty good business as it is) and when the procurement people invite bids, they obviously have several *capable* sources. Otherwise, the bidding is rather ineffective.

What do you mean by "capable"?

I subscribe to the Blue Ribbon (Fitzhugh) Defense Panel recommendation that procurement be broken down into: first, development of the concept; second, prototype test and evaluation; and then produc-

tion. There were no dissents on this point in our committee, incidentally. It was Secretary of Defense Laird, I think, who put the label, "Fly before buy," on it.

In new concepts and untried weapon systems, total package procurement should be abandoned. It has led to the problems of the F-111, the C5A, etc., mainly because those involved neither knew nor could know precisely enough what was involved. There must have been some understanding that any figure given at the outset of the development of such items could only be the wildest kind of estimate of total cost. And under that kind of circumstance, the tendency is to make an underestimate.

But the fact remains—and appears to have been the principal reason for subsequent program difficulties—that the parties were placing a figure on a concept that hadn't been resolved into a protoype, that had not been put into production and in some cases hadn't even been completely designed on paper. Bidding in that kind of situation is little more than guessing and is not a sound method of procurement.

Are you in favor of the key Panel proposal to set up three Defense Deputy Secretaries as part of a top-level Pentagon reorganization?

Yes, I am. By subdividing an overloaded position of great responsibility, we have suggested a means of improving efficiency while still preserving the intent of the applicable law governing the authority and function of the JCS.

You know, of course, many Defense officials don't buy it.

Yes—but I have not yet heard of any solidly reasoned criticism. The focal point seems to be the placement of the JCS in the proposed scheme of things—the alleged subordinating of "the military" to more higher civilian authority. But the proposed subdivision does not create an additional layer of authority, and we developed our recommendation only after rather extensive hearings which included top-flight military officers. We are definitely not recommending change for the sake of change.

Several firms, particularly aerospace, have told us, what with cuts in defense spending generally and the low profit on contracts that are let, they believe the current defense industrial base cannot be held together very long. Do you have any rough rule of thumb on how much Government business you can afford to do?

No. We have never had a policy that prescribed this or that percentage of our business from Government. And we have never had any ideas as to what it should be one way or another. In times of great national emergency, circumstances would tend to dictate what we do—or don't do.

In World War II, the War Production Board took 85 percent of our total machine production and required us to give up one of our crawler tractors that was not needed for defense purposes. Since then, the military requirements for our machines have been fairly limited. That was true of Korea; is true of Vietnam today. I don't know how the wars of the future are going to be fought; but I would guess that they're not going to be fought under conditions that call for much of our machinery. In recent years our business with the Defense Department has been running at less than three percent of total sales.

In the Government market, defense products aren't all you make. Why is Caterpillar getting into such things as antipollution programs, standby electric power to combat brownouts, etc.?

There's a combination of reasons. We have to face the fact that in the process of pursuing industrial progress—using the word advisedly—if anything is not socially acceptable, we (in industry) are going to have to change our ways and modify it. In the long run, we have to cater to the public. That's part of our job.

In this matter of clear air and clean water, we're for it; and I haven't met anybody who's really against it. The only question to be faced is: "How shall we go about it?" We've advertised for years the importance of water management—to save it when it's plentiful for the time of need and to control it in time of flood. Now we're joining the campaign for better water *quality*.

And we know, for example, that if our diesel engine is deemed to be a pollutant then we had better go to work and cut its emissions down to acceptable limits. We might as well face the fact, too, that in the course of time, as the industry develops ways and means of meeting tighter standards, they'll become tighter still.

Our studies indicate we can meet readily the standards called for by 1974. First of all, we have no gasoline engines, only diesel engines; and our kind of diesel starts by being less of a polluter than the gasoline engine. But we ponder the idea that the internal combustion engine might some day be replaced. So, we have looked into fuel cells; have examined what others have been doing with steam; and we've been working now for 10 years on a gas turbine.

Our present thinking, however, is that the industry should drive as hard and fast as it can to meet the environmental standards now being developed and being reflected in law and regulation. What has happened here is that we, the public, are revising our ideas of what the conditions of the future should be—of what is generally acceptable. It's just that today the change comes in a somewhat bigger wave than usual.

Do you find in Government a general lack of knowledge about what industry is doing in regard to these problems?

In some quarters, yes. And I feel some obligation on our part to try to have them better informed. Our attempt I think quite generally has been to work *with* Government. We don't regard it as something hostile. Where there are problems to be met—such as the development of pollution standards, whether state or Federal—we try to do what we can to work with the authorities to develop good standards. We can help in areas of that kind, and I think our credibility is fairly high. The general attitude we have is that we need each other.

Can you give me some examples of areas where you've invested company funds to develop possible solutions to national problems, solutions of which you'd like to have Government officials better informed.

We are in the happy position that our machines are bought and used only for constructive purposes. I can think of a few examples that border on what you have in mind, such as the water management advertising campaign.

We have promoted for a number of years, as another example, sanitary landfill. I don't have any doubt that at this time it is the very best way to dispose of solid waste, primarily because you take—or should—a piece of relatively worthless land and by the time you're through with the fill you've created a piece of valuable, productive, useful land. The method is more than mere disposal: it's a form of creative recycling.

TOTAL ENERGY PACKAGE

Trouble is, people say, "We like the end result but we don't like the years of the fill operation; with the garbage going in and the bulldozers running to compact it and push the dirt on top to build it up." In essence, everybody says they want the good things of life but if these have some undesirable aspect, they say, "then, place that somewhere else."

Isn't the public power shortage due in part to somewhat the same dilemma?

Yes. We know we need more power. The demand has been rising somewhat faster than past rates of supply increase. But the public say they don't want a coal burning plant; they don't want an atomic fuel plant.

Don't you have an answer, however, in this case in your Total Energy Package (TEP) system?

TEP lends itself very well to a number of desirable things. For one, you've got no power lines going into your installation, only a natural gas ground pipe; and—as we have in our new plant at Joliet, Illinois—you've got your heating, lighting, air conditioning and such coming off your own in-house generator. A more important benefit, as we've pointed out in our advertising campaigns, is that TEP provides uninterrupted power, particularly for hospitals, airports, tall buildings and other situations where there could be accident, panic, danger.

New York City has been the prime example of that sort of thing. We are not in favor of brownouts or blackouts, but we do naturally try to capitalize on them by advertising our emergency power products at such times.

On the other hand, we're very conscious of the fact that some would make the bulldozer a symbol of destruction. Construction usually starts with some element of demolition and then you build on it. I see no point in attack on the bulldozer any more than I see one in attack against the Bomb. The bomb doesn't go off by itself, and the bulldozer doesn't run by itself. The control rests in *people*.

Oh, I suppose there can be objection to some trees being knocked down—but for the most part today trees are grown like other crops. They're planted for the purpose of being harvested. I love Nature as it is as much as anybody else; but sometimes it has to be modified to accommodate the legitimate needs of people. These include the transportation of goods and people over highways which are being made both safer and more compatible with the surrounding environment.

Like these examples you've mentioned. Caterpillar has been active in hiring the underprivileged. Has the inspiration to do it been a "good corporate citizen" obligation or are there more pragmatic reasons?

There are several reasons why we've gone into these fields. I'll try to recite them but in no particular order. First, we recognize that in our society today everybody's going to be supported. Nobody's going to be allowed to die for lack of sustenance. So somebody's going to pay for their support whether people work or not. If they're not producers, then they're going to be supported by those who are. The taxpayers pay for the tax supported.

We would think it desirable if everybody could be a taxpayer based on a work contribution—except, of course, the aged, the sick, the women and children, those who have to be helped because, through no fault of their own, they are in no position to help. That's the broad part of it.

The other part is that in the United States we have deliberately placed all our new plants in relatively small communities, and this tends to accentuate and enlarge our responsibilities and obligations as a community member.

When we hire several hundred college grads and several thousand others, in most cases they have to migrate to the community to go to work. So we have a social and pragmatic responsibility to try to make it a better community because, in turn, the more attractive it is the more likely the workers we want will be willing to come and join us.

So in the process of helping ourselves we're helping others and vice versa. The community has got to be good for both. It's like a job. To be right it's got to be good for the company and the man.

We understand you take that same good-

for-both view toward your international business. Particularly on the military models of your products, has Government been an obstacle to overseas selling?

No. Unlike many of the new aerospace techniques, our art is older. Machines have evolved over many years and few patents are now basic to modern earthmoving equipment. That's equally true of our engines. Our industry has improved its products to the point that the rate of novelty and innovation has tended to slow down.

EXPORTS HAVE HELPED

Furthermore, I can't think of anything in our standard machines an enemy couldn't find out by examining one of them, and they can always get hold of a machine—just as in Korea we analyzed a Russian equivalent of our D7 crawler.

Whether they understood all that went into it was beside the point. We found they had a pretty good capability to copy and make a machine that was operational with apparently reasonable reliability.

How big is your international business?

We've given particular attention to that, and this year about 50 percent of our sales will be outside the U.S. It has made us one of the biggest exporters of finished goods in the country—something close to $700 million worth this past year. It wouldn't take too many more companies like Caterpillar to get this $3–3.5 billion balance-of-payments deficit licked.

And exports have helped us become the biggest private employer in Illinois.

We oppose the restrictive trade bill now pending in Congress because we believe in freer trade as both a principle and a practice. This fits in with our general philosophy that a policy is not sound for us unless it serves the national interest as well as the company interest. We believe in competition, and if the world is to be our market then we must be prepared to meet all comers on the fairest possible terms of international trade.

HISTORIC LAREDO CEREMONY HONORS SENATOR BENTSEN AS "MR. SOUTH TEXAS"

(Mr. KAZEN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KAZEN. Mr. Speaker, I am pleased to report to my colleagues on a unique event in my home community, the Washington Birthday celebration in Laredo, Tex. For 74 consecutive years the people of south Texas and their many friends across the border in Mexico have joined to honor the "Father of our country." The event is unique because when George Washington was President of the United States, Texas was a Spanish colony, and the only Europeans there were priests or soldiers. But the principles of Washington are honored each year in Laredo, under leadership of the Washington Birthday Celebration Association.

A highlight is the annual honoring of a community leader as "Mr. South Texas." This year, the selection was Texas' new U.S. Senator, whom I am proud to say preceded me in the House seat I now hold. LLOYD M. BENTSEN is a product of our district, and his Laredo friends were honored in return in the message of his acceptance speech.

The popular and personable mayor Laredo, the Honorable J. C. "Pepe" Martin, Jr., eloquently described Senator BENTSEN's career in his presentation remarks. I am honored to share the text of those remarks and Senator BENTSEN's inspiring response.

These addresses follow:

PRESENTATION OF "MR. SOUTH TEXAS"

Our gathering here today to pay public honor to a talented, successful and respected native Texan who is recognized as one of the young giants of our state's business and financial arenas, is as proud an occasion for the citizens of Laredo as it no doubt is for the man we honor. On their behalf, I am privileged to extend their warmest welcome to this afternoon's climax of our 74th Washington's Birthday Celebration, to the hundreds of friends and admirers from the cities and from the towns, from the farms, from the ranches and from the many nooks and corners of South Texas who have joined with us in paying tribute to the man we honor as "Mr. South Texas" of 1971—Texas' dynamic and dedicated new U.S. Senator, our good neighbor and our trusted friend, Lloyd M. Bentsen, Jr.

The presence of so many leaders from our state's highest governmental offices and business capitals speaks louder than any combination of adjectives as to the esteem and respect our honor guest commands among his contemporaries and colleagues in private enterprises and in state and national political circles.

We know it must be particularly heartwarming to the recipient of today's tribute to have so many members of the Bentsen family with him on this occasion. As they are the ones who have been closest to him and who have shared with him first-hand his hopes, his trials and successes, we wish to extend a special welcome to each of them.

We Americans—and Texans in particular—have often been chided by our critics as being so absorbed in pursuing our individual careers that we fail to realize the sacrifices and achievents of others which father change and ultimately exert such profound influence upon our lives.

I think it safe to say that most of us in this room know through experience that no matter what the formula, the demands of success are never attained easily or cheaply—for the diamond is not polished without friction, or the man perfected without trials. These same demands have applied themselves to the career of the man we honor today as South Texas' outstanding son of the year.

As I placed together in chronological order Lloyd Bentsen's achievements for this afternoon's presentation, the evolution of his career from a volunteer and decorated pilot in the Army Air Force during World War II to private law practice, to government, to business and, of course, now back to government, brought to mind the story about the young fellow who had made a blind date. Calling to pick her up, he took one look at the glamorous girl as she came to the door and explained, "Wow! You look like a million dollars!" The girl smiled in demure acknowledgement and replied, "And just as elusive!"

Whether we measure Lloyd Bentsen's career geographically or by deed, we cannot escape being impressed by its magnitude and the multiplicity of its success. His career was cradled in the lower Rio Grande Valley, expanded politically through his representation of his congressional district; transplanted to Houston, where it flourished through the building of a financial holding company that opened corporate avenues into multiple areas of endeavor. Adroitly and resourcefully, he proved the truism of the old rule that nothing succeeds like success.

Lloyd Bentsen today personifies many of those pioneer traits that characterized so many of the rugged, never-say-quit individuals who settled Texas. His grandfather, Peter Bentsen, retired in 1917 from South Dakota to Mission, Texas, where the family took roots. After completing tours of duty with the Armed Forces in World War I, Lloyd Bentsen, Sr., and his brother, Elmer, founded the Bentsen Development Company in Mission and McAllen. From this first enterprise, the Bentsen family has helped foster the development of South Texas and brought new opportunities to its people through the operation of a business empire that includes land development, ranching, lush citrus orchards, banking, investments and oil exploration and production.

It was amid such a setting of initiative, wealth and affluence that Lloyd Bentsen, Jr., his two brothers, Don and Kenneth, and his sister, Betty Bentsen, grew up. Despite the family's wealth, Lloyd, as did his two brothers, struck out to prove himself on his own. Of those early days, Lloyd recalls simply, "I told Dad to let us earn our own spurs." And earn them he has!

The months immediately preceding World War II found Lloyd studying law at the University of Texas. He no sooner received his degree than he entered the Army Air Corps as a private. He became a pilot and flew over 50 combat missions, which earned him the Distinguished Flying Cross and three air medals. He left the service with the rank of Colonel.

From this war service stems the affection Lloyd Bentsen holds for the men and women of the U.S. Air Force today. He is proud of his nation's Air Arm and its accomplishments. He views air power as our first line of defense and as a strong, proven deterrent against aggression. May I digress for just a moment to point out that we of Laredo are proud that our city is the site of one of the ten pilot training schools in the Air Training Command—Laredo Air Force Base. Our citizens are always seeking to do their bit toward helping the base fulfill its mission through excellent community-based relations and an eager spirit of cooperation. We are proud of our neighbors at Laredo Air Force Base and share with them the pride of accomplishment from the performance of many of the Base graduates in the Vietnam theater of operations.

Returning to the Valley after the war years, a still young, but more matured Lloyd Bentsen entered the private practice of law. He established himself as being intelligent, devoted and an extremely hard worker. He then elected to try his hand at politcs. At the age of 25, he was elected County Judge of his home county of Hidalgo. He later won election to the U.S. House of Representatives, where he represented his home district, which included Laredo, from 1948 to 1954. During that term of public service, he created a moderate-progressive image for himself and won the respect and admiration of all members of the Texas delegation in Washington. The primary trait that has brought Lloyd Bentsen success is a fierce spirit of competitiveness. He will never settle for second best. As a boy, he competed as spiritedly with his brothers and his father in work and in such recreational hobbies as hunting, as he did with outsiders. From this background, he developed a strong independence that has characterized both his careers in private business and in public life.

After his service in the House, Lloyd again broke away from his family's Valley operational base to establish his home in Houston. There he helped build and now heads a successful financial holding company, which employs over 600 persons. He has served on the boards of a number of well-known Texas business and financial institutions and his services with these institutions have served to enrich the entire South Texas area and to open the doors to new opportunities for its citizens. I might add that many of us in today's audience have a common interest

with the Senator. He is also a cattleman and has extensive ranching interests in the South Texas area.

Those who have had the opportunity to work closely with Lloyd in his business and political endeavors praise his versatility—his ability to adapt and to act boldly. They look upon him as the type of man whose leadership makes things happen, and whose word is his bond. But they are quick to point out that he allows no gap between promise and performance.

But more important to the man we honor today than the opinions of his critics or the praises of his associates is his family—his beautiful and devoted wife and his three children. And they, too, are endowed with a rugged sense of independence. His successes as a husband and father equal his business and political achievements. There are no communication gaps or lack of understanding in the Lloyd Bentsen household. Lloyd Bentsen draws both strength and pride from the fact that insofar as his family is concerned, every challenge has been successfully met with a team effort. And the prime source of this team spirit is his wife, the former Beryl Ann Longino, of Lufkin, or "B. A." as the Senator fondly refers to her.

"B. A." zest for competition equals Lloyd's and she proved herself a tireless worker in his recent senatorial campaign. By a strong quirk of fate, they first met when Lloyd was at the University, but did not date until he met her again in New York City, where she was a fashion model. It took them only six dates to decide to marry. The intervening years have proven most rewarding to the Bentsens, but nothing has enriched their lives as have their children, whom they reared in the ways of honesty, morality and respect for the law. The fruition of this training is reflected in their already enviable record of achievements.

Lloyd Bentsen, III, or "Lloyd Three" as he is known, is a graduate of Princeton University and of Stanford University. Now 26 years of age, he is presently associated with a stock brokerage firm in Houston, where he makes his home.

Sam Chase Bentsen, now 23, is a graduate of the University of Texas and is enrolled in the Harvard University School of Business.

His most attractive daughter, 19 year old Tina Ann Bentsen is a student at Southwestern University in Georgetown.

Once Lloyd was committed to his senatorial race, the close family ties manifested themselves immediately. Both sons devoted full time to the campaign, Lloyd Three as business manager and Sam as a Youth for Bentsen organizer. Tina made her contribution by campaigning in the Georgetown area during spare time and on weekends. The three Bentsen children and their parents quickly jelled as a campaign team.

Actually, it was concern for his children and their counterparts throughout the nation that convinced Lloyd to forsake his multi-million dollar empire to return to public service in government.

Shortly after announcing his candidacy, Lloyd was questioned as to what motivated him to leave a successful business life for a political gamble. He answered the question this way:

"I have three children. These youngsters are going to inherit a nation beset with insurmountable problems, torn by distrust and warped by immorality unless we do something to turn things around."

This man, with a profound belief that we are one people of the same destiny, knows full well that only through unity of feeling and judicious actions in service to our fellow countrymen can we preserve the moral excellence of our nation as the richest heritage of our children, emulating the clarion call of the poet Edwin Markham who wrote:

"We are all blind until we see
That in the human plan,
Nothing is worth the making, if
It does not make the man.

"Why build these cities glorious
If man unbuilded goes?
In vain we build the world, unless
The builder also grows."

Dedicated to the ideals of the Democratic Party, Lloyd's integrity, his unimpechable character and his intelligence and leadership qualities attracted the support of responsible citizens throughout the state. His interpretation of our changing society served to emphasize his concern for those being swept along by the torrent of these changes. For Lloyd Bentsen is concerned about the future of this nation and about the welfare of generations to come. And he is convinced that excellence in education, proper training and equality of competition are the keys to resolving most of our problems.

As one long-time friend puts it, Lloyd Bentsen does things to people. He invades their spirits and warms their hearts with renewed hope.

In the Colonial Legislature of Virginia, the Committees did not write long majority and minority reports. If they favored a measure, they endorsed it with a single word, under which they signed their names. The single word—"Reasonable"—as it define what all humane language and action ought to be, defines Lloyd Bentsen as a statesman and dignified human being.

Ladies and Gentlemen—I have been privileged today to pay tribute at the altar of an ancient friendship to one who serves in the highest post that Texas can tender a native son. A man who brings to that post the determination to maintain the dignity and authority of Texas by every means which thought can shape, discretion approve and and honor justify—The pre-eminent Senator from Texas, Mr. South Texas of 1971—The Honorable Lloyd M. Bentsen, Jr.

ADDRESS BY SENATOR BENTSEN

Last September, I stood not far fom here in Jarvis Plaza to begin the last lap of my campaign for the United States Senate.

I told the people gathered there that I wanted to begin the general election campaign in Laredo because this is my home country.

And I repeat that today: This is my home country.

It's always *good* to be home.

A month ago I took my oath as the new Senator from Texas. So now I'm making my first public speech in Texas as a Senator . . . and I couldn't think of a better place to make it than Laredo.

I don't believe a native South Texan ever loses his feeling for the people of this region no matter how far he travels. As you know, I still have very strong ties with this Rio Grande Border.

Most of my family still lives in the Valley.

And they wouldn't let me forget South Texas even if I wanted to.

Well, I don't want to and I assure you I will *not* forget South Texas.

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To be named "Mr. South Texas" is one of the foremost honors of my life. Last Thursday I celebrated a birthday—one of those milestone birthdays. I was 50. So I consider this honor to be something like a golden anniversary gift—and maybe it will smooth over that slight trauma of realizing you're in your fifties instead of your forties.

In receiving this award I'm in good company. Some of the great men of Texas have stood where I stand today.

As the first United States Senator from the Border of Texas, I'm going to do my best to live up to your gracious endorsement.

This is the seventy-fourth year that the people of Laredo and Nuevo Laredo have joined in celebrating Washington's birthday.

I've been asked occasionally why on earth Laredo would be so deeply involved in paying special tribute to our first President. After all, George Washington died almost 50 years before Texas entered the Union. All of this country was a part of the Spanish colonies and the only Europeans here were a few priests and soldiers. It's doubtful that George Washington did much thinking about the Rio Grande.

But Washington stood for certain ideals and principles that *do* apply to the everyday existence of people along this Border—the attainment of liberty under law, and the idea that nations can live side by side with mutual respect for each other.

Here, at the gateway to Mexico, people of two Republics have been living the ideals of friendship that were expressed by Washington in his Farewell Address.

"Observe good faith and justice toward all nations," Washington told his countrymen. "Cultivate peace and harmony with all . . . The nation which indulges toward another an habitual hatred or an habitual fondness is in some degree a slave."

I like to think that the mutual respect and affection built up over many years in this community for our Mexican neighbors has prevented either side from becoming enslaved to the ideas or the power of the other. The mutual respect we have for each other is our common bond.

We respect each other. We respect our differences. And we know the great value of cultural interchange.

We do not seek to impose our standards upon each other . . . and we do not take each other for granted.

That is the essence of friendship between neighbors.

It's one of the reasons I love and admire this part of Texas which has been so good to me for so long.

I'm not the Senator for South Texas alone, but I made it clear a long time ago that I had a special interest in South Texas and I don't apologize for that at all.

And together with my love and admiration for South Texas there is also a feeling of concern about some of the conditions here that we ought to do more to correct.

So I want to talk to you briefly today about some of my interests as the new Senator . . . interests which I hope can have a profound effect on the quality of life in South Texas.

I'll break it down into three major areas of concern—education, health and economic development. Obviously, the future of South Texas is wrapped up in those four words—education, health, economic development.

And when we look at these areas of concern let's look at them realistically. There is no sense in putting a coat of sugar on a problem. It may taste better that way, but it still makes you ill.

Begin with education.

If you speak of education in national terms, you have to speak of Lyndon Johnson. Here is a man who also loves South Texas. And there was a President who did more to advance the cause of education than any other President in our history.

The Elementary and Secondary Education Act, the Higher Education Act, the Bilingual

Education Act—you name them and he passed them.

Bilingual education has special significance here, of course. This legislation opened the door to expanded Federal aid to school districts for programs to meet the special needs of children who are deficient in the English language.

Yet the promise of bilingual education has never been fulfilled, because the program has been funded at less than one-half of its authorized level.

This year President Nixon has asked for only $25 million for bilingual education. We're authorized to spend $80 million.

In a city such as Laredo, the effects become apparent. There are 14,000 children here who should be receiving bilingual instruction. But only a thousand of them can be instructed at the present time.

We simply have to do better than that.

For my part, I will work for expanded funding of bilingual education and do all in my power to convince the Administration that this program should be pushed forward at a faster pace.

I'm going to work also for more aid for programs of vocational education, which is a crucial need in South Texas.

Without better job training and job stability, we can never reach the roots of poverty in this nation and in this area. I'll talk more about that in a moment.

We must do more to improve the health of the people of South Texas. Great progress has been made in recent years in infant care, in the control of tuberculosis, in the addition of new doctors and medical facilities. Project Hope is a model for the nation—supported by private funds, without a single government dollar.

But let's look at health care in general for one segment of our people—the migrant farm workers. Despite the health projects aimed directly at migrants, the average per capita health expenditure in 1967 was twelve dollars. Contrast that twelve dollars with the per capita average of $200 for our people as a whole.

Does South Texas need better health care? You and I know how great the need really is . . . and I'm going to do all I can to see that better health care is forthcoming.

I want to make a point right here.

We have a bad unemployment record in South Texas and the rates have been running well above the national average.

But we can't close our eyes to a companion problem—the problem of depressed wages and underemployment.

We have a great many people who work long and hard to eke out a bare subsistence for their families. Their opportunities are limited, they may be illiterate, they are poorly trained.

I believe it's a fundamental principle in this country that every man and every family should have the opportunity for good health, the opportunity for education and training, the opportunity to improve their standard of living.

We hear a lot these days about the welfare crisis. It *is* a crisis . . . of alarming proportions.

But let's not overlook another problem in our midst: the problem of the man who doesn't want to be on welfare, who wants to make his own way, but can't do it without some help from his neighbors.

That kind of man is prevalent in South Texas today. One of our great challenges is to help him keep his pride, help him find his own way toward a decent life for himself and his family, and help him become a productive breadwinner with a good job at good wages.

I think it would be a sad mistake for me, a United States Senator, to give you a lot of overblown verbiage about what I'm going to do, how many dollars I'm going to funnel down from Washington, and how I'm going to cause an industrial revolution in South Texas during the next months or years.

No one in Washington or anywhere else is going to lay out some neat little plan to change the economy of South Texas.

It's going to take work—hard work by people in government, your local officials, your bankers, businessmen, educators, leaders of all types.

We're not going to see major results overnight. But I do believe we will see some major progress within a reasonable length of time.

My pledge to you is that the office of Senator Lloyd Bentsen will work full-time on the priority objectives we have outlined here.

I have already initiated efforts to pull together the information, the legislative possibilities, and the identification of the people in government, education, business, finance and industry so vital to a successful program.

We've had a lot of studies already about what our problems are. I'm not interested in any more studies. I'm interested in a plan of action—a plan that will bring all of our resources to bear on developing this area as it should be developed.

The other day I had a long visit with Dr. George Kozmetsky, Dean of the College of Business Administration and the Graduate School of Business at the University of Texas in Austin. I've known him in business circles for several years and I wanted to get his views on Texas economic development, so I went to see him at his office.

He has conducted economic development planning for several areas of this country and he is especially interested in South Texas. And one of the things he told me is an obvious truth but one we sometimes don't like to admit to ourselves. He said that the competition for business, industry and research is so great throughout the world that an area such as South Texas can't count only upon good climate, low wages, low taxes and other so-called incentives to entice more industry.

We've got to re-gear our thinking on what we want the future of this area to be . . . what we're best equipped to be, what we're willing to do to get there.

I'm not really very proud of the fact that one of our enticements is cheap labor. It's been proved time and again that cheap labor is a temporary incentive, and that industries which come to an area for that reason usually move on when they find even cheaper labor.

What we should create is the incentive of *trained* labor—willing workers skilled in their trade.

And the incentive of good education facilities . . . good health care . . . a good way of life.

And the incentive of energetic, progressive local leaders in business and labor and government . . . men and women who have pride in their area . . . the kind of pride that's typified here in Laredo at this great Washington's Birthday celebration.

Let's take stock in these next few moments on what we have in this region.

We have Corpus Christi and Brownsville, potentially two of the great ports of this hemisphere. Beyond these ports are the markets of the world. How do we take advantage of this?

We have some of the richest soil in the world when we can get water to it. Are we doing everything we can in agriculture?

We need to do more in the way of progressive marketing of agricultural products through association and other joint efforts of farmers. Too long the farmer has said, "What will you give me for my product instead of joining together to set a price that brings a fair return?" For over twenty years, agriculture has been in economic trouble and today most of the products that the farmer sells he sells for less than he did twenty years ago. More has to be done in bringing the revolution of food technology to this area where we have the raw materials. This means more has to be done in the way of food processing to transport it to the market as a finished product. The growing of grain such as hegari is particularly suitable for South Texas, and there are strains that are best utilized in preparing food products for human consumption. Yet we continue to concentrate on those that are used primarily in feeding of cattle. These strains will largely replace the growing of corn which has really been the product of the Middle West and not South Texas. So why not, in this revolution of food technology prepare from these new strains of grain adaptable for South Texas needed products and retain the job-creating processes in this area.

These are only a couple of suggestions tossed out as examples. I think our possibilities are limited only by our imagination.

I want to join hands with you in doing some work and some thinking about our future. Whatever I can do to blend in the talents of our educational institutions and our government will be done. Whatever I can do to generate the resources of the Federal government—financial and otherwise—will be done.

You in this hall are the establishment of this area and this State. I believe the establishment wants to become involved a whole lot more than some of our critics claim.

If the merchants and businessmen of South Texas would truly prosper, then the people must earn enough to buy more than beans and flour. If the banks of South Texas are to build their deposits, and if the savings and loans their savings, then the wage earner must earn enough to have discretionary income with which to save. No great city or region has ever been built on welfare. We must look beyond our store fronts to people who want to and can move from the food stamp line, the unemployment line, and the welfare line to the payrolls and to the cash register. They must become taxpayers not tax-eaters. It's going to take your help—our help, if you will—for we are the establishment, and we can bring in the new industry and make the investments and build the jobs that are so necessary if the area is to prosper.

I think I know South Texans. I think I understand what makes us tick. I think I'm fully aware of our aspirations for progress and growth.

I hope, as a United States Senator, that I can help put together the right combination of government assistance, private enterprise and financial investment that can make this an area that is changing for the better.

We can become a greater region for tourists—especially people from the Midwest who traditionally come our way.

We can become a center of technology with good, stable industries to replace a one-industry economy with all of its built-in perils.

And we can do more in agriculture—the real wellspring of South Texas prosperity.

All of this ties back to what I mentioned earlier: education . . . health . . . opportunity.

Without these essentials, we can forget the rest.

Progress must move down one track in a free nation such as ours. Government and private enterprise must be colleagues and not enemies, and there must be enlightened leadership in both.

Thank you so much for the honor you have bestowed upon me. It reminds me again that this is my home . . . this is my bedrock. I'm proud of it. I'm proud to be home with you today.

MILITARY ASSISTANCE TO SAFETY AND TRAFFIC

(Mr. KAZEN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KAZEN. Mr. Speaker, seven counties in my congressional district, along with three others near San Antonio, are currently being served by a splendid demonstration of military-civilian cooperation. It is known as MAST, or Military Assistance to Safety and Traffic. It represents an effort by the Departments of Defense, Transportation, and Health, Education, and Welfare to put military expertise and manpower to civilian service.

I have previously stated on the floor of the House that there is no additional taxpayer expense: the pilots, air medics, helicopters, communications equipment—all these elements—are part of the 507th Medical Company—Air Ambulance—stationed at Fort Sam Houston. In their military function, the men of that company are constantly on the alert for emergency calls from doctors or law officers. And when one of those calls come, Maj. David W. L. Wilk has his men in their chopper and winging off on a mercy flight within 2 minutes.

News reports during the past 7 months testify to the effectiveness of this service. Let me offer some of these for consideration:

The Seguin Gazette reported that James Bell Buchanan, of Seguin, was injured in a late December traffic accident. He was taken to the Guadalupe Valley Hospital, where he complained of no serious injuries. Doctors found evidence of internal damage. The MAST helicopter moved him to Baptist Memorial Hospital in San Antonio, 35 miles away. He was treated for a punctured lung and three broken rips. Two days later he was in satisfactory condition.

The Luling Signal reported February 11:

A MAST helicopter was at the Edgar B. Davis Memorial hospital Tuesday, 29 minutes after a call to San Antonio for its services. An elderly woman, burned in a home accident, and a man injured in an oil field accident were taken to Santa Rosa Medical center in San Antonio for treatment.

That airlift was 57 miles.

The San Antonio News reported January 4:

Two men injured in San Antonio area accidents were hospitalized here Monday. Airlifted by army ambulance helicopters were a man who suffered head injuries in a traffic accident near Hondo, and a Uvalde man who accidentally shot himself in the knee while hunting.

In December, the San Antonio Express reported that five men had been injured when an automobile and a truck collided head on. Three were taken to Kenedy, Tex., hospital by ambulance, but two others who were more seriously hurt were airlifted to Santa Rosa Hospital.

The San Antonio News demonstrated the versatility of the MAST service in a report last July. A 70-year-old California man, being treated at a Uvalde hospital after a traffic accident, needed more intensive care so he was airlifted to Bexar County Hospital. And while one chopper crew was caring for him, a second was bringing a 3-day-old infant from Wintergarden Hospital at Crystal City. That tiny baby needed complete blood transfusion, and those husky army medics ferried an incubator over 120 miles to the roof of Santa Rosa Hospital, where the child was turned over to the competent hospital staff.

I do not suggest that newspaper editors in my district are either softer or tougher than others of their profession. I think they are honest in their evaluation of the MAST service. I quote just three of them:

Clarence J. LaRoche, of the San Antonio Express:

My personal observation as a long-time reporter and editor in this area is that MAST is performing an outstanding service to our South Texas citizens.

Burnis Lawrence, of the Hondo Anvil Herald:

We are highly in favor of continuing the project.

Otha L. Grisham, the Seguin Enterprise:

Officials at all local government levels praise this MAST program highly. I will also add that local medical doctors, law enforcement officers and hospital officials have offered highest praise for MAST. Frankly, this is the finest example of co-operation I have ever seen. It is a wonderful program, and must be continued. I personally thank you for your effort along these lines.

These are only examples of editorial comment. We have had the same sort of response from the San Antonio Light, the Luling Newsboy, the Seguin Enterprise, the Seguin Gazette, the Fort Sam Houston Patriot, the Pearsall Leader, the Yoakum Herald Times, the Carrizo Springs Javelin, and the Zavala County Sentinel.

I have offered opinions of this service. Let me close with brief statistics. Since this demonstration project began until the end of January, the men of the 507th Air Ambulance Co. have flown 128 missions, 65 by day, 63 at night. They have carried 150 patients, and in the proccess have logged 156.8 hours of flying time.

They have not saved the lives of every person they carried. In some cases, injuries were too severe. But their contribution has been great, and the people of my district hope it will be continued.

THE GREEK PEOPLE DESERVE THE TRUTH

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, in Greece, the case of Alexander Panagoulis has been the subject of international headlines and even discussed in the parliaments of the world. The United States is no exception. Panagoulis is an army deserter who attempted to assassinate the Prime Minister of Greece last summer. There is, however, startling variation in the statements which have been made. In the beginning, the published reports in the foreign press were almost unanimous in their stories of inhumane treatment by the Greek authorities. Because of the nature of these allegations, the Greek Government invited foreign correspondents to learn the true facts and actually to see Panagoulis. The stories which appeared subsequent to these visits are startlingly different. It would appear that gross misrepresentations were made by the leftist opponents of the Greek Government for propaganda purposes.

Since the Panagoulis case has been discussed on Capitol Hill in an unfavorable light, it is important that Members of Congress have an opportunity to see the actual stories dealing with this case before May 16 when foreign correspondents were invited to see Panagoulis, and those which appeared after their visits. Below I submit dated transcripts as they appeared in print before and after May 16, and I urge that they be read for comparison. The Greek people are our true friends and it would appear to me that their loyal friendship and their close cooperation in the world fight against communism would be a primary subject for discussion by U.S. leaders rather than what did or did not happen to a would-be assassin:

Le Monde, Paris, May 9, 1969: "For 264 days, i.e. since August 13 of last year, Alecos is kept in a very narrow underground cell from which he is not allowed to come out. He is continuously tortured which has brought him to the verge of insanity. The lack of light has almost blinded him. His hands are deformed because he is handcuffed during all 24 hours" declared Stathis Panagoulis, who is a student in Rome.

Le Monde, Paris, May 18, 1969: Alecos Panagoulis, condemned to death for his attempt to assassinate Mr. Papadopoulos, the Greek Prime Minister, is in good health. This was ascertained on Friday by the correspondents in Greece of foreign news agencies who visited the prison where he is held.

Le Peuple, Brussels, May 10, 1969: This concerns the terrible fate of Alexandro Panagoulis, condemned to 15 years solitary confinement for his participation in an attempt against Mr. Papadopoulos, head of the Government of Athens. The condemned man was at that time transferred to the Island of Aegina, where he is submitted to a barbaric treatment, his brother denounced to the Italian press: My brother is on the point of dying!

Le Peuple, Brussels, May 17/18, 1969: (A.F.P.) Alecos Panagoulis, condemned to death following his attempt to assassinate Mr. Papadopoulos, Greek Prime Minister, is in good health and physically fit. This is what could be ascertained on Friday by the correspondents of foreign news agencies in Greece who visited the prison of Bogiati where Panagoulis is held. The journalists could see him play ball with two guards in the prison yard. Panagoulis is in better shape now than he was at the time of his trial.

Times, London, May 7, 1969: The brother of Alexandros Panagoulis alleged today that he is on the brink of death because of torture and maltreatment. He said, the lack of light in his brother's underground cell had made him almost blind and his hands withered through being constantly fettered.

Times, London, May 17, 1969: Alexandros Panagoulis, aged 31, the army deserter who tried to assassinate Mr. George Papadopoulos, the Greek Prime Minister last summer, was described today to be looking "fit and strong" by five foreign news agency correspondents who were allowed to visit the military prison at Boyati, and they saw him playing ball with two soldiers.

Tribune De Geneve, Geneve, May 8, 1969: According to Mr. Stathis Panagoulis who lives in exile in Rome, his brother Alexandros Panagoulis, who was condemned to death last November, is reported to be in danger. The capital punishment to which he was condemned for having attempted to assassinate

the Greek Prime Minister, Mr. Papadopoulos, was not carried out. His brother, therefore, makes an appeal to the free world to assist him.

Tribune De Geneve, Geneve, May 19, 1969: (A.F.P.)—Alecos Panagoulis condemned to death for his attempt to assassinate Mr. Papadopoulos, Greek Prime Minister, is in good health and good shape. The journalists could see him play ball with two guards in the prison yard. Panagoulis is in better shape now than he was at the time of his trial.

Avanti, Rome, May 11, 1969: "We know—reads the denunciation—that Panagoulis is imprisoned in an underground cell; sleeps on a constantly damp concrete floor because he is denied a bed; he is systematically and continuously submitted to tortures which have brought him to the verge of insanity and the absence of light has almost blinded him."

Le Figaro, Paris, May 8, 1969: The conditions of detention of my brother Alexandros Panagoulis are such that he runs the risk of dying at any moment. "My brother is detained in an underground cell without light from which he never goes out; he is tortured every day; he is chained during all 24 hours" declared Stathis Panagoulis, a student of the University of Rome.

Il Messaggero, Rome, May 18, 1969; The foreign journalists could observe Panagoulis (those who had followed his trial have agreed that it was he) during the morning walk in the prison. Panagoulis was playing ball with two guards belonging to the administration of the prison, for about a quarter of an hour. In general, he is in good shape and played with much vigor; with one kick he sent the ball over the wall of the yard.

The New York Times, New York, May 17, 1969: To Quash Torture Rumors (N.Y.T.)—Premier George Papadopoulos allowed newsmen to see for themselves today that Alexandros Panagoulis, the man who tried to kill him last summer, was still alive and kicking. Today, five foreign reporters had seen Panagoulis, the 31-year-old army deserter, kicking a football in the exercise yard of a military prison at Boyati, 12 miles northeast of Athens. He looked plump and fit. His brother Efstathios claimed last week that Alexandros was being tortured to death.

A WAGE BOARD BILL IS NEEDED

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, it will be recalled that a wage board bill to provide an improved method for adjusting the wage system of Federal blue collar workers was approved by the Congress in the last session. However, it was vetoed, and due to the lateness of the session, no attempt to override the veto was possible. In the House the measure passed by record vote of 272 yeas to 89 nays, and in the Senate approved by voice vote. It is highly proper that further efforts be made to insure the enactment of this legislation. A wage board bill still is needed to provide an equitable system of wage adjustment and to eliminate discrimination in wages paid to nearly 800,000 Federal blue collar or prevailing rate workers, some of whom have suffered inequitable and unfair treatment for many years because of the lack of such legislation.

I am introducing such a bill. It will provide by statute the first equitable system for adjusting and fixing the pay rates of wage grade employees. There is within every State a large number of wage grade and nonappropriated fund employees who have been discriminated against. This is a continuing problem and one cannot stress too strongly the need for immediate action. The issue has been ignored too long by those who had the power to correct this unjust system.

Prevailing rate employees make up 27 percent of those paid exclusively from appropriated funds. Additional thousands of employees are included in the nonappropriated fund list. It is significant that these wage grade workers earn annually on an average 16 percent less than classified workers or those in the postal field service. These patient workers have been loyal to their Federal job stature, but we cannot ask them to be patient indefinitely.

The bill which I am introducing, in setting up 10 steps in pay differential, will not only correct the gross inequities of the present three step system, but will establish a range of rates so Federal Wage Board can win comparability with private industry.

As things now stand, the pay differential for classified white-collar workers is about 30 percent; the pay differential of blue-collar workers in private industry follows a similar pattern; but the Wage Board blue-collar workers in Federal installations can only increase their rate of pay by 8 percent. This obviously is an inequitable situation.

Supervisors are given the privilege of a five in-grade system now, so they can enjoy continued financial rewards but the workers they supervise are stuck in an inflexible grade system.

The bill will also establish a Federal Prevailing Rate Advisory Committee within the Civil Service Commission with an impartial chairman appointed by the President to insure that the broad interests of both sides are represented and protected.

Five members of the committee will be appointed by the Chairman of the Civil Service Commission from labor unions representing the largest number of prevailing rate employees under exclusive recognition in Government service. Management officials, five in number, will be appointed from each of the four executive agencies—other than the Civil Service Commission—and Military departments having the largest number of prevailing rate employees and an employee of the Civil Service Commission appointed by its chairman.

An important feature of the bill is that it would include the provision that the nonappropriated fund workers will receive the same benefits as the wage grade workers.

This measure is highly important to the Federal service. These workers have been more than patient, but their patience understandably is growing thin. It is time to correct a mishmash of antiquated executive orders and regulations.

REPRESENTATIVE PERKINS INTRODUCES LEGISLATION TO ESTABLISH A UNIVERSAL FOOD SERVICE AND NUTRITION EDUCATION PROGRAM FOR CHILDREN

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PERKINS. Mr. Speaker, I introduce today a bill to establish a universal food service and nutrition education program for children.

The bill proposes a program of great significance to the health and well-being of the Nation's children. In the long run, this program is the only sound and practical approach to solving the serious problems of malnutrition and poor diets that exists at all levels of income among the general populace.

This bill has three basic objectives:

First, to provide all children with adequate nutrition, free of charge, as a part of the educational program, on the same basis as most other school activities. No child is to be singled out or identified as different from his classmates.

Second, to provide funds and authority for the conduct of a comprehensive program through State departments of education to teach all children, as they learn and develop, the principles of good nutrition. All the evidence we have from the experts in nutrition and health points to one single conclusion: ignorance is the fundamental, basic cause of undernutrition, and poor diets.

In recognition of this fact, the Department of Agriculture is now spending some $25 million annually on a nutrition education program for families receiving food stamps and donated foods. This is being done because the Department has found that more money for food does not in itself correct the problems of poor diets and undernutrition.

We therefore must undertake a positive program of nutrition education throughout our school systems as a major part of the overall effort to eliminate malnutrition.

Third, to strengthen the administration of food service programs for children by State and local governments. Over the past several years, one Federal program after another has been thrust upon State and local governments to the point that they do not have the financial ability to administer them effectively.

A case in point is the school lunch program. Despite heavy expanding of the program, only a minor amount of financial help has been given to State education agencies for program administration and none to assist the local school districts with regard to the costs of supervision, coordination, training, and other aspects important to administration. This situation should, and must be rectified so that food service programs for children can make their maximum contribution to ending malnutrition.

Mr. Speaker, I am fully aware that this bill is a major departure from present and past legislative concepts and policies for child food service programs. I recognize too that it expresses a bold new approach to combating malnutrition. Also, I recognize the fact that this would be a costly program if measured only in dollars and cents.

Yet I offer this bill for public debate on its merits and objectives. It should be debated and discussed not only in Congress, but across the land by educators, school administrators, parents, experts

in the field of nutritional health, and all groups and organizations concerned with this issue. Personally, I am confident that in the long run lunch-at-school programs will become a regular part of the schoolday, no difference than classes in math, history, English grammar or transportation to and from school.

I hope the debate on a universal school food service program will focus on these points:

First, the impact of good nutrition during the school day on the child's ability to learn, his general health, discipline problems, absenteeism, dropout rates, and his overall development.

Second, the extent to which such a program, with heavy emphasis on nutrition education, could reduce health costs in the future.

Third, the need to eliminate the present procedure of identifying children on the basis of income status as eligible for free lunches. No system has yet been devised to completely hide the identity of the child receiving a free lunch. More important, the child himself knows that he himself cannot pay and is therefore different from his classmates.

Fourth, the national school lunch program, while improving, is reaching about half of total school attendance.

Fifth, when we think of children and their needs, we should think of a complete program to meet these needs. If we provide funds and the authority to give free lunches to children in families below the arbitrary poverty standard, what about the vast number of children just above that same level? For these are the children who are not now being reached by the program in a period when prices on all items have been rising beyond the family budget.

Also, what happens to the children who are too proud to admit that they are too poor to pay and eat no lunch at all. It is becoming more and more clear everyday that we are not going to reach all the needy children in school with lunches under the present "means test" procedure, no matter how far we go in in simplifying this operation.

Finally, Mr. Speaker, this bill presents a comprehensive plan for the future health of this Nation's population. Let it be discussed on its merits and objectives. Then in time, I am confident that ways will be found to achieve the necessary financing.

REPRESENTATIVE PERKINS INTRODUCES LEGISLATION TO CONTINUE FREE OR REDUCED-PRICE MEALS THROUGH OPERATION OF SCHOOL LUNCH AND CHILD NUTRITION PROGRAMS

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PERKINS. Mr. Speaker, I introduce today a bill to assure that needy children will continue to receive free or reduced-price meals for the remainder of this fiscal year through the operation of school lunch and child nutrition programs.

I present this bill to fulfill the commitment which Congress made last April when H.R. 515—now Public Law 91–248—was approved. As you know, this new law requires that beginning January 1, 1971, all children from families with incomes below a national poverty income standard shall be provided with a free or reduced-price meal. Only a simple application form is required from the parent to qualify the child as eligible.

Concern is already being expressed by the States and local school districts that present Federal funding is not sufficient to carry the program through the year. The original estimate of the number of needy children to be fed, as developed by the U.S. Department of Agriculture, was that 6.6 million children in all the schools of the Nation would qualify for a free or reduced-price meal under the new standards. As of February 2, 1971, the Department estimates, on the basis of new reports from the States, that the number of children eligible is 7.8 million in the schools now participating in the school lunch program. This is an increase of 1.2 million above the original estimate. Further, it does not include needy children in some 23,000 schools, with an enrollment of 6.7 million children, which now do not have a food service program.

I include the report of the Department of Agriculture at the conclusion of my remarks.

In this bill, we are therefore proposing that the Secretary of Agriculture be given standby authority to use additional amounts of section 32 funds to insure that all needy children may continue to receive nutritious meals throughout the year.

The material follows:

STATES REPORT ON CHILDREN ELIGIBLE FOR FREE, REDUCED PRICE SCHOOL LUNCHES

Initial estimates from State educational agencies indicate that the number of needy children eligible for free and reduced price lunches in the nearly 78,000 schools participating in the National School Lunch Program may total 7.8 million, the U.S. Department of Agriculture reported today.

Some 5.5 million of them got free and reduced price lunches in November, while another 17.9 million children paid the regular price. The total of 23.4 million participants set a record for the lunch program. Preliminary indications are that some 6 million children received free and reduced price lunches in December, USDA's Food and Nutrition Service said.

The estimates of eligible children enrolled in NSLP schools were made last October, before the mandatory January 1 full implementation of amendments enacted last May to the school lunch and child nutrition acts.

"These reports represent the first State and local experience in reporting children's eligibility for free and reduced price lunches, as required by the new legislation," Assistant Secretary of Agriculture Richard Lyng commented. "We are working now with the States to refine their reporting methods, to assure greater uniformity in subsequent semi-annual reports required every March and October," he said.

"At the moment, however, these are the only benchmarks available. We are using them in our efforts with State and local school cooperators to be sure all eligible needy youngsters in participating schools get a free or reduced price lunch," Mr. Lyng said.

The States' estimates of the number of enrolled children eligible for free and reduced price lunches in NSLP schools totaled 7.8 million in October. The States' reports also showed a total of 77,598 participating schools with an average daily attendance of 38.7 million at the opening of the current school year last fall. Another 23,097 schools with an estimated average daily attendance of 6.7 million were reported as having no food service.

Following are State-by-State estimates of enrolled eligibles, those being reached at schools as of November 1970, schools participating in the National School Lunch Program, and those without any food service.

UNITED STATES DEPARTMENT OF AGRICULTURE—FOOD AND NUTRITION SERVICE, WASHINGTON, D.C.

[Number of children eligible for free or reduced price meals at school, number reached in November 1970; number of schools in National School Lunch program, number of schools without a food service. By States and regions]

Region and State	Estimated number of children eligible, October 1970	November 1970, average reached daily [1] — Number of children	September 1970, number of schools in NSLP	Schools W/out food service
Northeast:				
Connecticut	59,584	23,036	832	584
Delaware	17,317	8,495	182	46
District of Columbia	61,423	51,454	195	149
Maine	70,946	26,762	660	333
Maryland	80,713	86,512	1,218	178
Massachusetts	122,929	47,395	1,676	1,649
New Hampshire	8,648	7,746	360	188
New Jersey	305,334	101,613	1,319	1,647
New York	620,000	548,197	4,496	1,656
Pennsylvania	715,468	196,900	3,719	2,162
Rhode Island	90,000	13,603	243	241
Vermont	16,244	8,217	329	103
West Virginia	97,324	138,177	1,188	165
Regional total	2,265,930	1,258,107	16,417	9,101
Southeast:				
Alabama	209,587	212,901	1,353	51
Florida	280,568	222,262	1,832	367
Georgia	274,871	248,618	1,847	101
Kentucky	256,759	148,281	1,610	104
Mississippi	171,394	199,769	894	157
North Carolina	246,846	208,097	1,976	80
Puerto Rico	448,500	253,105	2,380	123
South Carolina	185,905	191,769	1,119	66
Tennessee	160,225	200,986	1,730	66
Virginia	214,844	135,699	1,789	119
Virgin Islands	8,170	14,270	31	14
Regional total	2,436,985	2,135,757	16,591	1,248

Footnote at end of table.

Region and State	Estimated number of children eligible, October 1970	November 1970, average reached daily [1] — Number of children	September 1970, number of schools in NSLP	Schools W/out food service
Midwest:				
Illinois	230,000	201,485	3,279	908
Indiana	89,500	54,485	2,204	497
Iowa	91,695	34,788	1,876	227
Michigan	295,142	87,982	2,586	1,574
Minnesota	97,042	75,326	1,891	456
Missouri	134,941	100,331	2,541	254
Nebraska	38,587	34,388	836	1,157
North Dakota	15,303	14,717	507	131
Ohio	119,936	155,465	4,028	907
South Dakota	26,250	13,625	582	558
Wisconsin	53,953	49,128	2,211	794
Regional total	1,192,349	821,720	22,541	7,463
Southwest:				
Arkansas	179,839	109,336	971	17
Colorado	82,780	56,650	1,195	161
Kansas	22,487	24,393	1,530	315
Louisiana	130,000	150,552	1,630	20
New Mexico	76,981	76,981	649	60
Oklahoma	98,843	75,982	1,819	55
Texas	252,280	144,002	3,969	312
Regional total	843,210	637,896	11,763	904
Western:				
Alaska	13,074	13,471	195	84
Arizona	26,596	43,809	603	312
California	800,000	400,903	4,928	2,413
Guam	1,577	1,550	36	1
Hawaii	13,694	17,001	216	55
Idaho	14,863	9,306	494	91
Montana	11,800	10,527	510	521
Nevada	2,558	3,353	115	133
Oregon	109,736	31,201	1,072	257
Samoa, American	8,515	9,204	32	0
Utah	21,425	23,115	532	58
Washington	76,485	57,484	1,443	260
Wyoming	2,523	3,508	110	160
Regional total	1,102,856	624,432	10,286	4,345
Total	7,861,330	5,477,912	77,598	23,097

[1] Adjusted for absenteeism using individual State absentee rate supplied by Office of Education, H.E.W., for school year 1967–68.

UNITED STATES DEPARTMENT OF AGRICULTURE, CONSUMER AND MARKETING SERVICE

[Removal of Surplus Agricultural Commodities Fiscal Years 1961–70]

	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970
Funds available:										
Carryover	$300,000,000	$300,000,000	$300,000,000	$300,000,000	$300,000,000	$298,758,226	$300,000,000	$300,000,000	$300,000,000	$299,921,169
Recovery of prior year obligations	802,033	1,457,908	1,128,424	451,225	49,596	28,529	157,060	20,077	784	130,188
30 percent of customs receipts	319,960,724	325,826,751	318,068,537	369,391,556	378,907,331	405,549,361	493,935,754	578,911,603	596,645,658	698,462,614
Total available	620,762,757	627,284,659	619,196,961	669,842,781	678,956,927	704,336,116	794,092,814	878,931,680	896,646,442	998,513,971
Less transfers to Interior (15 U.S.C. 713c as amended)	5,321,081	4,757,143	5,071,342	5,373,096	5,297,951	6,610,596	6,778,506	7,443,592	7,412,775	7,636,414
Total available to USDA	615,441,676	622,527,516	614,125,619	664,469,685	673,658,976	697,725,547	787,314,308	871,488,088	889,233,667	990,877,557
Obligations:										
Commodity program payments:										
Cotton		24,000	9,615							
Dairy products	116,303,574	853,625		85,000,000	25,000,000	39,550,000		9,131,064	120,860,144	103,615,335
Eggs and poultry	37,597,468	31,199,507	24,354,417	27,012,132	5,178,235	9,850,244	4,346,876	44,609,531	55,850,771	71,218,747
Fruits	1,070,098	1,531,370	3,729,726	3,056,022	4,259,537	10,874,821	37,964,401	11,523,200	17,401,624	37,793,979
Grain	3,057,880	7,816,011	111,990	4,744,789	2,266,380		5,284,515	10,586,225	8,893,961	15,509,812
Livestock products	78,156,722	82,031,993	58,929,440	122,970,260	175,974,126	40,617,533	119,733,256	67,613,465	95,989,497	76,241,081
Peanuts and products	12,574,492	7,633,866	3,000,881	12,373,212	12,585,620	11,967,360	6,369,083	10,927,208	14,903,267	15,298,960
Tobacco		1,532,468	2,995,579	2,074,844	447,033		−5,294			
Tree nuts						1,090,234	37		−61	
Vegetables	3,157,931	10,572,230	2,733,806	2,313,490	1,418,894	2,488,607	8,140	13,167,208	21,298,338	22,509,419
Miscellaneous	840,084	−30,908	187,996	−13,380	−25,208	573,744	536,955	1,761,853	5,063,418	5,802,247
Subtotal	252,758,249	143,164,162	96,053,180	259,504,369	227,104,622	117,012,543	174,237,969	169,319,754	[1] 340,260,959	[1] 347,989,580
Food stamp program	906,213	14,069,967	20,439,770	30,505,716			−86,420			
Surplus removal operating expenses	2,324,205	2,822,382	2,832,417	3,082,082	3,271,326	3,070,358	3,374,689	3,993,438	6,242,359	7,185,804
Marketing agreements and orders	1,630,681	2,263,591	1,892,273	1,988,854	2,140,144	2,185,616	2,813,513	2,335,418	2,276,866	2,575,796
Special Feeding Program									[1] 45,000,000	[1] 127,161,186
Food and Nutrition Aides program									9,948,055	33,566
Total obligations	257,619,348	162,320,102	121,217,640	295,081,021	232,516,092	122,268,517	179,709,751	175,648,610	402,740,310	474,600,932
Transfers:										
(1) Foreign Agricultural Service (pursuant to USDA Appropriation Acts)	2,817,000	3,117,000	3,117,000	3,117,000	3,117,000	3,117,000	3,117,000	3,117,000	3,117,000	3,117,000
(2) Child nutrition programs (pursuant to USDA Appropriation Acts	45,000,000	45,000,000	45,000,000	45,000,000	45,000,000	45,000,000	45,000,000	45,000,000	64,325,000	194,266,000
(3) Food Stamp Program (pursuant to 1965 USDA Appropriation Act)					30,650,000					
(4) Special milk program (pursuant to 1965 USDA Appropriation Act)					51,500,000		53,000,000	104,000,000	104,000,000	
(5) Commodity Credit Corporation, ARS & CSRS (pursuant to 1964 USDA appropriation Act)				16,000,000	12,080,554	18,500,000	25,000,000	15,000,000	15,000,000	15,000,000
(6) Comparative transfer to Office of Inspector General	653,312	978,376	1,225,000	1,369,957						
(7) Miscellaneous transfers		285,000	21,400	94,648						
Total used by USDA	306,089,660	211,700,478	170,581,040	360,662,626	374,863,646	188,885,517	305,826,751	342,765,610	589,182,310	686,983,932
Balance	309,352,016	410,827,038	443,544,579	303,807,059	298,795,330	508,840,030	481,487,557	528,722,478	300,051,357	303,893,625
Unobligated balance of research funds returned from ARS								317,305		
Returned to Treasury	7,894,108	109,698,614	143,093,354	3,757,463	8,575	208,682,970	181,467,480	229,038,999		3,893,625

[1] Commodity totals include $987,929 in fiscal year 1969 and $10,345,000 in fiscal year 1970 obligated under the special feeding program for commodities distributed through the supplementary food packages program in food stamp areas.

COMMERCIAL SST SERVICE BEGINS IN OCTOBER—BY THE RUSSIANS

(Mr. PELLY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PELLY. Mr. Speaker, Aviation Daily reported last Friday what many of us in the House of Representatives have long been predicting; the Soviet Union will inaugurate supersonic transport service this coming October. This gives the Russian SST a 3 to 4 year jump on the Concorde, and the amount of jump on the United States is up to us here in the Congress.

The first route is to be from Moscow to Calcutta, and certainly it is reasonable to assume that other routes will be quickly filled as soon as aircraft become available, and the competition between airlines will become increasingly stronger.

This news should remove any question as to whether or not we must carry on with the American SST. It already has been proved to be less noisy than opponents claim, and evidence is firmly indicating that the SST is compatible with our environment under proper restrictions.

Mr. Speaker, for the information of my colleagues, the full text of Aviation Daily's story appears at this point in the RECORD:

RUSSIA PLANS FIRST SST COMMERCIAL FLIGHT IN OCTOBER

Russia's Tupolev Tu-144 supersonic transport flying Aeroflot colors is scheduled to enter commercial operation in October on both domestic and international routes. First domestic route will be Moscow to Khabarovsk located at the extreme eastern edge of Soviet Russia near the Sea of Japan. First international route will be Moscow to Calcutta, India with first flight tentatively scheduled for the week of Oct. 23–27.

This gives the Russian SST a three to four year jump on the Anglo-French Concorde which is expected to go into commercial operations in 1974 or '75. The U.S. SST, if it continues to be funded at the original rate and if the program continues as planned, will enter commercial service in 1978.

The Moscow-Calcutta route is approximately 2900 nautical miles and is almost exactly the same distance as London-New York, the route for which the Concorde was planned. The Moscow-Khabarovsk route is farther, about 3300 nautical miles. This may call for an intermediate stop along the route over Siberia.

THE VITAL ROLE OF THE NATIONAL ACADEMY OF SCIENCES

(Mr. BELL asked and was given permission to extend his remarks at this point in the Record, and to include extraneous matter.)

Mr. BELL. Mr. Speaker, I am sure that most of my colleagues are aware of the fine service being performed by the National Journal. I have found its in-depth articles particularly valuable to me in my committee work. A case in point is a two-part report by Claude Barfield on the National Academy of Sciences. This report is an excellent analysis of the vital role played by the Academy and its relationship to overall questions of national science policy. It touches on areas of concern to every Member of this body, and I would like to request, therefore, that it be entered into the RECORD at this point:

SCIENCE REPORT/NATIONAL ACADEMY OF SCIENCES TACKLES SENSITIVE POLICY QUESTIONS

(By Claude E. Barfield)

The quality of air American citizens breathe, the food they eat and the drugs they use—all will be affected by a little-known Washington institution whose voice in public decisions is rapidly becoming stronger.

That institution is the National Academy of Sciences, which has not been accustomed, in its 108-year history, to dealing with volatile political issues.

The NAS is taking on jobs that will involve it in resolution of such problems as the proper nutritional content of foods, the environmental effects of a major airport's expansion and the safety of further nuclear development.

The surfacing of the academy as a major adviser to government has been a long time in coming. Since 1863, the NAS has had a congressional mandate to counsel the federal government on matters of science; but, until recently, the government has not asked for much advice, and the academy has not sought out federal work.

That began to change in the 1960s, when government agencies looked to the academy primarily for the expertise it could bring to the study of scientific matters.

ROLE AS ARBITER

Now, the academy is being used not only for its expertise but also because it is often viewed as an impartial arbiter—a voice of reason—in controversial areas of public policy making.

So it was that Robert H. Finch, as HEW, Secretary (1969–70), chose the academy to review the federal government's radiation safety standards, at a time when controversy over nuclear development was fast on the rise. (*See Vol. 2 p. 2483.*)

And so it was that Congress, in writing new clean air legislation (84 Stat 1676), designated, the academy as arbiter of such questions as how fast the automobile industry should be able to reduce exhaust emissions and whether the industry should be given extensions of statutory deadlines for cleaning up its engines. (*see p. 25.*)

The academy emphasizes that it is not a decision-maker on these issues, that federal agencies ultimately bear responsibility for setting policy. But the nature of the academy's involvement is expanding its influence in agency decisions. In a number of important questions now pending, the adviser may become almost indistinguishable from the policy maker.

Does the academy bring a voice of reason to public policy issues? That is a question of concern both within the government and at the academy.

In the radiation standards controversy, the academy's review panel was attacked as beholden to the Atomic Energy Commission, the federal agency charged with promoting peaceful uses of nuclear energy. The academy responded by changing the composition of its panel. Still, when the Joint Atomic Energy Committee tried to give the NAS a statutory role in advising the government on radiation standards, environmentalists balked and the academy retreated.

Activism: The NAS is not shunning involvement in these issues. Indeed, under president Philip B. Handler, the academy's leadership is actively seeking a wider advisory role.

At the same time, the academy is taking steps to protect itself.

Reconstitution of the radiation committee was evidence that the NAS leadership is aware of the perils of involvement in political controversies.

On a broader scale, the NAS has recently established a special committee to monitor NAS reports on politically sensitive issues. The institution is also becoming more careful about the wording of its contracts with government agencies and increasingly is demanding the right to publish its studies independent of government sanction.

These steps are designed to reform NAS relations with federal agencies; but the academy also is having to reassess its relations with Congress.

There never has been much contact between the NAS and the legislative branch, but recently Congress has tried to give the academy a statutory advisory role in specific and controversial areas of public policy making.

Criticism: Changes in the academy's goals and administrative practices are not coming fast enough to head off criticism of the institution. One recent attack came in a speech to the American Association for the Advancement of Science by former Interior Secretary (1961–69) Stewart L. Udall.

Udall accused the organization—and the entire scientific establishment in the United States—of fostering an attitude that has "tended to make scientists political eunuchs." He called for an intensive investigation of the NAS by Ralph Nader's Center for Study of Responsive Law.

NATURE OF THE NAS

The National Academy of Sciences, which describes itself as a private, co-optative society" with a congressional charter, has two functions—one honorific and one advisory.

MEMBERSHIP

Election to its membership is the highest professional distinction, short of a Nobel prize, that a U.S. scientist can achieve. The academy elects only 50 new members a year. Of the more than 125,000 persons in the United States who have PhDs in the physical, natural and social sciences, only about 860 are NAS members.

For years, engineers complained that too few of their numbers were granted membership in the NAS, and finally, in 1964, they were given separate status in a National Academy of Engineers. The new academy is not fully independent, however, and operates under the original NAS charter. It now has about 325 members.

The NAS and the NAE have a more practical mission than honoring distinguished scientists. The unique federal charter granted the NAS in 1863 stated: The National Academy of Sciences shall, whenever called upon by any department of the government, investigate, examine, experiment and report upon any subject of science or art. . . ."

NATIONAL RESEARCH COUNCIL

For many years, the government and the academy largely ignored each other. But their contacts began to increase during World War I when, as a means of mobilizing scientists for the war effort, the academy established the National Research Council as a working advisory arm. Participation in NRC activities was open to all scientists, not just NAS members. From this institutional addition has grown the wide-ranging government advisory role of the NAS.

Some 450 committees, panels and boards with a total membership of more than 7,000 scientists and engineers now comprise the NRC.

The NRC led a semi-independent life until the 1950s, when the NAS reasserted firm control over its research arm. Today, the president of the academy and the 17-member NAS council fully direct the affairs of the NRC, and the NAS president also is chairman of the NRC.

Structure—The structure of the NRC, like that of the NAS, is essentially along the lines of scientific disciplines: behavorial sciences, biology and agriculture, chemistry and chemical technology, earth sciences, mathematical sciences, medical sciences and physical sciences. In addition, there are two offices which deal with problems common to all divisions—the Office of Scientific Personnel and the Office of the Foreign Secretary of the NAS.

Staff and finances—As its activities have proliferated, the NRC has developed a sizeable bureaucracy. It now has 950 full-time employees, 375 of them professionals.

The operating budget of the NAS-NAE-NRC also has grown substantially since World War II; it is increasingly dominated by federal money given under contract to the NRC for advisory studies.

In 1950, the budget amounted to only $5.6 million. In the fiscal year ending June 30, 1970, total income amounted to $33.0 million, including $25.4 million from government contracts, $3.5 million from various sources, such as states, foundations, professional societies and industry, and $1.5 million from trust and endowment funds.

The academy charges no fees beyond its expenses for its services to government agencies.

Similarly, individual NAS members give free advice when the government asks for it through the academy; they, too, are paid only their expenses.

THE HANDLER INFLUENCE

Handler, the biochemist from Duke University who became NAS president on July 1, 1969, takes an activist view of his academy's role in American government and society.

Handler seems destined to preside over the public surfacing of the academy as an important articulator of science policy recommendations and, more important, as a central advisory body for the increasing number of public questions with scientific and technological components.

DEFENDING SCIENCE

Handler and National Science Foundation Director William D. McElroy today are the most effective and persuasive spokesmen for science before the committees of Congress and in other public forums.

Said William D. Carey, a close observer of science policy making over the last decade as a Budget Bureau official: "The partnership of government and science has never been in greater disarray, but the Handler-McElroy combination has been crucial in stemming a worse deterioration—particularly at a time when the role of the President's science adviser is drastically diminished."

Carey formerly headed the Budget Bureau's human resources section; he left in 1969, and now is with Arthur D. Little Co.

During the last year, Handler has repeatedly deplored charges by environmentalists and others that science and technology are to blame for many of society's ills.

In a March 14 speech, he said that "the revolution of rising expectations rests squarely on the promises implicit in the success of our technological accomplishments."

And he has exhorted his fellow scientists to speak out in defense of science.

On April 14, he told a group of scientists to "write an informative letter, next week, to your own Congressmen and Senators who hold the keys to federal appropriations for NIH and NSF. . . . Do not wring your hands or complain to each other—get out your pens and Write! . . . What is at stake is not your research, your institution or science for its own sake. What is at stake is the national future."

NEW ASSIGNMENTS

Last year, even before he assumed his present position, Handler signaled that he would actively seek new assignments for the NAS. He told an interviewer: "There is nothing in the (academy) charter that says we can do nothing unless requested. . . . I don't see any reason why we have to wait to be asked. The (federal) charter is the broadest franchise one could have hoped for."

In an interview with *National Journal*, Handler amplified this theme: "The NAS exists not only to further the development of science. We also have a clear responsibility to provide useful, rational advice to the agencies of the national government, and occasionally to society in the large."

Handler seems fully prepared to move the NAS to the forefront in attacking societal problems. He wants the organization to have a larger role in helping with pollution control and urban development and other pressing problems of the day. The NAS and other parts of the U.S. science establishment have often been attacked for not making contributions in these areas. (*See "Udall Indictment" box.*)

ADVICE TO AGENCIES

Government agencies increasingly are seeing a need for an authoritative, independent adviser on issues—particularly environmental issues—with substantial scientific aspects. As a result, the academy—largely through the NRC committees—is involved in an astonishing number and variety of consulting tasks. (*For a list of controversial issues the NAS has tackled, see "hot potatoes" box.*)

Many are of a potentially controversial nature. In the general area of environment, for example, it has undertaken studies dealing with auto emissions and air pollution criteria, radiation standards and radioactive waste disposal, the environmental effects of the supersonic transport aircraft and use of defoliants in Vietnam. On its own initiative, it will make a study of power plant siting.

In public health matters, the academy is deeply into issues handled by the Food and Drug Administration, both with its study of drug efficacy and with its review aimed at setting standards for the nutritional content of foods. (*For a report on nutrition guidelines, see Vol. 2 p. 2399.*)

METHODS OF OPERATION

The NAS employs a variety of organizational units, and the jurisdictions of its divisions, boards and committees are ill-defined. According to NAS executive officer John S. Coleman, the academy likes it that way because the NAS president and council have a good deal of flexibility in responding to requests.

For emergency requests requiring quick handling, for example, the academy is likely to establish an ad hoc committee. Former NAS President (1962–69) Frederick Seitz did that in June 1969, when the Army asked for an evaluation of its plan to move 27,000 tons of chemical weapons over land from Denver, Colo., to the Atlantic Ocean for disposal.

George B. Kistiakowsky, vice president of the NAS and professor of chemistry at Harvard University, was asked to put together a blue-ribbon panel to deal with the weapons removal issue. Kistiakowsky recalls that he "went out and found men identified with the Defense Department and then men very much opposed to chemical warfare and put them in a room to fight it out."

The panel recommended modifications in the army's safety precautions. The result, Kistiakowsky said, "was a compromise solution that neither the army nor its critics really liked, but the safety of which nobody has yet challenged."

For specific problems of a continuing nature, the academy has a number of standing committees, including committees on radioactive waste management, on undersea warfare and on the biological effects of atmospheric pollutants.

Finally, for large problems which encompass a number of related questions, the NAS over the years has created a group of boards, such as the Highway Research Board, the Food and Nutrition Board, the National Materials Advisory Board and the Environmental Studies Board.

The biggest and oldest of these is the Highway Research Board, which uses more than 2,000 federal and state highway administrators, researchers, engineers and scientists. The board functions as a clearing house for highway research money; in fiscal 1970, it had at its disposal some $4 million.

REASONS FOR AGENCY USE

Interviews with government officials who use the academy revealed substantial agreement on the basic utility of academy pronouncements.

Prestige, quality—Stephen J. Lukasic, assistant to the director of the Defense Department's Advanced Research Projects Agency, emphasized two points which NAS research customers make repeatedly:

"In the first place, the high prestige of the academy gives its recommendations an intrinsic merit of their own. It helps to have them behind you.

"Secondly, the quality of their advice is usually quite good because they can potentially draw together the best people in the country to give counsel on a particular problem."

But government agencies have other motives for turning to the NAS.

Politics—Myron Tribus, who was assistant secretary of commerce for science and technology until November, spoke more directly to the political merits of academy advice.

"I also used them to protect myself against other bureaucrats and politicians," he said. "For instance, with their backing I could appear more confidently at congressional hearings or before the public and not be fearful of having some politician or scientist claim the Commerce Department was all wrong because we hadn't consulted the right people."

From the academy's point of view, there is nothing wrong with that attitude toward its advice, as long as the advice was honestly given.

But Tribus' remarks are exemplary of a view that is becoming common in the agencies—that a stamp of approval from the NAS can be a great help in defusing controversy over agency actions.

The Atomic Energy Commission, for example, last year asked the academy to review its plans to dispose of radioactive waste material in bedded salt mines in Kansas. The AEC probably had a genuine need for advice; but it also was fully aware that it would be in a much stronger position to proceed if it had academy endorsement. In November, an ad hoc subcommittee of the NRC committee on radioactive waste management concluded that the AEC's plans were reasonable and safe.

Former Rep. (1959–71) Emilio Q. Daddario, D-Conn., told *National Journal:* "Agencies keep trying to make them (the academy) their supporters. I think they're resisting this like hell. But there is the continual pressure on their committees and panels to support particular policy, and in the past they're not always been careful enough to avoid the appearance of doing this."

Daddario was chairman of the House Science and Astronautics Subcommittee on Science, Research, and Development from 1963 until he left Congress this year.

"Voice of reason"—Agencies look to the academy, in Handler's words, "as a voice of reason"—particularly on environmental questions, which have high technological and emotional content.

David Z. Beckler, assistant to the director of the President's Office of Science and Technology, expressed the agencies' attitude in a rhetorical question: "Where else could the departments and agencies turn for help on these matters?"

Harold B. Finger, assistant secretary for research and development in the HUD Department, put it this way: "They may make mistakes, but they're the only organization around with the potential credibility to defuse—with a sensible clarification of the alternatives—some of the complex societal questions which derive from technological change."

ADVISER AS POLICY MAKER

The NAS has always stressed that as a private organization it cannot and should not be placed in a position of making public policy.

Henry David, executive secretary of the NRC Division of Behavioral Sciences, told *National Journal:* "We have got to keep our distance from actual policy formulation. We can define the parameters of public policy by laying out the alternatives and clarifying the technological consequences of particular decisions, but it's not for us to make the final choices."

Harvey Brooks, chairman of the prestigious NAS Committee on Science and Public Policy, said: "We should never end our reports with 'therefore,' for then we have made a clear (non-scientific) value judgment." Brooks is dean of engineering and applied sciences at Harvard University.

Yet, as solutions to complex social and political problems require larger scientific and technological inputs, academy recommendations are taking on greater import, and the organization is edging closer and closer to a decision-making role.

Handler, though basically in agreement with David and Brooks, is realistic about the implications of the activities the NAS is undertaking. "The edges of the boundary zone between advising and policy making are indeed fuzzy," he said. "We can only try to make certain that our recommendations are soundly based in technical detail; and then if we must use them as a point of departure to discuss larger social questions, so be it."

FDA studies—The NRC's three-year study of the efficacy of about 2,800 drugs placed on the market betweeen 1938 and 1962 is one example of a past NAS study which is having a big impact.

The review, completed in 1968, found that 369 of the drugs were ineffective, and it raised questions about the composition of many other drugs.

The recommendations of the NRC will have a major impact on the pharmaceutical industry. FDA Administrator Charles C. Edwards estimates that his agency will initiate between 35,000 and 40,000 actions as a result of the review; some 167 drugs already have been removed from the market.

The food processing and manufacturing industry also may be affected in major ways by a study the NRC Food and Nutrition Board is conducting for the FDA. The study's objective is an unprecedented setting of nutritional guidelines for many prepared foods.

FDA officials do not admit to having delegated their regulatory authority. Said Dale R. Lindsay, associate FDA commissioner for science: "We are grateful for their help, but we are the operating agency and cannot delegate to them our responsibilities."

Nevertheless, although the NAS recommendations may not be implemented without FDA action, the crucial decisions over both the drugs and the foods emanate from the NRC committee.

In addition, the FDA's use of the academy enables the agency to speak with greater authority. Said David Z. Beckler of the Office of Science and Technology: "It is unlikely that the FDA could have executed the drug review and removal without academy backing. There would have been too much industry and probably too much congressional opposition for them to have tackled this task alone."

Environment studies—Several other NRC committees are in similarly influential positions.

Foor example, recommendations of the Committee on Biological Effects of Atmospheric Pollutants to the National Air Pollution Control Administration are likely to become, with little change, the basis for state air pollution standard-setting.

And the new Environmental Protection Agency will be under strong pressure to accept the results of an NRC study of the biological effects of radiation as the basis for setting radiation protection standards. The chairman of the Joint Atomic Energy Committee during the last session of Congress, Rep. Chet Holifield, D-Calif., said he wanted the EPA to follow NAS radiation recommendations "or show the reasons why they aren't doing so."

DIRECT INVOLVEMENT

The academy in the past has resisted approaching too close to the role of the final decision maker.

Thus, it has become unhappy with an arrangement under which it helped to decide which persistent pesticides—chemicals whose toxic characteristics persist in the environment—should be removed from the market.

Until establishment of the EPA, responsibility for regulating pesticides was in the Agriculture Department. The NAS, under a 1965 agreement, supplied Agriculture with a list of referees to make final decisions when a department ruling removing a pesticide was challenged. From the full list, the department would choose a small group to decide individual appeals.

The academy's uneasiness, said Paul L. Sitton, Handler's assistant, arose from the involvement of its name in the final stages of direct regulation and from its lack of full control of the referee committee which would speak in its name. A new arrangement will be negotiated with the EPA.

CONGRESS

In the past, most requests for NAS advice have come from executive agencies; but recently Congress has begun to write the academy into legislation. Sitton said there are two reasons for this: an increase in the number of public issues which require scientific and technological expertise, and the fact that Congress and the executive are controlled by different parties.

"Congress naturally is searching for alternate data and answers to keep the Administration honest," Sitton said. "And they are turning to us as an independent source of information."

During the last session of Congress, the name of the NAS became involved in three legislative actions:

An amendment to the fiscal 1971 Defense Department authorization bill (84 Stat 905) directing the Pentagon to contract with the academy for a study of the ecological effects of herbicides in Vietnam;

A Joint Atomic Energy Committee bill (HR 18697), one section of which would have required the Environmental Protection Agency to go to the NAS for advice on radiation standards;

The 1970 Clean Air Act amendments (84 Stat 1676), which named the academy as the organization to monitor the technology of automotive pollution control.

In the last two instances, the academy was caught between conflicting forces which had different ideas of what a statutory role for the NAS would mean in terms of public policy.

The academy, which under its charter does not have to take on federal jobs it does not want, failed to make clear the conditions under which it would accept the responsibilities envisioned in the bills. The silence gave rise to suspicions in Congress that the academy was being used to support the goals of the joint committee in one instance, and of the Nixon Administration in another.

RADIATION

In the case of the joint committee bill, a number of Senators—including Edmund S. Muskie, D-Maine; Mike Gravel, D-Alaska; and Philip A. Hart, D-Mich.—maintained that a statutory advisory role for the NAS on radiation standards would undermine the power of the EPA to exercise independent judgment on radiation hazards. The White House supported that view.

Both sides claimed academy sanction. A White House staff member told *National Journal* while action on the bill was pending in the Senate that the NAS was "very unhappy" about the wording of the bill. Holifield said he had conferred with an NRC staff member before the bill was introduced and had obtained his approval.

In fact, the academy, which since 1959 had been advising the Federal Radiation Council on radiation standards, stood ready to perform the same function for the new EPA. It was surprised by criticism of the wording of the bill, but chose to remain silent rather than to clarify its position. Senate opposition to the radiation standards section finally forced the Joint Atomic Energy Committee to delete it. Clean air: In the case of the clean air bill, a proposed role for the NAS first came up in House-Senate conference when a deadlock developed over deadlines in the Senate version on reduction of automobile pollution. A House Interstate and Foreign Commerce Committee staff member contacted Handler to discuss legislative language under which the NAS would be assigned the task of recommending extensions in the deadlines.

The Nixon Administration opposed the Senate deadlines. And, in a Nov. 17 letter from HEW Secretary Elliot L. Richardson, it recommended eliminating them and basing the automobile manufacturers' timetable for eliminating pollution on recommendations from the NAS or the NAE following technological studies.

According to Handler, the Administration had not previously contacted the academy, and he first read about the Richardson proposal in the newspapers the next day.

Muskie said on Dec. 1 that he did not want automobile emissions monitoring "buried in the bureaucracy of the National Academy of Sciences."

Richard Wilson, a staff member of Muskie's Air and Water Pollution Subcommittee of the Public Works Committee, told *National Journal:* "There's no real hostility toward the National Academy of Sciences here, just bewilderment. In these two bills they seemed to have allowed themselves to be used for other people's purposes."

Herbicides: In talking of the problems presented by the two bills, George Kistiakowsky said: "The Senators and their staffs have telephones, too. They have only to call us anytime to find out our position."

Sen. Thomas J. McIntyre, D-N.H., did just that, with happier results for both sides, before he introduced his amendment directing the Pentagon to contract with the NAS to study the ecological effects of herbicides in Vietnam. McIntyre called Handler, and after some discussion a mutually acceptable wording was worked out before the amendment was actually introduced and adopted as part of the defense authorization bill.

Liaison: In all three instances, the academy failed to take the initiative in contacting officials who were thinking of writing it directly into legislation.

Liaison between the academy and Congress has always been weak. Sitton and another NAS staff member, Robert E. Green, perform some behind-the-scenes chores, but they are kept on fairly close rein by Handler and the NAS council. Handler admitted, how-

ever, that "probably we shall have to become more knowledgeable about what's happening on the Hill."

"It's true," he said "that we just don't have the long-standing and relatively comfortable relationships up there that we do with executive agencies."

In discussing the experience of the last session, he said: "We'll have to take our chances on the criticism; and I can only say that we didn't seek these tasks, and we'll do no man's bidding."

GUARDING ITS FLANKS

The academy is protected to some extent from political issues by its congressional charter, which gives it the unusual status of a private organization fulfilling a quasi-public function.

"Nobody can force us to take any task against our will," Handler said, "and every once in a while we have to rear back on our haunches to remind government agencies and Congress of that fact."

But the NAS is not likely to use this protective shield often because of its desire to help solve problems and because of rising pressure from government agencies for advice.

Nonetheless, NAS leaders worry about being used for baldly political purposes. They are trying to protect the academy against that and to maintain its credibility as an independent adviser. For example, the academy is taking steps to:

Make sure that agency questions are carefully worded so that NAS answers will not be misconstrued;

Balance interests and biases in appointing members to study committees;

Review carefully the quality of studies before delivering them;

Monitor the uses and misuses of NAS recommendations once they are delivered.

CONTRACTS AND PERSONNEL

"Fifty percent of our job," said Coleman, the NAS executive officer, "is to identify the right people to do a study and get the question asked us in the right form."

Contracts—The perception of "the right form" for questions is changing at the NAS.

The change arises partly out of concern that the public has misconstrued past NAS studies. It also reflects the view of NAS leaders that the academy should be performing services of more direct relevance to political arguments on technological issues.

The academy is finding it distasteful to perform extremely narrow studies of peculiar aspects of highly controversial issues. Its leaders were unhappy, for example, when studies on the SST commissioned several years earlier led to a public impression in the late 1960s that the NAS backed the development of the aircraft.

The academy, under contract with the Federal Aviation Administration, had been asked to look only at the effects of the sonic boom resulting from supersonic operations of the SST. It concluded, in effect, that the detrimental aspects of the sonic boom alone would not be enough to warrant halting the program.

"Yet," said Brooks, "when the reports were published, it was thought that we had endorsed the SST."

Said Kistiakowsky: "The contract was so worded that we were bound to end up a participant in the SST promotional program. If we were going to do such a study, we should have insisted on looking at the total environmental effects."

"Something of the same thing happened several years ago," Brooks said, "in the agreement we signed with the Defense Department to check to see if the Midwest Research Institute had surveyed all the literature that deals with the ecological effects of herbicides.

"We took the task and found that they had looked at everything—only to discover too late that we had appeared also to have endorsed the institute's conclusions about the policy of defoliation."

Today, the academy is more cautious in defining its contracts with federal agencies. For example, it is insisting that the Pentagon make available all information pertinent to its study, ordered by the McIntyre amendment of the ecological effects of herbicides used in Vietnam.

Personnel—The academy also is taking new precautions in choosing people to man its study committees.

In the past, personnel matters were rarely controversial. For example, when the NAS-NAE Environmental Studies Board was created in 1967, three of the eight board members, chosen by the academies—including the chairman—were men associated with oil and electric power companies.

When criticism of these selections arose, Seitz, the NAS president, defended the board's composition, holding that scientists and engineers could be expected to "sublimate a large part of their personal ambitions when acting in the name of the academy."

"There's still some tendency over there," said Ned D. Bayley, director of science and education for the Agriculture Department, "to think that scientists are scientists and to fail to see that, while a man may not be dishonest, he can bring to a committee a particular point of view."

Full-time executives in the various NRC divisions said that putting together committee rosters is one of their most difficult tasks.

"We try to balance out all points of view," said Russell B. Stevens, executive secretary of the NRC Division of Biology and Agriculture, "but the way we go about it has to be damned informal. There is no national roster or computer to help us, and so we end up talking with people we trust and trying to stay alert."

Coleman said a major responsibility of his job is montoring the several hundred NRC committees and seeing that the lists, which are first generated in the individual divisions, are balanced.

"If there's some reason to believe that the committee roster just drifted up through the bureaucracy," he said, "then we step in with questions. And we give a good deal of attention now to any panel that's likely to be controversial."

Despite the increased precautions, the NAS still gets criticism.

Over the last four months, Handler has exchanged an acerbic series of letters with Sen. Gravel over the composition of the NRC advisory committee to the Federal Radiation Council, which is about to embark on a two-year study of the biological effects of radiation on humans. Gravel has said that the committee is stacked with scientists beholden to the Atomic Energy Commission, and cannot assess radiation hazards impartially. Partly in response to this criticism, the NAS has expanded the committee, adding scientists without AEC connections.

REPORT REVIEW COMMITTEE

One important recent move by the NAS to protect itself against political or public embarrassment is creation of a Report Review Committee to scrutinize all reports of the NAS-NAE-NRC dealing with sensitive issues.

Kistiakowsky, who is chairman of the committee explained: "The academy council has been disturbed for some time about some of the documents going out under our name. A few were of low quality or badly biased, and some were just parochial. What we lacked was a quality control mechanism that all other public bodies consider essential. The review committee fulfills that function."

All NAS-NAE-NRC documents go through this channel now, although the committee expects to read carefully only one in 10 or 20.

Kistiakowski said of the results to date: "For the first time we know what's going to be issued. Before, we sometimes got surprised—and not always pleasantly—when we read in the morning papers what an NRC panel had said."

Guidelines written by Kistiakowsky stress that the committee must not second-guess the original authors or substitute its own views for theirs. The questions for the reviewing members are whether the report is clear, convincing, complete and fair, and "Could the 'conflict of interest' issue harm the report?"

The review committee is giving close attention to an evaluation the Environmental Studies Board is about to publish on the environmental impact on Jamaica Bay (Long Island, N.Y.) of a projected expansion of Kennedy Airport.

AGENCY USE OF ADVICE

The NAS has had some problems in defining the limits of its responsibilities in giving advice to federal agencies. It obviously cannot require an agency to act upon its recommendations; but it can create pressure by making its findings public.

NRC staff members interviewed by *National Journal* were divided on what the academy should do to follow up its recommendations.

Some said the academy's responsibility is discharged when a report is submitted—that what the agency does with the recommendations is its own business. The contracting government agency, they said, has a right to consider the information privileged until it sees fit to publish or act on it.

Others said the academy should insist on publishing its studies independently.

Burying reports—The NAS was embarrassed in 1969 when a Senator disclosed that the academy had allowed the AEC to bury a controversial report. The report, submitted in May 1966, was critical of the AEC's practices in disposing of radioactive materials wastes.

Shortly after the report was submitted, the NRC committee which had prepared it was abolished. In 1968, the NAS established a new committee with similar functions.

In the fall of 1969, constituents of Sen. Frank Church, D-Idaho, complained about burial of radioactive wastes in their state. Church, in the course of investigating the matter, discovered the 1966 NRC report. His efforts finally forced the AEC to publish the critical evaluation.

Church's ire was directed at the AEC, but Mike Wetherel, the Senator's legislative assistant, told *National Journal:* "We were surprised that the National Academy of Sciences let so critical a report be buried, and also wondered at the reappearance of a new committee a year or so later."

M. King Hubbert, a geologist and a member of the academy and of the original committee, said: "That report was suppressed with direct acquiescence by President Seitz, and the committee was reconstituted because we'd become a thorn in the side of the AEC."

An NRC staff member told *National Journal* there was some feeling at the time that, as the AEC claimed, the original committee had exceeded its mandate and expertise.

Handler indicated that the NAS is making efforts to see that its reports are not buried.

"Our contracts today in most circumstances specify an independent right to publish our reports and make them available publicly," he said. "And I'm sure we would find means to make our recommendations known if we felt an agency had not acted just because it found our views uncomfortable."

In negotiations with the Pentagon over terms of the Vietnam herbicide study, the NAS is insisting on the right to publish its findings independently.

Confidential advice—Despite concern about failure to act on its advice, the academy maintains some confidential advisory relationships with government bodies—

aside from classified work it performs for the Defense Department.

Sometimes, Coleman said, these arrangements are made with new departments or agencies which "just don't have the staff or technical apparatus to handle certain research questions. They don't want to admit to Congress or the public that they lack this capability. So they come to us. We try to keep this kind of thing quiet."

NAS committees also meet privately with industry groups occasionally.

For example, the NAS Food Protection Committee gets together sometimes behind closed doors with an industrial food liaison committee, composed of food processing company representatives.

The committee, an NRC staff member said, tries "to act as a kind of early warning system about possible problems in food processing. It needs a confidential relationship with industry in order for both to speak candidly."

James Turner, of Ralph Nader's Center for Study of Responsive Law, has criticized this arrangement. "What this means is that the food industry has a direct input into the committee," he said. "Yet there is no comparable spokesman there for the consumer. Why should industry have this special position?"

NAS AND INDUSTRY

NAS activities often put the institution in a position to affect the operations and profitability of large U.S. industries. The desire of NAS leaders to increase the academy's role as adviser to government will enhance that potential.

AWARENESS

Industry leaders are not all aware of the academy's growing importance in the technical aspects of public policy making.

NAS Treasurer Emmanuel R. Piore, who is vice president and chief scientist of International Business Machines Corp., explained:

"Generally, industry awareness of academy activities depends on two factors. The first is whether the academy is engaged in work that directly affects your industry—then, obviously, it's likely you've become knowledgeable about what they're doing.

"Beyond this, awareness of the academy is greater in those industries with highly technical and complex scientific components. For instance, both the electronics and chemical industries have made extensive use of some of their committees' reports."

IMPACTED INDUSTRIES

Talks with representatives of industries directly affected by NAS activities revealed a fairly general consensus that academy involvement is welcome. Especially among industries facing public controversy, there is a growing sense that the NAS is useful as an arbiter in disputes over the effects of their products.

Industry spokesmen said academy involvement has relieved them—and the government regulatory agencies with which they deal—of some of the political pressures surrounding questions of public health.

(While relatively few scientists employed by companies are elected to NAS membership, the academy tries to see that corporate scientists sit on NRC committees which deal with matters of interest to their industries.)

Atomic power—Howard M. Wintersen, president of the Atomic Industrial Forum, trade association for firms interested in nuclear development, said of the NRC committee's review of radiation standards:

"We welcome their study. There's a lot of irrationality on the issue of radiation hazards, and only through the efforts of some impartial body like the NAS can we get back to a more balanced view of the problems involved. This is especially true with the AEC under fire and with the EPA not yet on its feet."

Food and drugs—Spokesmen for the drug and food processing industries made similar remarks about the academy.

C. Joseph Stetler, president of the Pharmaceutical Manufacturers Association, said of the NAS drug efficacy study:

"The drug industry certainly was in agreement with turning the problem over to the academy. There was no possibility the FDA could have handled it alone. It lacks the expertise now, and it is unlikely in the future to develop the ability to attract and pay top scientists."

Dr. Kenneth G. Kohlstaedt of Eli Lilly Co. agreed with Stetler:

"While we do not agree with all of the individual decisions, the committees provided a rational and impartial solution to the problem. And with the wild allegations about some drugs coming out of congressional hearings, it was imperative that these questions be settled with some dispatch."

Herman P. Schmitt, a vice president of the National Canners Association, said of the academy's role in establishing food nutrition guidelines for the FDA:

"We think they have put together a balanced and fair committee to make the recommendations; and they will hopefully take some of the huge pressures off the FDA."

Schmitt said a systematic, impartial approach is particularly needed now because of the "allegations of some of the 'so-called' consumers' representatives."

NADER GROUP

The academy's activities, its connections with industry and its ties to government agencies may be the subject of a special study by Nader's Center for Study of Responsive Law.

Udall, in publicly proposing the study on Dec. 30, suggested that Nader assemble "a team of exceptional young scientists" to conduct it. The Nader center is considering whether to undertake the study.

Turner, one of five full-time professionals employed by the center, said he believes some NRC committees—particularly those involved in food protection, drugs and the toxicity of pesticides—are too closely connected with the industries whose products they are studying. Scientists manning these committees, he said, often come from laboratories whose activities are dependent upon industry funding.

Beyond this, Turner said the entire regulatory process is being adversely affected by the use of the NAS. "The major problem," he said, "is that regulatory agencies like the FDA keep shunting more of their tough problems to the NAS and then taking the attitude that this absolves them of responsibility. This practice is eroding the regulatory process and being used as a ploy to duck important questions, defuse criticism and lull the public into believing that all's well because the academy has been brought in."

Turner added: "No matter what their prestige we should not turn over these tough questions to such a private organization. They are not subject to the freedom of information act and represent a step backward from open and public decision making. It's difficult enough to deal with the secrecy of public agencies, but the processes and personnel through which NRC committees reach conclusions are impossible to get at."

SOURCES OF FUNDING

The federal government each year supplies most of the money that finances the operations of the National Academy of Sciences, the National Academy of Engineering and the National Research Council. Correspondingly, the three units do most of their work for federal agencies.

For the fiscal year ending June 30, 1970, the NAS-NAE-NRC had income totaling $33,049,401, of which $25,434,539 came from the Federal Government. The organizations received $3,516,257 from various private sources. Most of that came from foundations, although state governments also contributed a large chunk—slightly more than $1 million—for operations of the federal-state Highway Research Board. The organizations also realized $1,521,158 in income from trust and endowment funds which were valued at about $16 million.

Expenditures totaled $30,391,283 in fiscal 1970. Seventy-one per cent was spent on work financed under contract or grant from the Federal Government; 10 per cent went for studies, projects and services for nonfederal agencies and organizations and 19 per cent paid for general administrative costs. These percentages have remained very nearly constant during the past decade, although the budget of the NAS-NAE-NRC has risen steadily. In fiscal 1961–63, expenditures each year totaled a little less than $15 million. A steady rise to the current level began in fiscal 1964.

A list of federal sources of funding for the NAS-NAE-NRC for fiscal 1970 shows that most federal funds came from agencies which are heavy users of advanced technology.

NASA	$4,810,192
Atomic Energy Commission	4,150,511
Defense Department	3,712,019
Air Force	484,444
Army	1,608,123
Navy	1,619,452
National Science Foundation	3,314,648
Transportation Department	3,294,411
HEW Department	1,941,990
State Department	1,117,702
Agency for International Development	758,853
Commerce Department	626,648
HUD Department	363,637
Executive Office of the President	315,001
Veterans' Administration	300,367
Interior Department	229,022
Agriculture Department	150,681
Treasury Department	107,366
Arms Control and Disarmament Agency	75,440
General Services Administration	64,914
Smithsonian Institution	56,502
Federal Communications Commission	27,456
Federal Radiation Council	17,179
Total	25,434,539

THE NATIONAL RESEARCH COUNCIL: ITS FEDERALLY FUNDED ACTIVITIES

Most of the $25,434,539 in federal funds paid to the National Research Council in fiscal 1970 derived from contracts made with its committees. These committees are assigned to eight administrative divisions and two independent offices of the NRC. Following is a cross-section of major government-funded activities of the NRC.

ENGINEERING

The Engineering Division received $5,257,526 in government contracts in fiscal 1970. Largest contributor was the Transportation Department ($2,866,875), and other sizeable amounts came from the army ($301,099), navy ($389,210), Commerce Department ($271,077) and HEW Department ($255,232).

Most of the division's contracts are shunted to large boards, which serve as holding companies for a number of related committees.

The largest of these is the Highway Research Board, which last year received $329,803 in general operating funds from the Transportation and HUD Departments and also administered $2,772,822 in money taken from the National Cooperative Highway Research Program. In addition, many state highway departments use the Highway Research Board as a dispensing agent for their own research funds. State funds allotted to the board came to $1,325,664 in fiscal 1970.

The National Materials Advisory Board,

which provides technical advice for materials problems, received $295,354 in general funds from the army and NASA last year. The board traditionally has concentrated on defense questions; included among its committees are panels on critical and strategic materials, gun tube technology and the hardening of materials for reentry vehicles. For special studies undertaken for the navy, NASA and the General Services Administration, the board received an additional $151,027 in fiscal 1970.

And advisory committee on data processing systems for the ABM system received $67,054.

The Maritime Transportation Research Board, which is funded jointly by the navy, army and Commerce Department, engaged in studies to improve the technical capability of the U.S. maritime fleet, both military and civilian. In fiscal 1970, the board received $228,673 in general operating funds. In addition, the navy funded a special contract ($85,101) with the ship hull research committee for a study of new techniques in ship hull design, materials and fabrication.

The Building Research Advisory Board received about half of its fiscal 1970 funds ($187,656) from the Bureau of Standards, to pay for activities of the Federal Construction Council, which coordinates technical aspects of federal construction policy. Another sizeable contract ($141,267) was given by HUD to the advisory committee to the Federal Housing Administration.

Finally, the division's committees on pollution abatement and control received contracts totaling $131,831 from HEW for studies on air quality management and for research on solid waste.

MEDICAL SCIENCES

The Medical Sciences Division had $5,122,342 in federal contracts in fiscal 1970, including $3,874,830 from the Atomic Energy Commission for ongoing studies, by the Atomic Bomb Casualty Commission, of the medical records of survivors in Hiroshima and Nagasaki.

Most other federal funds in fiscal 1970 came from HEW ($734,727), the army ($258,577) and the Veterans Administration ($201,000). Much of this money is spent in an effort to derive useful information from the medical histories of U.S. veterans. The division's followup agency, using well-documented military medical records as a base, watches the health of veterans as an aid to research on the natural history of diseases.

With the help of grants from Transportation ($16,396) and HEW ($24,956), the division is studying ways to improve emergency medical services for accident victims, in part by applying techniques developed by U.S. military forces in Vietnam.

The division last year established a new committee on biologic effects of atmospheric pollutants to advise the National Air Pollution Control Administration. The committee's studies will assess current knowledge and research on pollutants and will produce state-of-the-art reports to be used in developing air quality criteria. NAPCA contributed $27,334 for the studies in fiscal 1970.

The division includes the advisory committee to the Federal Radiation Council, which is undertaking a controversial two-year study of the scientific bases for current radiation protection standards. The HEW Department has budgeted $129,500 for the study during fiscal 1971.

The division's Drug Research Board received $75,356 in general support funds from HEW in fiscal 1970, and an additional $13,855 for its drug efficacy study. The study, formally completed in 1969, reviewed nearly 2,800 drugs.

The division also has a committee on problems of drug dependence, but it has not played a major role in growing government activity in the narcotics area.

One of committee's problems has been the nature of its funding; it received no federal money last year and was dependent primarily on appeals to some 50 pharmaceutical firms for money. It received $186,828.

PHYSICAL SCIENCES

The Physical Sciences Division received $2,637,217 in government contracts for fiscal 1970, mainly from the navy ($467,926), NASA ($1,144,425) and the NSF ($548,788). Smaller amounts came from the Commerce Department, the air force and the AEC.

The division includes under its aegis the Space Sciences Board, which in fiscal 1970 received $269,410 from NASA in general operating funds. In addition, the board's summer study sessions received $67,347 from NASA. These sessions produce the academy's major recommendations to NASA on science policy for space projects.

NASA also contracted for specific board studies in the areas of space biology ($112,724) and the problems of long-term manned space missions ($58,062).

The division includes several advisory panels doing work for the armed services. Most work is performed for the navy through two standing committees. The undersea warfare committee, created in 1946, has been closely associated with developments in submarine technology and engineering. It received $260,048 in fiscal 1970 for its work. During the same year, the mine advisory committee received $65,291 for general operations and $142,587 to complete a study (called Project NIMROD) of the role of mines in naval warfare.

The advisory committee to the Air Force Systems Command undertakes studies on problems of military space and missile technology. It received $73,663 from the air force in 1970.

The NSF supported the work of the committee on atmospheric sciences with a contract for $182,457. A subcommittee of the atmospheric sciences committee is now updating an earlier report on current scientific activities in the area of climate and weather modification.

CHEMISTRY

The Division of Chemistry and Chemical Technology had $497,550 in federal contracts in fiscal 1970.

A major portion of the division's federal money is spent on its Advisory Center on Toxicology, which received $172,852 in fiscal 1970. It is jointly supported by the army, navy and coast guard, the AEC, and the HEW and Agriculture Departments.

The center has concentrated on problems of contamination of the atmosphere and has provided advice to the Transportation Department, NAPCA and the navy (on air contaminants in submarines). It was asked during the past year to review 27 NAPCA reports on common air pollutants and to review drafts of air quality criteria documents.

The division maintains a Numerical Data Advisory Board, which promotes use of standard symbols, units and nomenclature in the United States and abroad. It received $53,577 in fiscal 1970 from the Commerce Department.

The Transportation Department gave the division's advisory committee to the coast guard on hazardous materials $107,366 in fiscal 1970, and the committee performed a number of studies on transportation of industrial chemicals and other dangerous materials.

The division established a new committee on radioactive wastes management in 1968. It received $52,377 from the AEC in fiscal 1970.

BIOLOGY AND AGRICULTURE

The Division of Biology and Agriculture received $978,231 in federal funds last year, mainly from HEW, the NSF and the Agency for International Development.

HEW supports ($104,611 in fiscal 1970) many activities of the division's large and active Food and Nutrition Board. Activities of the board's committees include advising on establishment of food nutrition guidelines and evaluation of data from HEW's national nutrition survey.

AID sponsors ($137,020 in fiscal 1970) several committees that deal with biological or agricultural problems of international consequence, such as foot-and-mouth disease.

The Agriculture Department contributes little to the division; its largest contract last year ($38,473) was with the committee on animal nutrition.

The important food protection committee received sizeable contributions from nongovernmental sources; food processing companies and foundations provided $62,162 in fiscal 1970.

BEHAVIORAL SCIENCES

The Behavioral Sciences Division received $625,002 in federal contracts in fiscal 1970.

The largest single contract ($119,563), funded by a number of agencies, supported the activities of a committee studying problems of vision and hearing under unusual environmental conditions.

The division has established an advisory committee to the Census Bureau that studies such problems as underenumeration of certain economic and ethnic groups. The committee received $49,064 from the bureau last year.

A committee on basic research in education, which reviews research proposals for the Office of Education, obtained contracts totaling $68,084 for its work.

The advisory committee to HUD, which is looking into the problems of "social mixing" in housing, received $31,780 in fiscal 1970.

The Office of Economic Opportunity contributed $114,572 in fiscal 1970 for studies by two committees. One is assessing the effectiveness of OEO's Institute for Poverty Research at the University of Wisconsin. The other is charged with designing an institutional arrangement for study of the problems of rural poverty.

EARTH SCIENCES

The Earth Sciences Division advises federal agencies on earth and ocean science programs and supports U.S. scientific groups participating in international earth science research.

The division had federal contracts in fiscal year 1970 totaling $541,324, divided mainly between the navy ($70,568), the Commerce Department ($81,679), the Interior Department ($81,147), and the NSF ($92,256).

One major project of the division is a study undertaken for NSF on the causes and effects of the Alaskan earthquake of 1964. For fiscal 1970, the study received $79,670. The final volume of an eight-volume report is due next October.

The division's committee on oceanography serves as a general adviser to government on oceanographic programs. Several agencies contributed a total of $70,568 to the committee in fiscal 1970.

An advisory committee to the Environmental Science Services Administration (now part of the Commerce Department's new National Oceanographic and Atmospheric Agency) received $69,660 in fiscal 1970. It evaluates ESSA programs and makes suggestions for new areas of study and action.

OTHERS

The Division of Mathematical Sciences received $61,820 in federal funds in fiscal 1970, mostly to support U.S. participation in the International Congress of Mathematicians.

The Office of Scientific Personnel's chief activity is administering various fellowship and research associate programs for NASA and other agencies; it also conducts manpower studies. The office had a budget of $6,545,439 in fiscal 1970.

The Office of the Foreign Secretary, with $1,375,713 in fiscal 1970, administers exchange programs for scientists with Russia and other Eastern European countries, as

well as programs to provide scientific development aid to developing nations.

SCIENCE REPORT/HANDLER MOVES TO MAKE ACADEMY MORE ACTIVE, USEFUL AS FEDERAL ADVISER

(By Claude E. Barfield)

The National Academy of Sciences is reappraising and reforming its internal operations, as NAS leaders attempt to expand the academy's usefulness to government.

Discreetly but persistently, NAS President Philip B. Handler is trying to shake up the institution he has headed for the past 18 months.

Handler's activist policies are meeting with resistance within the slow-moving academy. Nonetheless, NAS leaders seem committed to changing the venerable institution and to thrusting it deeper and deeper into advising on controversial federal policy decisions.

In moving toward reform, Handler and the NAS are responding to two kinds of pressure:

Increasing demands from government agencies and from Congress for advice on technological issues;

Increasing difficulties in finding federal dollars to support independent scientific research.

REORGANIZATION

The pressure from government for advice on controversial issues already has prompted the academy to effect some changes. In a quality-control move, the NAS has established a high-level report review committee to monitor the pronouncements of the numerous committees working under the National Research Council. To guard against conflict-of-interest charges, the academy is paying closer attention than ever before to the composition of these committees. (See No. 3, p. 107.)

But Handler also is seeking to effect more basic reforms so as to increase the academy's ability to deal directly with pressing issues of the times.

With backing from the governing NAS council, he is trying to reorganize the academy so that its advisory tasks no longer will be handled predominantly through the traditional narrow lines of scientific disciplines. Handler wants a multidisciplinary approach to increase the quality of the academy's advice and broaden the range of its tasks.

In a related effort, Handler is working to admit greater numbers of social and behavioral scientists to the academy's membership.

This would enable the academy to take on more jobs like one it is performing for the HUD Department: looking into the politically volatile question of mixing socioeconomic and ethnic groups in federally sponsored housing.

The NAS also is moving slowly to lessen its dependence on government—to gain some initiative in choosing the kinds of tasks it will undertake.

SCIENCE POLICY MAKING

Prompted by a dearth of federal funds, the academy, in addition, is trying to play a more significant role in advising the government on where to spend its science-support money. Handler has directed the NAS Committee on Science and Public Policy to tackle the difficult questions of priorities among the various scientific disciplines—a task the NAS has until now evaded.

RESISTANCE TO ACTIVISM

Philip Handler has spoken often and forcefully in recent months of his desire to move the academy into new areas of activity. But he has met resistance in the ranks of the NAS membership.

"There certainly are members," he said in an interview, "who believe that when the academy moves out of its traditional areas of pure science and into the areas of societal needs, we are making a mistake. Some think we are already overextended in that direction, but they are obviously not close to a majority or we wouldn't be doing what we are doing, and I wouldn't be here."

Another leading member of the NAS, while supporting the direction of Handler's thinking, struck a moderating note. "We do have a responsibility to be cautious and not to dissipate our strength and prestige," said Harvey Brooks, chairman of the NAS Committee on Science and Public Policy. "We can't cover the waterfront, and it's important to maintain our long-term credibility even at the expense of short-term accomplishment." Brooks is dean of engineering and applied physics at Harvard University.

Handler's moves toward reform are resisted by some within the NAS who resent his firm, centralized direction of the academy's affairs and by some who believe the NAS has become too much involved in government work.

CENTRALIZATION

Some prefer the days when the academy's affairs were more decentralized. NAS member Marion King Hubbert, a geologist at the U.S. Geological Survey, said: "The organization of the NAS today is essentially an authoritarian blueprint. This allows a small number at the top to do things in the name of the academy that they have no business doing. Many of the members don't know what's going on and are never consulted." Hubbert dates the most baleful results of centralization of authority and lack of democratic procedures to the presidency (1962–69) of Frederick Seitz.

Johnson Administration—George B. Kistiakowsky, professor of chemistry at Harvard University and vice-president of the academy, said he believed that Seitz's assertion of authority was necessary.

"Many of the problems in the past came about first because the NAS was an 'absentee owner' of the NRC," he said. "The NRC structure was allowed to proliferate in an uncontrolled fashion without direction."

But, Kistiakowsky said, Seitz misused the authority of his office: "President Seitz more and more came to think of the academy as a servant and appendage of the (Johnson) Administration. Once you see yourself in that way, there's little choice about the type of job you'll take—or ultimately about the quality of advice you'll give. Fortunately, Dr. Handler has reasserted our independence."

ANTI-DEFENSE ATTITUDES

Disenchantment with NAS work for the Johnson Administration was shared by other academy members. It resulted in large part from the identification of Seitz and of the academy with the defense establishment at a time when the Vietnam war was becoming increasingly unpopular.

Seitz both chaired the Defense Department's science advisory body, the Defense Science Board, and was a member of the President's Science Advisory Committee.

Donald M. MacArthur, who was deputy director of Defense Research and Engineering during the Johnson Administration, told *National Journal:* "From 1965 on, there was a growing vocal group in the NAS which didn't want to have anything to do with the Defense Department. They split that organization right down the middle, and Seitz finally left to keep peace in the family."

Seitz, who is now president of Rockefeller University, agreed that there has developed an anti-defense attitude in the academy.

"It's part of a general anti-DOD attitude in the whole scientific community," he said, "and also the result of certain groups of scientists who have worked their way in fostering such an attitude in the academy."

Asked about the current attitude of the academy toward advice on defense, Handler said: "It is true that our members are increasingly uncomfortable when we become engaged in work which by its intrinsic nature has to be classified. My own belief is that unless we are truly unique for the purposes of the Defense Department, we should not become involved."

Handler has declined to serve on the Defense Science Board on grounds that he knows nothing about the military.

Outside pressure—The wariness of government work developed by some NAS members during Seitz's tenure has not faded away, and it presents problems for Handler as he seeks to expand the academy's advisory role. Moreover, young scientists and students who are severely critical of extensive links between scientists and government have challenged the academy's activities for the government—particularly its contracts with the Pentagon.

Handler has been visited on occasion by groups of students who have told him that the NAS should sever all ties with the government. "This is nonsense," Handler said, "because our charter says we are here to advise the government; and if we stopped that there'd be no basis for our existence."

Handler said most of students' ire is really directed at the Defense Department, and added: "While I want to minimize classified research, it is outrageous to be told we should have nothing to do with the DOD. I, too, hope for the day when we don't need a Defense Department, but as long as we have to have one, it should be a good one—and we must assist it."

In fiscal 1970, the Pentagon disbursed $3,712,019 to the NAS, ranking it third among government agencies in terms of financial support for the academy.

PROBLEMS OF ORGANIZATION

Handler's drive to broaden the range of academy activities has been impeded by critical, and thus far intractable, challenges concerning organization. These include:

Restructuring the NRC from its traditional disciplinary divisions along more flexible problem-oriented lines;

Creating mechanisms to ensure the election of more social and behavorial scientists into the NAS;

Working out a more satisfactory relationship with the fledging National Academy of Engineering;

Fashioning a new institute within the NAS for medical doctors, in order to head off a possible drive for an independent medical academy.

PROBLEM-ORIENTED APPROACH

Handler views the first two organizational reforms as vital to changing the advisory role of the NAS and the NRC.

The societal problems that he and other NAS leaders want the academy to become more involved with cut across the tidy lines of scientific discipline within which the academy traditionally has approached problems. So Handler is attempting to institute a multidisciplinary approach to NAS work in which, for example, reports on environmental problems might get major contributions from chemists, biologists, medical doctors, physicists, engineers and even behavioral scientists, all working together.

Regarding his initial priorities, Handler told *National Journal:* "My first concern was that the NRC was not adequately structured to accomplish its objectives. It is presently organized as a kind of mirror image of the disciplines represented in the NAS. Unfortunately, the problems of society don't come in equivalent packages. Problems of the ghetto, health care and pollution, for example, require large multidisciplinary inputs."

Directly related to this difficulty is the shortage in the NAS of social and behavioral scientists—specialists in such disciplines as history, economics, political science and sociology. "The credibility of the reports we are being called upon to make," Handler maintained, "will be called into question unless

the academy includes these disciplines in its ranks." Of 860 members, the NAS currently lists less than a dozen behavioral scientists, although the NRC has a Behavioral Sciences Division. The academy's complex nominating and election procedures intrinsically favor selection of scientists in those disciplines already firmly entrenched in the NAS.

LONG REPORT

In the fall of 1969, Handler appointed a committee headed by Franklin A. Long of Cornell University to make recommendations on the restructuring of the NRC.

The committee suggested replacing the present NRC discipline divisions with 10 new problem-oriented institutes: health, environment, transportation, defense, scientific personnel, agriculture, urban, communications, space and material standards.

A second and more controversial proposal suggested the creation of four new subacademies under the parent NAS: physical sciences and mathematics, engineering, health sciences, and life and social sciences.

The latter proposal reflected Handler's and the NAS council's deep concern that there may be a proliferation of new academies, each with a congressional charter.

The magnitude of the changes proved too much for the cautious, slow-moving NAS membership.

According to Emanuel R. Piore, vice president and chief scientist of International Business Machines Corp. and treasurer of the NAS: "The members rebelled against the plan because they didn't understand it and got scared of the consequences. They'll now probably be given something along the same lines under another name. Sooner or later, the NRC has got to be modified."

Hubbert said: "What we didn't like about it was the secrecy. It was sprung on the membership after much secret spadework at the top." The Long plan was mailed to the NAS membership on April 1. The academy's spring meeting was held April 27–29, and at that session the members voted to defer action on the plan, in effect killing it.

PARTIAL CHANGES

With sweeping reorganization rejected for the moment, NAS officials have tackled organizational difficulties piecemeal.

Relations with NAE—The most time-consuming and delicate diplomacy involves the relations between the NAS and the NAE.

John S. Coleman, executive officer of the NAS, said: "The general problem stems from the fact that the NAE, understandably, is not happy with being a dependent component. They point out that at any time the NAS Council could wipe them out entirely." (Under the 1964 arrangement, the engineers have their own bylaws, governing board and admission policies. Legally, however, they remain entirely under the original NAS congressional charter.)

Coleman also noted: "They're a young organization and want to achieve their own identity and image—they want a bigger piece of the action."

Some of the problems stem from the different backgrounds and modes of thinking of the two academies' memberships.

Members of the NAS are primarily academics (about 635 of 860); members of the NAE are drawn largely from industrial and engineering firms (about 190 of 325).

Ernst Weber, chairman of the NRC's Division of Engineering, who has been deeply involved in working out the difficulties, said: "The NAS academics tend to think that industry, in being profit-oriented, is somehow dirty and tainted and cannot give truly independent advice. On the other hand, the engineers think that academics often have their heads in the clouds and are not attuned to the real world."

NAE President Clarence H. Linder, Coleman and Weber all said they were optimistic that a satisfactory arrangement would be negotiated. But staff members below them in the NAS-NRC hierachy said they were pessimistic about prospects for harmonious resolution of conflicts between the NAS and the NAE.

The specific point at issue at the moment seems to be the joint use of the NRC. The NAE feels, as one staff member put it, that the "vascularization" (leading veins and arteries) of the advisory body is still too much oriented toward the NAS.

Institute of Medicine—In another attempt to head off a proliferation of academies, the NAS is creating a new Institute of Medicine. Medical doctors, like the engineers, have been demanding a separate organization. (There are only about 30 M.D.s in the NAS.)

Dr. Irving Page of the Cleveland Clinic, one of the leaders in the doctors' drive, told *National Journal:* "We really don't care about the form the organization takes as long as it works. The NAS got burned with the NAE and understandably wanted to avoid that alternative this time." The institute eventually will have about 400 members and will focus on the health care system and its problems.

Transportation division—A significant step to solve the problems of parochialism in NAS transportation activities will be taken if, as expected, the NAS Council decides to establish a new NRC division on transportation.

The NAS, in its current organization, does not have the capability to examine over-all problems of transportation. Its transportation activities long have been dominated by the big Highway Research Board, which is funded by federal and state agencies. Civilian and military maritime problems are handled by the NRC Maritime Transportation Research Board.

Both boards, as well as other NRC transportation units would be included in the new division, under a plan drawn up last year by Weber. The NAS council has agreed in principle to implement the plan, although many details remain to be worked out.

CONTINUING PROBLEMS

Reorganizational moves—both those contemplated in the Long report and those being made now—will not solve some problems which have impeded the academy from taking a broader look at issues. These include:

The fact that NRC boards and committees are inevitably dominated to some extent by the thinking of the government agencies which provide their funds.

A shortage of no-strings-attached money which the NAS could use to study issues of its choosing.

If indeed the new transportation division is established under Weber's plan, the Highway Research Board and the Maritime Transportation Research Board would be transferred intact to it—along with their traditional ties of government funding. If, as is contemplated in the Long report, a new defense division were established, the extent and nature of its activities would be dependent on Defense Department funding.

Government officials and NAS leaders alike admit that the ties of NAS units to government institutions—particularly those with long-standing committees and semi-autonomous boards—have limited the scope of their approach to problems.

Said Paul L. Sitton, Handler's assistant: "We have a major problem with the fact that standing committees and boards, once constituted, just don't fade away. NAS goals and society's problems may change, but they stay and retain their original mandate and constituency."

"It's true," conceded Harvey Brooks, "that some of our bodies—the Highway Research Board, the Food and Nutrition Board, the Building Research Advisory Board and the Space Science Board, for instance—may be constituted too completely with those who have an economic or institutional interest in the outcome of their work."

And William D. McElroy, director of the NSF, asserted: "Some NRC boards and committees should be abolished or at least reorganized. Some are obsolete or just haven't performed their intended function. Others are facing problems that are just too hot to handle as they are presently constituted."

MacArthur, the former Defense Department research official, told of how he influenced the advisory functions of an NRC board while he was in the Pentagon. Explaining his relationship with the National Materials Advisory Board, MacArthur said:

"It took me two years to turn that board around. They were doing textbook studies for graduate students with little application to our problems in the Defense Department. I told them flatly that it was our money and they could do the work we wanted or stop taking the money. Then we sat down and wrote out a new work statement to carry this out."

The boards most frequently cited by NRC critics as needing revised mandates and institutional rearrangements are the two transportation boards and the Space Science Board.

Transportation boards—Richard J. Barber, who was recently hired by Handler to direct a broad study of transportation planning for the academy, explained the reasons for the truncated utility of the Highway Research Board and the Maritime Transportation Research Board.

"The executive committee of the Highway Research Board," he said, "has traditionally been loaded with the old highway guard. They see the board as an adjunct to the ongoing highway program and are just not equipped to perceive transportation problems on a broad scale.

"The same thing is true of the Maritime Transportation Research Board. Its main constituent is the maritime industry which mainly wants help for its own internal problems and the academy name behind it—and not to be disturbed. Both boards tend to answer only the questions of their chief clients."

Space Science Board—The Space Science Board predates NASA; it was created as an advisory body to all government agencies with an interest or mission that included space sciences. But since NASA was created the Space Science Board has in effect become simply the science adviser to that agency.

Prominent nuclear physicist Ralph E. Lapp said of this advisory relationship: "The Space Science Board is a classic example of a recurring problem for the academy. It has to go where the money is . . . In effect, NASA has bought and paid for the board, and thus can use it as it pleases."

However, James E. Webb, former administrator of NASA (1961–1968), said: "We didn't have to have an independent board. Some people urged me to set up an in-house science advisory board that would be easy to deal with; but I wanted outside advice that wasn't a part of NASA."

But Webb noted that "the basic goals of NASA in the 1960s were not scientific."

"President Kennedy," he said, "wanted a man on the moon by 1970, and this was largely an engineering job. Some scientists never understood this. They only knew that one of the biggest programs of the decade had slipped out of their hands, and they've always resented it." Webb said he expected the Space Science Board to accept NASA's basic goals; but within these limits he invited comment and criticism.

Today, said Henry J. Smith, deputy associate administrator for space science in NASA; "the recommendations of the Space Science Board are not ignored, particularly

with the uncertainties about the space program in the 1970s.

"And they have disagreed with us before—and do now—on some issues. For instance, they wanted to fly out all of the Apollo missions (NASA has canceled the final three planned moon flights), and they have never really been happy with the sky lab program."

The agency and the board seem headed for a clash in regard to NASA's plans to launch, in the late 1970s, a "grand tour" of the outer planets—Jupiter, Saturn, Uranus and Pluto. The board will recommend shortly that the probes be canceled as too expensive and too risky.

Smith confirmed, however, that there is a close relationship between the agency and the board. NASA officials attend board meetings largely, according to Smith, to supply it with documents and information. The NRC also confers with NASA concerning membership on the board, though Smith said the agency has never been in a position to veto a selection. NASA also is the sole source of the board's funding.

"There are," Smith said, "no doubt, profound questions about their independence. But these questions do not stem from any attempt on our part to control them—they come from the fact that after so many years the two sides are bound to have developed an identity of interest on many questions."

MOVES TO FREEDOM

The reorganization moves of the academy are intended basically to increase the institution's ability to deal intelligently with the kinds of questions that the government is asking today.

The academy is also taking steps toward independent action—both by undertaking studies of public policy issues without government funding and by seeking out government contracts on broader questions than it might have wished to consider in the past.

INDEPENDENT PROJECTS

The number of nongovernment assignments the NAS can undertake is sharply limited by a critical factor—shortage of cash. The academy receives no unrestricted funds from the government, and its own endowment of about $16 million produced income of only $1.5 million in fiscal 1970. (*See box, No. 3, p. 103.*)

For some time, NAS officials have been unhappy about the restrictions imposed by their financial dependence on the government.

Handler, who has spent much of his time on questions of internal NAS–NAE–NRC organization, said of the endowment problem: "To do the things we want to do, we badly need more independent resources of our own. I have felt, however, that I'll be in a better position to solicit more funds after we've solved some of our internal problems and gotten our house in order."

Development fund—The NAS within the last year has decided to use a portion of its limited endowment income to generate its own studies and reports. The academy's current budget provides, for the first time, for a program initiation and development fund.

The fund, totaling $100,000 in fiscal 1971, will allow NRS divisions to explore and enter into the preliminary planning for activities they consider important, but for which there is no government money readily available.

With support from the new fund, the NRC Behavioral Science Division has already begun work on two problems. The first is a study of the nature and dimension of heroin addiction in the United States, undertaken in conjunction with the medical sciences division. The second is a study of problems of social disorder and social control underlying the current drive in the nation for law and order.

LOOKING FOR WORK

The NAS is attempting to be more resourceful in seeking out broader questions to study for government agencies and then attracting qualified individuals with government experience to conduct them.

Transportation study—A good example is the connection established last year with the President's Advisory Council on Management Improvement. Established by executive order in February 1970, the council has a mandate to improve the administrative efficiency of government management. It has decided to concentrate its first efforts in the field of transportation.

Retired Air Force Gen. Bernard A. Shriever, chairman of the council, is a close friend of Handler, and he approached the NAS president for help and advice. Both Handler and Sitton were eager to offer the academy's services. They recruited Richard Barber to head the working staff of a new transportation planning study advisory committee.

Barber, who describes himself as a "new type" around the academy, has an extensive background in government and in transportation planning. A lawyer and an economist, he has served on the staff of the Joint Economic Committee and the Senate Judiciary Subcommittee on Antitrust and Monopoly. From 1967 to 1969, he was deputy assistant secretary for policy and international affairs in the Transportation Department.

Barber said of the transportation study: "It's really quite different from the kind of thing the academy usually gets involved in. It's a much bigger, less sharply defined area of study."

The plan, he said, is to attack on a broad scale problems associated with federal planning for transportation development.

"We'd like, for instance," Barber stated, "to find out what the mesh is between government transportation agencies and also the interconnections in the private sector between airlines, manufacturers, suppliers, banks and insurance companies. My suspicion is that in all these cases there is now very little communication or sense of common interest."

Barber was quick to note that the emphasis of the committee's recommendations also will be on the practical—both economically and politically. "We won't come up with utopian schemes," he says. "We want something that is viable and possible. And we're not trying to end-run the DOT. We plan to maintain close contact with Transportation Department officials as well as with Domestic Council staff."

Power plant siting—The National Academy of Engineering recently established on its own initiative a prestigious committee to study the increasingly controversial issue of siting of electric power plants.

With the panel about to begin its work, the NAE now is seeking a mixture of funding to support its expenses—from government (the AEC and the NSF), industry and foundations. (*See "hot potatoes" box No. 3, p. 106.*)

EXECUTIVE AND SCIENCE POLICY

Federally supported science activities have come upon hard times. For this reason, the NAS now is edging closer to playing an advisory role for which it is uniquely qualified but which it never before has undertaken—telling the government what its priorities in science spending should be.

HARD TIMES

Fiscal restraints over the past four years have often hit federal science funding unevenly and irrationally. Handler told *National Journal* he estimates that the budgetary restrictions, coupled with inflation, have resulted in a 20 to 25 per cent decrease in federal science support during the period.

At a press conference on Nov. 30, Handler expressed concern about the state of federal science support. "The system is squealing with pain," he said. Handler laid much of the blame for science funding problems at the door of the Office of Management and Budget.

Although Handler later said he was not attacking the Nixon Administration, an account of his remarks in *The New York Times* prompted a letter to that newspaper from Edward E. David, the President's science adviser. The story, David wrote, created a "very misleading impression" about the Administration's commitment to science. That commitment is demonstrated, he said, by the "all-time high" NSF budget in fiscal 1971 ($513 million, up from $440 million in fiscal 1970) and by an 8.7-per cent increase over fiscal 1970 in federal research and development money sent to universities.

PRIORITIES

Nonetheless, the rate of growth of science funding has slowed and has failed to keep pace with rising costs of research.

Decisions about where to allocate federal science money have been made for many years by the President's budget office, because there was no one else to set priorities. A multitude of federal agencies disburse money that helps to train scientists and to support scientific research, but no single voice of science within the federal establishment has ever emerged to state what the emphasis should be within the government's science-support activities.

The NAS, as the most prestigious body of scientists in the United States, might have had a strong say in federal science priorities.

But for many years the NAS has contended that it never speaks as an institution, and NAS officials still say that it true. The academy has always viewed its primary role as that of an adviser on specific, narrow questions of science and technology.

Now Handler is trying to strengthen the voice of the NAS on what general federal science priorities should be.

"It's true," the NAS president said, "that until now we have successfully evaded the question of priorities, and I'm still not sure of our ability to accomplish this task. But with the drastically changed conditions—with no money for young investigators, with no money to make new starts in potentially exciting fields or in some cases to continue work already begun—we have to try to order our values in a way never attempted before."

Handler has urged the NAS Committee on Science and Public Policy to break into the difficult area of making judgments as to the relative merits of federal funding of differing scientific pursuits.

COSPUP

Creation of the Committee on Science and Public Policy (COSPUP) in 1962 marked the first formal step by the NAS to establish itself as a force in federal science policy making. (In 1964, the NAE established a similar committee, the Committee on Public Engineering Policy.)

The initiative for COSPUP came from George Kistiakowsky, who had become convinced of the need for such a group while serving as President Eisenhower's science adviser.

Kistiakowsky says he felt that the individuals and agencies who had responsibility for long-range planning for science (the President's science adviser, the Federal Council on Science and Technology, the National Science Foundation and later the Office of Science and Technology) were being forced to serve the dual functions of advocate and judge.

Kistiakowsky believed the answer was formation of a group of independent, nongovernment scientists who could rationally survey the needs and promise of various scientific disciplines and act as an advocate for the scientific community. The academy bought Kistiakowsky's idea, and he in turn was persuaded to become COSPUP's first chairman. Harvey Brooks succeeded him in 1966.

COSPUP consists of 15 members—a chair-

man and representatives from 14 disciplines represented in the NAS. Membership on the committee is restricted to academy members, and the committee reports directly to the NAS council. The term of service is three years.

While the NAS remains fixed in its contention that it takes no stands as an institution, COSPUP is for all intents and purposes the academy's voice on broad policy.

Impact—COSPUP is potentially the most influential non-governmental voice of science in the United States.

And it has had a discernible impact on some public policy questions—most notably the Kennedy Administration's decision to provide government support for birth control programs.

Jerome B. Wiesner, Kennedy's science adviser, credits the 1963 COSPUP report, "The Growth of the World Population," as having had a significant influence on the government.

Yet, throughout most of its history, the committee has played a largely peripheral role, with its impact on government uneven and discontinuous. This stems partly from a failure to develop and articulate a cohesive rationale for the total federal science-support system or to develop criteria for priorities within and among various scientific disciplines.

"Where was the academy when science could have used farsighted leadership in the 1960s to look ahead to the time when the government's motivation for underwriting science might wear thin?" asked William D. Carey, who was an assistant director of the Budget Bureau until 1969.

While he was at the bureau, Carey said, "We urged them to wrestle with the tough questions of priorities before the squeeze came. Instead of dealing with across-the-board planning, however, COSPUP opted for the easier task of individual discipline surveys."

Discipline reports—As Carey noted, the most extensive activity of COSPUP since 1962 has been the commissioning of surveys of the present state and future promise of specific scientific disciplines.

Reports have been published on many disciplines, including ground-based astronomy, physics, chemistry, plant sciences, mathematical sciences, the behavioral and social sciences and the life sciences.

The reports have become steadily more comprehensive—and more expensive. The first (1964), on ground-based astronomy, cost $27,500; the last two, on the behavioral sciences (1969) and the life sciences (1970), cost about $400,000 and $500,000 respectively. The life sciences report, issued No. 30, involved 180 contributors and includes a massive statistical survey from questionnaires sent to some 26,000 scientists. Funding for the surveys has come primarily from the NSF.

While generally of high quality, the reports have been uneven in their utility for government officials. Hugh Odishaw, executive secretary of the NRC division of physical sciences, said: "Only gradually have we come to understand the problem of dealing with the multiple constituencies who read the reports. The first surveys, while enlightening for the technically trained project officers of the NSF, may not have been entirely comprehensible to the executive agencies and the Congress."

Carey said: "The reports tended to be merely an aggregate of the requirements of a given field, usually asked the expected—for more support—and in the end not a great deal has come of it all."

David Z. Beckler, assistant to the director of OST, was less critical: "They did give us a feel for the quality of research being done in a given area. But it is true that since most of them consciously avoided the direct question of priorities, their impact was limited."

Both the behavioral and like sciences reports were written so as to be more useful to government administrators. And the current committee updating the original physics survey will explictly attempt an ordering of priorities within the field. D. Allen Bromley of Yale University, the chairman of the committee, canvassed a number of government officials to ascertain the kind of report they would like to see done; and OST submitted to the committee a list of questions that, it felt, would help in determining how to support physics.

Cross-discipline priorities—As it reforms the single-discipline reports, COSPUP also is venturing into the complex problems of setting priorities among scientific disciplines.

The difficulties—and traps—of making judgments among, as well as within, areas of research are both intellectual and political.

Of the intellectual dangers, Handler said: "Which scientific payoffs should we most esteem—those which contribute to public health, those which aid the economy or strengthen the national defense—or even those scientific experiments whose goal is simply to illuminate man and his universe?"

"The pressure," said Robert E. Green, executive secretary of COSPUP, "is bound to be in the direction of the most immediately relevant research; and yet the most important gains for society may well come from basic research that today seems remote from our concerns."

There are also more practical risks in venturing into the political process. Said Harvey Brooks, "There is always the danger that if we speak out to say that some phase of biological research is less imperative at the moment than another phase of chemical research, the Congress will drastically cut the biological research without compensatory gains for chemistry."

But Handler views the risks as necessary. "These kinds of decisions are already being made," he said. "If we don't try to bring some greater rationality into the process, the budget bureau, with a good deal less understanding of the issues involved, will continue to be the chief science policy maker."

GOVERNMENT PERSPECTIVE

Officials in the two most important executive agencies charged with policy making for science—the OST and the NSF—acknowledged that the academy has been weak in providing advice on federal science-support priorities. But they said the NAS is improving in this regard, and that they appreciate the advice the academy gives them on matters such as intradisciplinary needs—although the advice is not always practical.

McElroy said of the NAS: "They are exercising an increasingly strong input into policy making through COSPUP. But their biggest impact will remain in the independent, expert studies and evaluations they give to government agencies on major scientific problems or problems with a strong scientific or technological input. Neither the NSF nor the OST has the staff—or mission—to perform this function."

Beckler of the OST said of the NAS: "When they speak out on policy matters, they are listened to over here—even if we cannot always carry out their recommendations to the fullest.

"We look upon them as an enormous asset. Particularly in conflict situations over complex technological qestions, it's of great importance to have an authoritative, independent organization outside the government to whom we can turn."

Personal links—Communication between the academy, the OST and the NSF is facilitated by the personal connections of top leaders in the three organizations.

Before his elevation to the NAS presidency, Handler was chairman of the National Science Board, which is the governing body for the NSF. Handler also is automatically a member of the President's Science Advisory Committee, which is chaired by the President's science adviser, Edward E. David. David, who heads the OST, is a member of the NAE.

Harvey Brooks, chairman of COSPUP, is currently a member of the National Science Board, as is E. R. Piore, treasurer of the NAS council. NSF director McElroy is a former member of COSPUP. Charles E. Falk, who is planning director for the NSF, and David Beckler of OST are invited to most COSPUP meetings.

CONGRESS AND SCIENCE POLICY

"The Congress has had little or no direction from scientists or their spokesmen about the areas in which we ought to be placing primary emphasis," Sen. Gordon Allott, R-Colo., told *National Journal*. Allott is one of few members of the Senate to have established and maintained a continuing interest in science policy.

The NAS has tried, over the past several years, to provide guidance to Congress, but has failed to set down a list of priorities.

"They seem just to be competing for more money," Allott said, "and a fundamental question arises as to whether any scientists are looking beyond their own special interests to the total interest of the country."

The academy has provided its advice mainly to a subcommittee of the House Science and Astronautics Committee—the only panel in Congress with wide-ranging responsibilities for science policy. (Allott derives his interest in the subject partly from his service on both the Defense Subcommittee and the Independent Offices Subcommittee of the Senate Appropriations Committee, which handles NSF funding.)

DADDARIO SUBCOMMITTEE

NAS advice has been given in the form of reports to the Science and Astronautics Subcommittee on Science, Research and Development, which, behind the leadership of former Rep. Emilio Q. Daddario, D-Conn. (1959–71), has become the focal point in Congress for science policy considerations. (*For profile of subcommittee, see Vol. 2, No. 34, p. 1803.*)

Contact between the NAS and the subcommittee began in 1963. Daddario told *National Journal*. "We were badly in need of advice to make intelligent judgments about the many proposals regarding science coming from the executive. Up to that time, Congress had been working in the dark."

On the NAS side, Kistiakowsky said "The academy had gradually awakened to the fact that Congress was making significant decisions on its own regarding science policy and support, and we were still acting as if the executive were the only branch of government."

The contact was facilitated by spadework done by two staff men, Philip B. Yeager, chief counsel for the subcommittee, and Robert Green the executive secretary of COSPUP. Daddario himself eased the way with informal backyard gatherings at his home. Gradually, he said, "politician and scientist came to see that the other was human."

Studies—As a result of these contacts, the subcommittee commissioned a series of studies by COSPUP on a contract basis.

The first questions the subcommittee asked the scientists concerned the correct level of federal support for basic research and the proper balance of support among different fields of research. Similar questions about applied research and technology was asked later.

COSPUP replied with a set of separate essays relating to the first questions in 1965 and a set of 17 separate essays to the second in 1967.

The essays all were by different scientists. Some overlapped, and nowhere did COSPUP make composite recommendations on priorities in science support. But both Daddario

and Yeager said the subcommittee was not dissatisfied.

"We knew," Yeager said, "that they were attempting something few people—and certainly no group of scientists—had yet attempted."

Daddario said: "Their first report was an important factor behind the amendments to the NSF charter in 1968. These amendments (82 Stat. 360) augmented the authority and mission of NSF and went far toward allowing it to become the balance wheel in the federal science-support system."

The last report done by COSPUP for the subcommittee, this time in conjunction with NAE's Committee on Public Engineering Policy, was on technological assessment. It was completed in 1969. According to Daddario, the report was one important factor behind the subcommittee's bill (H.R. 18469) to establish an Office of Technological Assessment. The bill was reported (H. Rept. 91–1437) by the full Science and Astronautics Committee in September, but did not reach the floor of the House. (*See Vol. 2, No. 12, p. 592.*)

Future use: Daddario's retirement from Congress to run for the governorship of Connecticut has left a hiatus in relations between the subcommittee and the academy. Yeager, however, expects that Rep. John W. Davis, D-Ga., the new subcommittee chairman, will use COSPUP in the future for other studies and recommendations.

Yeager said he often gets calls from staff members of other committees who inquire about using the NAS. "The problem," he says, "is with the way the House does business. Most staff people are put off when they are told how complex the process is."

A subcommittee must first get full committee approval for such a contract, and then submit the contract to the House Administration Committee's Subcommittee on Contracts, chaired by Rep. Wayne L. Hays, D-Ohio. "Hays is a tough man to deal with," Yeager said.

Of the Science and Astronautics Committee's success in persuading Hays to fund its contracts, he said, "We were lucky in that the entire committee was willing to go to bat for us before the House Administration Committee."

OUTLOOK

Increasing demands from the federal government for scientific advice and the desire of Handler and other NAS leaders to render that service mean that the NAS will become more and more involved in controversial public policy issues.

The academy's ability to move into broader and more useful areas of study for the government depends in part on Handler's success in reforming the internal organization of the institution.

Beyond that, the academy's effectiveness in dealing with sensitive political issues depends upon its ability to educate itself in the ways of politics and government—to see that its committees are not vulnerable to conflict-of-interest charges, to guard against the misuse of its prestigious name and to maintain its independence from even its most generous government clients.

These are not problems usually associated with scientists and scientific endeavors, but as NSF director McElroy said: "They can't remain above the battle as they've tended to do in the past. They've got to take their chances with the rest of us, and just be more careful as the ticklish political questions come up."

INCOMES POLICY NEEDED

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, thus far the President's method of restoring vitality to the economy has been halting and tentative. While his suspension of the Davis-Bacon Act does provide some slight indication that the President may take a more decisive role in wage-price decisions, he has refused to go beyond singling out this one industry for what amounted to an after-the-fact exercise in wage-price pressure. Secretary of the Treasury Connolly's testimony in favor of discretionary wage-price controls, a reversal of the President's earlier position, also provides hope that the administration will take a more active role. However, the indecisiveness and lack of positive direction remain in regard to the economy as a whole.

The New York Times, on February 28, carried an excellent editorial concerning the Nation's present need for a stronger incomes policy by the administration.

On January 29, I introduced legislation which would provide the more aggressive incomes policy which the Times editorial urges. Entitled the "Emergency Guidance Board Bill," my legislation would create a voluntary wage-price guidance board which after consultation with business, labor, and consumer leaders, would publish a basic set of wage-price guidelines for all major industries and unions. While these guidelines would not be mandatory, any industries and unions planning price and wage increases in excess of the published guidelines would be required to file an economic justification with the Board. The Board would then use the pressure of public opinion to discourage wage-price decisions which were in excess of the guidelines.

The bill would provide a program to deal with the wage-price spiral in a consistent fashion. It would concern itself with all inflationary industries and unions, and not just single out one for special pressure. Chairman of the Federal Reserve Board, Arthur F. Burns, has also advocated this proposal as an effective means of implementing an aggressive incomes policy. Without returning the Nation to mandatory wage-price controls, the Emergency Guidance Board would provide an open means of applying pressure where it is sorely needed, in the wage-price decisions of the private economy, and I urge the President to consider this proposal in place of the inconsistent and confused steps he has taken thus far.

I was quite pleased that a recent editorial in the New York Times supported the approach that I have taken in my legislation. I should like to place the editorial in the RECORD at this time for the information and consideration of my colleagues:

INCOMES POLICY NEEDED

Events are propelling the Nixon Administration toward the development of a national incomes policy, but in such a spasmodic and confused way that it is still impossible to know what sort of policy will emerge.

In order to suspend the Davis-Bacon Act last week, the President had to declare that a national emergency existed. But only a few days before, spokesmen of his Administration were hailing a one-month slowdown in the rate of rise of the consumer price index as evidence that inflation was well under control. Mr. Nixon had to resolve the seeming contradiction by describing construction as a special case, just as steel and oil were described as special cases previously.

What is needed now is a national incomes policy which will bring under genuine control a broad-based inflation that has already lasted far too long and that threatens to continue indefinitely. Is there any reason to suppose that, without a new policy, the country will not see a continuation of seriously inflationary wage settlements and price actions this year?

The nation needs an incomes policy that will be not just a response to present problems but one that it can live with over the long haul. This does not mean a return to World War II-type wage and price controls, with the enormous administrative apparatus that would be required to enforce them if they could be enforced at all. It does mean establishment of a wage-price board which would have limited powers of recommendation in selected industrial disputes or pricing situations that appeared to be of national significance. This would constitute an open means of exerting pressure on the principals through the force of public opinion. But in the end the decision-makers among both management and labor would have to bear responsibility for their own actions.

As voluntaristic as this approach may be, we believe it nevertheless could make a contribution toward changing the inflationary expectations and behavior of labor, business, and the public. Given the heavy cost to the nation of inflation, unemployment, and a continuation of stop-go economics, it is now becoming increasingly urgent that the effort be made.

The president already has stand-by authority granted him by Congress to declare a temporary freeze on wages and prices in all industries. A freeze of extremely short duration, a matter of weeks, would serve two purposes; dramatize the end of the period of inflationary drift, and prevent a last-minute scramble on the part of those who would like to get the final massive wage boost or price increase before the new national wage-price board could be set up. In those few key bargaining situations in which the board decided to become involved, it would have power to postpone, for a limited time, the effective date of wage agreements or price actions until it had a chance to review the case for such actions and to make its own recommendations. If the parties chose to ignore its recommendations, the board would have no further powers of enforcement.

The board would strive to lead the nation back toward lasting price stability by gaining broad acceptance of certain fundamental principles which have now been well established by economic analysis. Most important is the principle that wage settlements in individual industries should be in line with the long-term growth of national productivity. However, this principle need not be a straitjacket; exceptions could be made to deal with inequities resulting from past inflation or to meet special needs of expanding industries.

It is true that past incomes policies have had only partial success—or have failed—both here and in other countries. In the United States, the failure of wage-price guideposts was primarily due to the unwillingness of the Johnson Administration to adopt fiscal and monetary policies adequate to restrain the inflation that resulted from the piling of the Vietnam war on an already fully employed economy. In Britain, the failure of incomes policy under the Labor Government was primarily a result of wavering and unclear guidelines and an unwillingness to stand up to militant trade unions or irresponsible wildcat strikers. But the lack of in-

come policies has produced even worse results, as recent experience has demonstrated both in this country and in Britain.

How to combine price stability with high and growing employment remains the cardinal problem of all modern industrial nations. The Administration, determined to bring about a rapid return to full employment, has the obligation of developing an income policy to assure that expansion will not be accompanied by still further inflation—which in turn could bring about another dose of unemployment-boosting deflation.

NATIONAL COMMISSION ON CAPITOL SECURITY

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, often it takes a calamity to produce action. So it should be with this morning's explosion in the Capitol.

When all the immediate furor is over, the culprit found, and the room rebuilt we will still be faced with serious questions of how we continue to provide the public with access to its Capitol and its representatives while assuring adequate safety and security.

To provide more adequate and systematic protection to Congress I am today introducing legislation to establish a National Commission on Capitol Security. Its purpose would be to analyze the security needs of Congress and to report back promptly its recommendations to the Speaker and the President of the Senate. The bill, of course, is not intended to interfere with steps already taken to tighten security or to postpone action on such further steps as are warranted. It is intended rather to complement such steps and to provide the kind of comprehensive review needed to insure fully adequate protection.

In introducing this legislation I am aware of the need for prompt action. For that reason the Commission's report must be submitted within 6 months. At the same time we must make certain that the Commission's report is as comprehensive as possible. Both these purposes can best be achieved by drawing principally, although not exclusively, on the existing expertise of Federal agencies such as the FBI and Secret Service.

The Capitol and the House and Senate Office Buildings belong not to the Congress but to the people. This fundamental precept must underlie whatever recommendation the Commission may make. Both the Capitol and those who work on the people's business must remain readily accessible to the public. It is for this reason that the majority of the Commission would be drawn from the House and Senate. The Commission would have 12 members: four each from the House and Senate, the Architect of the Capitol, the Director of the Federal Bureau of Investigation, the Chief of the Secret Service, and the Chief of the Capitol Police.

Mr. Speaker, it is my conviction that only such a systematic review of the unique security needs of the Congress can provide the protection needed while assuring the maximum accessibility which democracy requires.

The text of the bill follows:

H.R. 5288

A bill to insure protection of Members of Congress, the general public, and the buildings and records of the Congress

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is established a commission to be known as the "National Commission on Capitol Security" (hereinafter referred to as the "Commission").

SEC. 2. (a) The Commission shall make a complete and comprehensive study of the special security requirements of the Congress to insure that—

(1) the Members of Congress (and members of their staffs) can conduct their business in orderly and safe surroundings;

(2) the general public may have proper access to their representatives; and

(3) the buildings and records of the Congress shall be secured from destructive acts of violence.

(b) The Commission shall report its findings and recommendations of such legislative, administrative, or other advisable and appropriate action as the Commission deems necessary to achieve the purposes of the study to the Congress as soon as possible and in no event more than one hundred and eighty days after the date of the enactment of this Act.

SEC. 3. (a) The Commission shall be composed of 12 members as follows:

(1) Four Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives.

(2) Four Senators to be appointed by the President of the Senate.

(3) The Architect of the Capitol.

(4) The Captain of the Capitol Police.

(5) The Director of the Federal Bureau of Investigation.

(6) The Director of the United States Secret Service.

(b) A vacancy on the Commission shall be filled in the same manner as the original appointment.

(c)(1) Members of the Commission shall serve without compensation.

(2) While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as the expenses authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently.

(d) Seven members of the Commission shall constitute a quorum.

(e) The Chairman and Vice Chairman of the Commission shall be elected by the members of the Commission.

SEC. 4. The Commission may appoint and fix the compensation of such personnel as it deems advisable. The staff of the Commission shall be appointed without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

SEC. 5. (a) The Commission, or any two members thereof as authorized by the Commission, may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission may deem available.

(b)(1) The Commission shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under study by the Commission. Such attendance of witnesses and the production of such evidence may be required from any place within the United States at any designated place of hearing within the United States.

(2) If a person issued a subpena under paragraph (1) refuses to obey such subpena or is guilty of contumacy, any court of the United States within the judicial district within which the hearing is conducted or within the judicial district within which such person is found or resides or transacts business may (upon application by the Commission) order such person to appear before the Commission to produce evidence or to give testimony touching the matter under investigation. Any failure to obey such order of the court may be punished by such court as a contempt thereof.

(3) The subpenas of the Commission shall be served in the manner provided for subpenas issued by a United States district court under the Federal Rules of Civil Procedure for the United States district courts.

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

SEC. 6. The Commission shall cease to exist upon submission of its final report.

NUTRITION PROGRAM FOR THE ELDERLY

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, H.R. 5017 of the 92d Congress is the bill H.R. 17763, to provide a nutrition program for the elderly, which I reintroduced on Thursday, February 25, 1971, with the support of 111 of my colleagues, both Democrats and Republicans. I urge your consideration for the acute need for a national policy aimed at providing the elderly with low-cost, nutritionally sound meals served in strategically located centers such as community centers, senior citizens centers, schools, and other public or private nonprofit institutions suited to such use. The program directs itself to the promotion of both the physical and mental health of the elderly through provisions of balanced meals, education in nutrition, as well as opportunity for social contact to end the isolation of old age and the encouragement of greater physical and mental activities.

I wish to remind my colleagues that on May 28 of last year I honored Senior Citizens Month with the introduction of H.R. 17763. This bill received recognition throughout the country by all those familiar with the problems of our senior citizens as providing a sound approach to the needs of the elderly.

The legislation utilizes Federal, State, and local funds on a matching basis together with surplus commodity programs for the provision of at least one hot meal per day at a reasonably low price to the participant.

Typical of the enthusiastic response to the introduction of this bill is the statement of the Honorable William R. Hutton, executive director, National Council of Senior Citizens, during hearings on the bill, to the Select Subcommittee on Education of the Committee on Education and Labor, Mr. Hutton, testifying on be-

half of the 2,500,000 members of the Council said:

The National Council membership welcomes this legislation and urges its early enactment. We trust that the administration will support H.R. 17763 which is designed to carry out a major recommendation of the Panel on Aging of the White House Conference on Food, Nutrition and Health held in Washington last December . . .

The very first recommendation of the Panel on Aging of the White House Conference on Nutrition calls for legislation contemplated under H.R. 17763.

I commend the report of these hearings to the attention of my colleagues and call particular attention to the testimony of the Honorable John B. Martin, Commissioner, Administration on Aging, the Administration's spokesman. The Administration admitted the need for better nutrition among the elderly and supported the purposes of the bill. However, the Administration put forth the notion that it is time to cease categorical grant programs. Even though the elderly would suffer, they must wait until a nutrition program could be provided for in a total social services scheme that, at some future time, may be accepted and implemented at the Federal level. Moreover, the entire program must then be accepted and implemented, in whole or in part, in the 50 States and four trust territories.

I question what would have been the fate of social security had this legislation been left up to the States? Would experience lead us today to abandon our national social security system and make the benefits dependent upon the action of the individual States? How long can the elderly wait while the administration ponders broad concepts of total social service legislation proposing to take care of health and welfare needs from the cradle to the grave? My bill would make it possible to stretch the social security dollar in the purchase of nutritious hot meals and I believe we need this legislation on a national scale to supplement our national social security benefits.

Furthermore, many of my constituents in Dade County, Fla., would, I know, be handicapped by the vast social work superstructure of the complex and all-encompassing social services approach. I am sincerely convinced this group of citizens in Miami, New York, Los Angeles, Chicago, and the elderly in other urban and rural areas across the Nation would not be able to cope with the obstacle race that would be created in such a complex HEW structure simply to be able to participate in a hot meal program once a day in a social setting with their friends.

The administration spokesman also proposed there may be a need for more testing. I submit the categorical grant concept provides for continuous evaluation and improvement of the nutrition program and with the knowledge and experience already available from the research and development grants under the Older Americans Act, I question the necessity for delay of enactment of my bill for the sake of further research. You must feed the person first and then worry about other needs.

I support the ideal of continuing to integrate people's needs and to improve Federal assistance programs thereby enabling all Americans to share in the wealth of our country. I am aware too that man's inclination to identify with his peers brings forth in today's technological society important legislative challenges for all my colleagues who care about human beings—the young, the poor, the uneducated, the sick, and the elderly.

There are basic needs particularly unique among the elderly and these needs are immediate and urgent. These needs cannot be sacrificed while Congress or the administration debates methods of administration and funding on Federal, State, or local levels. To sacrifice the needs of the Nation's over 20 million elderly while indulging in intellectual challenges of political science is unconscionable and I urge the support of my colleagues to provide for early enactment of this legislation in this session of the Congress.

I am happy to be joined by the following colleagues in this legislation which will be of such great benefit to our senior citizens:

LIST OF COSPONSORS

Mr. Abourezk, Mrs. Abzug, Mr. Addabbo, Mr. Anderson of California, Mr. Anderson of Tennessee, Mr. Annunzio, Mr. Ashley, Mr. Badillo, Mr. Barrett, Mr. Bingham, Mr. Brademas, Mr. Brasco.

Mr. Burke of Massachusetts, Mr. Byrne, Mrs. Chisholm, Mr. Clark, Mr. Clay, Mr. Corman, Mr. Coughlin, Mr. Daniel, Mr. Daniels, Mr. Dent.

Mr. Dow, Mr. Dowdy, Mr. Drinan, Mr. Dulski, Mr. Eckhardt, Mr. Edwards of California, Mr. Eilberg, Mr. Esch, Mr. Fascell, Mr. Flood, Mr. William D. Ford, Mr. Fraser.

Mr. Fulton of Pennsylvania, Mr. Gallagher, Mr. Garmatz, Mr. Gaydos, Mr. Giaimo, Mr. Gonzalez, Mr. Gude, Mr. Halpern, Mr. Hanley, Mrs. Hansen, Mr. Hansen, Mr. Harrington.

Mr. Harsha, Mr. Hathaway, Mr. Hawkins, Mr. Hechler, Mr. Helstoski, Mr. Hicks, Mrs. Hicks, Mr. Howard, Mr. Johnson of Pennsylvania, Mr. Johnson of California, Mr. Kee, Mr. Koch.

Mr. Kuykendall, Mr. Kyros, Mr. Link, Mr. McCloskey, Mr. McKinney, Mr. Matsunaga, Mr. Meeds, Mr. Metcalfe, Mr. Mikva, Mr. Miller of California, Mr. Minish, Mrs. Mink.

Mr. Mitchell, Mr. Moorhead, Mr. Morse, Mr. Murphy of New York, Mr. Murphy of Illinois, Mr. Nedzi, Mr. Nix, Mr. Obey, Mr. O'Hara, Mr. Pelly, Mr. Perkins, Mr. Podell, Mr. Pryor, Mr. Pucinski, Mr. Rees, Mr. Reid, Mr. Riegle, Mr. Rodino, Mr. Roe, Mr. Rosenthal, Mr. Roybal, Mr. Ryan, Mr. St Germain, Mr. Scheuer, Mr. Schwengel.

Mr. Sebelius, Mr. Stokes, Mr. Symington, Mr. Thompson of Georgia, Mr. Thompson of New Jersey, Mr. Thone, Mr. Tiernan, Mr. Vander Jagt, Mr. Vanik, Mr. Vigorito, Mr. Wolff, Mr. Wright, Mr. Yatron.

Mr. Speaker, I include in this statement the text of this legislation which has stirred such great interest throughout the country.

A bill to amend the Older Americans Act of 1965 to provide grants to States for the establishment, maintenance, operation, and expansion of low-cost meal programs, nutrition training and education programs, opportunity for social contacts, and for other purposes

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

SECTION 1. Title VII of the Older Americans Act of 1965 is redesignated as title VIII, and sections 701 through 705 of that Act are respectively redesignated as sections 801 through 805.

SEC. 2. Section 102(1) of the Older Americans Act of 1965 is amended by deleting the semicolon and inserting a comma and inserting immediately thereafter the words "except for the purposes of title VII where the term 'Secretary' shall mean the Secretary of Agriculture."

SEC. 3. The Older Americans Act of 1965 is amended by inserting the following new title immediately after title VI thereof:

"TITLE VII—NUTRITION PROGRAM FOR THE ELDERLY

"FINDINGS AND PURPOSE

"SEC. 701. (a) The Congress finds that the research and development grants, title IV, Older Americans Act, nutrition program has demonstrated the effectiveness of and the need for permanent nationwide programs to provide for nutritional and social needs of millions of persons aged sixty-five or older who are unable to overcome the complex and intertwining problems of inadequate diets. Many of these elderly persons do not eat adequately because they cannot afford to do so, while others, who are economically better off, do not eat well because they lack the skills to select and prepared nourishing and well-balanced meals, have limited mobility which may impair their capacity to shop and cook for themselves, and have feelings of rejection and loneliness which obliterate the incentive necessary to prepare and eat a meal alone. These and other physiological, psychological, social, and economic changes that occur with aging result in a pattern of living, which causes malnutrition and further physical and mental deterioration.

"(b) In addition to the food stamp program, commodity distribution systems and old-age income benefits, there is an acute need for a national policy aimed at providing the elderly with low cost, nutritionally sound meals served in strategically located centers such as community centers, senior citizen centers, schools, and other public or private nonprofit institutions suited to such use and through other means toward this purpose. Besides promoting better health among the older segment of our population through improved nutrition, such a program, implemented through the use of a variety of community resources, would be a means of promoting greater opportunity for social contact ending the isolation of old age, increasing participants' knowledge of nutrition and health in general, and promoting positive mental health and independence through the encouragement of greater physical and mental activities.

"ADMINISTRATION

"SEC. 702. (a) In order to effectively carry out the purposes of this title, the Secretary shall—

"(1) create a new division within the Food and Nutrition Service of the Department of Agriculture, under the Assistant Secretary for Marketing and Consumer Services, for the administration of the program;

"(2) make full utilization of the existing services within the Department including but not limited to the Federal Extension Service under the Director of Science and Education; and

"(3) consult with the Administration on Aging, Department of Health, Education, and Welfare.

"(b) In carrying out the provisions of this title, the Secretary is authorized to request the technical assistance and cooperation of the Department of Labor, the Office of Economic Opportunity, the Department of Housing and Urban Development, the Department of Transportation, and such other departments and agencies of the Federal Government as may be appropriate.

"(c) The Secretary is authorized to use, with their consent, the services equipment,

personnel, and facilities of Federal and other agencies with or without reimbursement, and on a similar basis to cooperate with other public and private agencies and instrumentalities in the use of services, equipment, personnel, and facilities.

"(d) In carrying out the purposes of this title, the Secretary is authorized to provide consultative services and technical assistance to any public or private nonprofit institution or organization, agency, or political subdivision of a State; to provide short-term training and technical instruction; and to collect, prepare, publish, and disseminate special education or informational materials, including reports of the projects for which funds are provided under this title.

"ALLOTMENT OF FUNDS

"SEC. 703. (a) (1) From the sum appropriated for a fiscal year under section 708(A) the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands, shall each be allotted an amount equal to one-fourth of 1 per centum of such sum and (B) each other State shall be alloted an amount equal to one-half of 1 per centum of such sum.

"(2) From the remainder of the sum so appropriated for a fiscal year each State shall be alloted an additional amount which bears the same ratio to such remainder as the population aged sixty-five or over in such State bears to the population aged sixty-five or over in all the States, as determined by the Secretary on the basis of the most recent satisfactory data available to him.

"(3) A State's allotment for a fiscal year under this title shall be equal to the sum of the amount allotted to it under paragraphs (1) and (2).

"(b) The amount of any State's allotment under subsection (a) for any fiscal year which the Secretary determines will not be required for that year shall be available for reallotment, from time to time and on such dates during such year as the Secretary may fix, to other States in proportion to the original allotments to such States under subsection (a) for that year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Secretary estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Such reallotments shall be made on the basis of the State plan so approved, after taking into consideration the population aged sixty-five or over. Any amount realloted to a State under this subsection during during a year shall be deemed part of its allotment under subsection (a) for that year.

"(c) The allotment of any State under subsection (a) for any fiscal year shall be available for grants to pay up to 90 per centum of the cost of projects in such State described in section 705 and approved by such State in accordance with its State plan approved under section 705. Such allotment to any State in any fiscal year shall be made upon the condition that the Federal allotment will be matched during each fiscal year by 10 percentum, or more, as the case may be, from funds within the State.

"(d) If, in any State, the State agency is not permitted by law to disburse the funds paid to it under this title in the State, or is not permitted by law to match Federal funds made available for use by such public or private nonprofit institution or organization, agency, or political subdivision of a State, the Secretary shall withhold the allotment of funds to such State referred to in subsection (a). The Secretary shall disburse the funds so withheld directly to any public or private nonprofit institution or organization, agency, or political subdivision of such State in accordance with the provisions of this title, including the requirement that any such payment or payments shall be matched in the proportion specified in subsection (c) for such State, by funds from sources within the State.

"PAYMENTS TO STATES

"SEC. 704. (a) Funds allotted to any State pursuant to section 703 during a fiscal year shall be available for payment to such State for disbursement by the State agency in accordance with such agreements not inconsistent with the provisions of this title as may be entered into by the Secretary and such State agency, for the purposes of carrying out the provisions of this title, during such fiscal year in supplying—

"(1) agriculture commodities and other foods for consumption by persons aged sixty-five or over, and

"(2) nonfood assistance in furtherance of the programs authorized under this title.

"(b) The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under this section and the time or times such amounts are to be paid to any State under this section and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

"STATE PLANS

"SEC. 705. (a) Any State which desires to receive allotments under this title shall submit to the Secretary for approval a State plan for purposes of this title which—

"(1) establishes or designated a single State agency as the sole agency for administering or supervising the administration of the plan, which agency shall be the agency primarily responsible for coordination of State programs and activities related to the purposes of this title;

"(2) sets forth such policies and procedures as will provide satisfactory assurance that allotments paid to the State under the provisions of this title will be expended—

"(A) to make grants in cash or in kind to any public or private nonprofit institution or organization, agency, or political subdivision of a State (hereinafter referred to 'recipient of a grant or contract')—

"(i) to carry out the program as described in section 706.

"(ii) to provide up to 90 per centum of the costs of the purchase and preparation of the food; delivery of the meals; and such other reasonable expenses as may be incurred in providing nutrition services to persons aged sixty-five or over. Recipients of grants of contracts may charge participating individuals for meals furnished but such charge shall not exceed a per meal limit to be established by each State agency, taking into consideration the income ranges of eligible individuals in local communities and other sources of income of the recipients of a grant or a contract.

"(iii) to provide up to 90 per centum of the costs of such supporting services as may be absolutely necessary such as the costs of social services and local public transportation to and from the residences of participating individuals to the extent such costs are not provided by grants for these services from the Administration on Aging, Department of Transportation, Office of Economic Opportunity, or other Federal agency.

"(B) to provide for the proper and efficient administration of the State plan: *Provided*, That the amount expended for such administration and planning shall not exceed a sum which shall be agreed upon between the Secretary and the State agency—

"(i) in making report, in such form and containing such information, as the Secretary may require to carry out this function under this title, including reports of the objective measurements required by section 706, and keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports and proper disbursement of Federal fund under this title, and

"(ii) in providing satisfactory assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this title to the State, including any such funds paid by the State to the recipient of a grant or contract.

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

"(b) The Secretary shall approve any State plan which he determines meets the requirements and purposes of this section.

"(c) Whenever the Secretary, after reasonable notice and opportunity for hearing to such State agency, finds (1) that the State plan has been so changed that it no longer complies with the provisions of this title, or (2) that in the administration of the plan there is a failure to comply substantially with any such provision or with any requirements set forth in the application of a recipient of a grant or contract approved pursuant to such plan, the Secretary shall notify such State agency that further payments will not be made to the State under the provisions of this title (or in his discretion, that further payments to the State will be limited to programs or projects under the State plan, or portions thereof, not affected by the failure, or that the State agency shall not make further payments under this part to specified local agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, the Secretary shall make no further payments to the State under this title, or shall limit payments to recipients of grants or contracts under, or parts of, the State plan not affected by the failure or payments to the State agency under this part shall be limited to recipients of grants or contracts not affected by the failure, as the case may be.

"(d) (1) If any State is dissatisfied with the Secretary's final action with respect to the approval of its State plan submitted under subsection (c), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary. The Secretary thereupon shall file in the court the record of the proceeding on which he based his action, as provided in section 2112 of title 28, United States Code.

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

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

"NUTRITION AND OTHER PROGRAM REQUIREMENTS

"SEC. 706. Funds allotted to any State during any fiscal year pursuant to section 703 shall be disbursed by the State agency to recipients of grants or contracts who agree—

"(1) to establish a program (hereinafter referred to as a 'nutrition program') which, five or more days per week, provides at least one hot meal per day and any additional meals, hot or cold, each of which assures a minimum of one-third of the daily recommended dietary allowances as established by the Food and Nutrition Board of the National Academy of Sciences-National Research Council;

"(2) to provide such nutrition program for individuals aged sixty-five or over (hereinafter referred to as 'eligible individuals');

"(3) to furnish a site for such nutrition program in as close proximity to the majority of eligible individuals' residences as feasible, and, preferably within walking distance;

"(4) to utilize methods of administration including outreach which will assure that the maximum number of eligible individuals may have an opportunity to participate in such nutrition program;

"(5) to provide a setting conducive to expanding the nutritional program to include recreational activities, informational, health and welfare counseling and referral services;

"(6) to include such training as may be necessary to enable the personnel to carry out the provisions of this title;

"(7) to establish and administer the nutritional program with the advice of persons competent in the field of service in which the nutrition program is being provided, and of persons who are knowledgeable with regard to the needs of elderly persons;

"(8) to provide an opportunity to evaluate the effectiveness, feasibility and cost of each particular type of such program; and

"(9) to give preference to persons aged sixty-five or over for any staff positions, full- or part-time, for which such persons qualify.

"SURPLUS COMMODITIES

"SEC. 707. Each recipient of a grant or contract shall, insofar as practicable, utilize in its nutrition program commodities designated from time to time by the Secretary as being in abundance, either nationally or in the local area, or commodities donated by the Secretary. Commodities purchased under the authority of section 32 of the act of August 24, 1935 (49 Stat. 774), as amended, may be donated by the Secretary to the recipient of a grant or contract, in accordance with the needs as determined by the recipient of a grant or contract, for utilization in the nutritional program under this title. The Secretary is authorized to prescribe terms and conditions respecting the use of commodities donated under such section 32, as will maximize the nutritional and financial contributions of such donated commodities in such public or private nonprofit institutions or organizations, agencies, or political subdivisions of a State.

"APPROPRIATIONS AUTHORIZED

"SEC. 708. (a) The Secretary may utilize the programs authorized under this title in carrying out the provisions of clause (2) of section 32 of the Act approved August 24, 1935, as amended (49 Stat. 774, 7 U.S.C. 614c).

"(b) In addition to any other funds which may be available, there are authorized to be appropriated such sums as may be necessary to carry out the purposes of this title.

"PROGRAM EXPENDITURES

"SEC. 709. Of the sums appropriated for any fiscal year pursuant to the authorization contained in section 708 of this title, not to exceed $50,000,000 shall be made available for the fiscal year ending June 30, 1972, not to exceed $100,000,000 for the fiscal year ending June 30, 1973, not to exceed $150,000,000 for the fiscal year ending June 30, 1974, for grants-in-aid pursuant to the provisions of this title, less—

"(1) not to exceed 3½ per centum thereof which per centum is hereby made available to the Secretary for his administrative expenses under this title;

"(2) direct expenditures by the Secretary for agricultural commodities and other foods to be distributed among the States and such public or private nonprofit institutions or organizations, agencies, or political subdivisions of a State, participating in the nutrition program under this title.

"RELATIONSHIP TO OTHER LAWS

"SEC. 710. No part of the cost of any program under this title may be treated as income or benefits to any eligible individual for the purpose of any other program or provision of State or Federal law.

"MISCELLANEOUS

"SEC. 711. None of the provisions of this title shall be construed to prevent a recipient of a grant or a contract from entering into an agreement with a profitmaking organization to carry out the provisions and purposes of this title."

HEROIN SEIZURES UP 21,905 PERCENT

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, the U.S. Customs Service, operating through a small but professional unit in Miami, has compiled a remarkable record of seizures and arrests of international smugglers of cocaine and heroin since the crackdown ordered by the President on a nationwide scale. This includes, among other startling statistics, an increase of 21,905 percent in seizures of heroin, the most dangerous and debilitating of all illicit drugs.

In an important address to the Kiwanis Club of Miami on January 22, 1971, Commissioner of Customs Myles J. Ambrose declared that Miami has supplanted New York City as the country's major gateway for cocaine and heroin seizures. We are not proud of this designation in Miami. But we think that Commissioner Ambrose and his dedicated staff deserve the respect and cooperation of all Americans in an uphill fight to interdict the powdered poison coming to our shores.

A few short months ago the Select Committee on Crime, on which I serve as chairman, held hearings in Miami. We documented the extent to which the cocaine smuggling traffic has grown in Miami. I applaud the Customs Service for the enforcement record which they are compiling in their dedicated efforts to choke off entry ports in Miami for the smuggling of these terrible drugs.

Mr. Speaker, under unanimous consent, I include the text of Mr. Ambrose's remarks to the Kiwanis Club of Miami at this point in the RECORD:

TEXT OF AN ADDRESS BY U.S. COMMISSIONER OF CUSTOMS MYLES J. AMBROSE

I am happy to be here today as your luncheon speaker, and I thank especially Mr. Stanley Dodd, your President, and Ed Bishop, Program Chairman, for giving me the necessary impetus to leave frigid-bound Washington for the Sunshine State.

Let me congratulate the Kiwanis Club of Miami for having the initiative and resourcefulness to mount "Operation Drug Alert," in line with the program worked out by the International Kiwanis.

I am informed that you are planning a four-week project, which will begin next month, and use all of the information media—press, radio, TV, magazines, the speakers platform—to awaken the public to the epidemic sweeping our country: drug addiction.

Your project would not come at a more timely moment, when it is obvious that the drug abuse problem has assumed frightening proportions, and unfortunately is still like a spreading cancer among our young people.

A New York Times story on December 30th reported that 1,050 young people between 15 and 35 years of age died of narcotic-related causes in New York City alone—more than the city's fatalities in Vietnam during the same period! Similar stories can be told of many other large cities throughout the U.S.A.

It's especially appropriate that a prestigious and influential organization like Kiwanis takes the leadership in this city, one of our major gateways, and the site of some of the most dramatic seizures and arrests made by the Bureau of Customs in recent years.

I know that no one likes statistics, but I want to take a moment or two to report that in the Miami Customs District cocaine seizures have increased 279% over 1969 . . . hashish seizures have gone up by almost 3,000% . . . marijuana seizures have increased by 90% . . . dangerous drugs, five-grain units, by 131% . . . and heroin, the most dangerous of the hard drugs, by a phenomenal increase of 21,905%—I repeat, 21,905%.

Just imagine for a moment what these depressing figures mean when translated into disrupted lives, deaths from overdose, long jail sentences for young people, ruined careers, and incalculable cost in energy and money which could have been channeled into better causes.

In the short time I have to speak to you, let me tell you what we in the Federal Government are trying to do about this problem—and what the prospects are for coping with it.

President Nixon, in his message to Congress, on July 14, 1969, said:

"A national awareness of the gravity of the situation is needed; a new urgency and concerted national policy are needed at the Federal level to begin to cope with this growing menace to the general welfare of the United States."

He then directed the Bureau of Customs, through the Treasury Department, to "initiate a major new effort to guard the nation's borders and ports against the growing volume of narcotics from abroad."

First that directive was backed up with a substantial anti-narcotic supplemental budget request.

Congress responded magnificently and, late in December 1969, passed an appropriation for 8.76 million dollars for 915 men and for equipment. This was over and above our regular appropriation, allowing us to hire almost 1,000 additional Inspectors and Special Agents, thus bringing our total strength, nationwide, to about 11,500. It is worth while mentioning that we have, for the first time, slightly more Customs personnel than we had in the time of Calvin Coolidge in the twenties!

Our newly hired Special Agents and Inspectors were recruited, trained, and deployed along our borders and major gateways in record time. Our co-workers, the Bureau of Narcotics and Dangerous Drugs,

likewise was beefed up by a supplementary appropriation of $7 million.

What else have we done?

We have established international narcotic intelligence groups with offices in major U.S. cities to provide better evaluation of information relating to smuggling into the United States.

In support of the intensified enforcement effort, a central automatic data processing intelligence network, we call it CADPIN, was installed which provides a comprehensive bank of suspect information on a 24-hour basis to Customs officers. Much of our information comes from local enforcement officials—and increased cooperation with your cities is essential in this operation.

We opened two new Customs stations in the remote Big Bend area of Texas, a favorite section of the border for smugglers.

New laboratories to provide rapid identification of narcotics and dangerous substances have been established. This prompt analysis of narcotics will speed the judicial processing of violators.

We have equipped our Customers' officers with more aircraft and boats capable of pursuing smugglers along our southern border and at major lakes and coastal areas.

We have embarked on a major training program stressing techniques of narcotics smuggling. This is particularly important for Customs Inspectors and Import Specialists who appraise commercial shipments. In addition, a new consolidated Federal Law Enforcement Training Center in Maryland is being created to insure the highest training standards for our Special Agents as well as those of other Federal government agencies.

As a direct consequence of Operation Intercept, now called Operation Cooperation, we have developed a closer relationship with our southern neighbor, Mexico, than ever before in history. An agreement has been reached with the government of Mexico on how our two Customs Services will cooperate more extensively in the prevention of smuggling of illicit drugs into the United States from south of the border.

The Mexican Congress has under consideration a bill to prohibit the planting or growth anywhere in Mexico of marijuana, opium poppies, or any other narcotic. Passage of this proposed law will be an unprecedented action in international cooperation.

Finally, the most dramatic change in Customs is the new emphasis on intensified inspection of passengers and their baggage and intensified examination of commercial cargo.

There is another sphere of activity which has yielded important seizures in smuggled narcotic drugs—in the preclearance of passengers through U.S. Customs, prior to their departure from Montreal, Toronto, Vancouver and Winnipeg, Nassau, and Bermuda.

This procedure, which has instituted during a previous administration to save time for passengers arriving at U.S. ports of entry, was a tempting loophole in our security, and we have taken steps to seal it up.

On the first flight re-checked after entry into the United States at Buffalo, New York, over one million dollars worth of cocaine was seized from a pre-cleared passenger. The pattern is being repeated over and over again.

Our current intensified enforcement drive means travelers and their baggage, vehicles and cargo clearing Customs are being inspected more closely at all ports of entry. I am happy to report that the public reaction is favorable; and, in many cases enthusiastic. Distraught parents and teachers write to me daily to express their pleasure and support of our efforts to stop the flow of the drugs into the country.

The extent and rate of modern international trade and travel have created vast enforcement problems for Customs. Annually, millions of tons of cargo and 250 million travelers—(more than the country's entire population)—arrive in the United States via millions of vehicles, vessels, and aircraft.

Of necessity, only a small percentage can be examined. Narcotic drugs by their very size and shape can easily be hidden in a myriad of places on vessels, vehicles, cargo and on persons. The introduction of contraband can and does occur anywhere on the United States border area, which represents 20,000 miles of border and coastline and 291 ports of entry.

The smugglers vary from small groups to organized crime syndicates with operations spanning oceans and continents. Drug smugglers have often used commercial imports as a hiding place and there are two and one-half million separate entries of cargo a year in this country.

A recent case will show the kinds of problems we face. In mid-November, an international cocaine-smuggling ring was smashed as a result of the joint efforts of the Bureau of Customs and the Bureau of Narcotics and Dangerous Drugs.

Culminating nine months of joint investigation by the Agents of both agencies, arrests were made in New York and San Juan, Puerto Rico, after tremendous amounts of cocaine, worth millions of dollars, were seized in Norfolk, Baltimore, Philadelphia, Hoboken, and here in Miami, which has become a key transiting point for the smuggling rings operating from South America.

Innocent-looking passengers, youths and the aging—all manner of people from many walks of life—are enlisted by the ruthless smuggling syndicates in their deadly trade.

For instance, on November 24th, a purser aboard an Avianca flight from Bogota, Colombia, was picked up at JFK Airport in New York with six pounds of cocaine in his suitcase with a street value of $650,000.

On December 12th last, 208 pounds of heroin, which is worth $22 million dollars on the street, were seized from four persons who arrived in Miami in a DC-3 from South America. It was Christmas-wrapped and was seized in a raid on Collins Avenue, Miami Beach.

Just a month ago, I returned from an extensive three-week tour of Southeast Asia for the purpose of analyzing our problems and seeing what we can do about them.

I conferred with U.S.A.I.D. and other officials in Manila, Saigon, Bangkok, Hong Kong, Taiwan, Okinawa, Tokyo, and Korea.

I found that the spreading drug problem is not confined to the United States; that these cities are transiting points and important sources of heroin and marijuana and other hard drugs which bring the best prices from the U.S. market; that our military services are taking extraordinary steps to curb the use of drugs among our troops overseas . . .

But it is obvious that government cannot do the job alone.

We look to the American people, especially its business leaders, to help in this fight.

Let me close with a quotation from President Nixon's address at the 25th Anniversary Session of the United Nations in October:

"It is in the world interest that the narcotics traffic be curbed.

"Drugs pollute the minds and bodies of our young people, bring misery, violence and human and economic waste. This scourge of drugs can be eliminated through international cooperation. I urge all governments to support the recent recommendation of the U.N. Commission on Narcotic Drugs, to take the first step toward giving them substance by establishing a United Nations fund for drug control. And I urge all governments to support a strengthened narcotic treaty that would govern all production by restricting it solely to medical and scientific purposes. The United States has already circulated such a proposal for consideration at the next session of the U.N. Narcotics Commission."

I am certain that through education, we can and must arouse the nation to the seriousness of the problem.

I appeal to you, as parents, as responsible citizens, as supporters of a stable society in an unstable world, to join with us in our effort.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. FOLEY (at the request of Mr. O'NEILL) for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN, for 60 minutes, tomorrow, and to revise and extend his remarks and include extraneous matter.

Mr. REUSS, for 30 minutes, tomorrow, March 2.

(The following Members (at the request of Mr. DENNIS), to revise and extend their remarks and include extraneous matter:)

Mr. PRICE of Texas, for 15 minutes, today.

Mr. MATHIAS of California, for 5 minutes, today.

Mr. QUIE, for 1 hour, today.

Mr. MILLER of Ohio, for 5 minutes, today.

Mr. DELLENBACK, for 15 minutes, today.

(The following Members (at the request of Mr. KEATING) to revise and extend their remarks and include extraneous material:)

Mr. MIZELL, for 5 minutes, today.

Mr. HALPERN, for 5 minutes, today.

Mr. WILLIAMS, for 15 minutes today.

Mr. SKUBITZ, for 5 minutes, today.

Mr. MICHEL, for 5 minutes, today.

(The following Members (at the request of Mr. MELCHER) to revise and extend their remarks and include extraneous material:)

Mr. MINISH, for 15 minutes, today.

Mr. MCKAY, for 10 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. BADILLO, for 60 minutes, March 4.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MADDEN, and to include extraneous material.

Mr. SIKES in five instances, and to include extraneous materials.

(The following Members (at the request of Mr. DENNIS) and to include extraneous matter:)

Mr. PRICE of Texas in four instances.

Mr. SCHERLE in 10 instances.

Mr. TERRY.

Mr. YOUNG of Florida in 10 instances.

Mr. WYATT in two instances.

Mr. RAILSBACK.

Mr. ESCH.

Mr. BROOMFIELD.

Mr. FORSYTHE in two instances.

Mr. HARSHA.
Mr. PELLY in two instances.
Mr. DERWINSKI in two instances.
Mr. CARTER.
Mr. ANDERSON of Illinois in three instances.
Mr. GUDE.
Mr. BRAY in three instances.
Mr. DEVINE.
Mr. MCCLURE.
Mr. SCHWENGEL.
Mr. FREY.
Mr. MICHEL in two instances.
Mr. LATTA in two instances.
Mr. HOSMER in two instances.
Mr. REID of New York.

(The following Members (at the request of Mr. KEATING) and to include extraneous material:)

Mr. ERLENBORN.
Mr. SCHMITZ in two instances.
Mr. WYMAN in three instances.
Mr. HALPERN in two instances.
Mr. MIZELL in two instances.
Mr. VEYSEY.
Mr. TERRY.
Mr. ARCHER in five instances.
Mr. SCHERLE.
Mr. LANDGREBE in two instances.
Mr. GOLDWATER in two instances.

(The following Members (at the request of Mr. MELCHER) and to include extraneous material:)

Mr. DINGELL in three instances.
Mr. WILLIAM D. FORD in four instances.
Mr. ASPIN in two instances.
Mr. EVANS of Colorado.
Mr. BADILLO.
Mr. EILBERG in two instances.
Mr. BEGICH in two instances.
Mr. VANIK in two instances.
Mr. ROYBAL in six instances.
Mr. MCKAY in two instances.
Mr. LONG of Maryland in three instances.
Mr. TEAGUE of Texas in eight instances.
Mr. HATHAWAY in two instances.
Mr. RODINO in five instances.
Mr. BOLLING.
Mr. VAN DEERLIN in two instances.
Mr. ICHORD in two instances.
Mr. NATCHER in two instances.
Mr. SEIBERLING in 10 instances.
Mr. BINGHAM in two instances.
Mr. BOLAND in three instances.
Mr. O'HARA in two instances.
Mr. HUNGATE.
Mr. RUNNELS.
Mr. GONZALEZ in two instances.
Mr. DRINAN in two instances.
Mr. RARICK in four instances.
Mr. BRINKLEY.
Mr. RYAN in three instances.
Mr. FISHER in four instances.
Mr. ANDERSON of California in two instances.
Mr. ZABLOCKI in two instances.
Mr. CELLER.
Mr. FASCELL.
Mr. ULLMAN in five instances.
Mr. PEPPER in three instances.
Mr. HÉBERT in two instances.
Mr. HAMILTON in two instances.
Mr. DOWDY in two instances.

SENATE ENROLLED JOINT RESOLUTIONS SIGNED

The Speaker announced his signature to enrolled joint resolutions of the Senate of the following titles:

S.J. Res. 31. Joint resolution extending date for transmission to the Congress of the Report of the Joint Economic Committee.

S.J. Res. 44. Joint resolution to extend the time for the proclamation of marketing quotas for burley tobacco for the three marketing years beginning October 1, 1971.

ADJOURNMENT

Mr. MELCHER Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 50 minutes p.m.) the House adjourned until tomorrow, Tuesday, March 2, 1971, at 12 o'clock noon.

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:

[*Pursuant to the order of the House on Thursday, February 25, 1971, the following reports were filed on February 26, 1971.*]

Mr. SISK: Committee on Rules. House Resolution 258. Resolution providing for the consideration of H.R. 4713, a bill to amend section 136 of the Legislative Reorganization Act of 1946 to correct an omission in existing law with respect to the entitlement of committees of the House of Representatives to the use of certain currencies (Rept. No. 92–27). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 259. Resolution providing for the consideration of H.R. 4690, a bill to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes (Rept. No. 92–28). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 213. Resolution authorizing the Committee on Education and Labor to conduct certain studies and investigations; with amendment (Rept. No. 92–29). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 115. Resolution creating a select committee to conduct an investigation and study of all aspects of crime affecting the United States; with amendment (Rept. No. 92–30). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 170. Resolution authorizing the Committee on Interstate and Foreign Commerce to make studies and investigations within its jurisdiction; with amendment (Rept. No. 92–31). Referred to the House Calendar.

Mr. O'NEILL: Committee on Rules. House Resolution 19. Resolution creating a permanent Select Committee on Small Business to conduct studies and investigations of the problems of small business; with amendment (Rept. No. 92–32). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 22. Resolution to authorize investigations by the Committee on Agriculture; with amendment (Rept. No. 92–33). Referred to the House Calendar.

Mr. SISK: Committee on Rules. H.R. 4713. A bill to amend section 136 of the Legislative Reorganization Act of 1946 to correct an omission in existing law with respect to the entitlement of committees of the House of Representatives to the use of certain currencies (Rept. No. 92–34). Referred to the Committee of the Whole House on the State of the Union.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

321. A letter from the Governor, Farm Credit Administration, transmitting the 37th annual report of the Farm Credit Administration, covering fiscal year 1970 (H. Doc. No. 92–18); to the Committee on Agriculture and ordered to be printed with illustrations.

322. A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to amend the act of August 28, 1950, enabling the Secretary of Agriculture to furnish, upon a reimbursable basis, certain inspection services involving overtime work; to the Committee on Agriculture.

323. A letter from the Architect of the Capitol, transmitting a report of all expenditures during the period July 1 through December 31, 1970, from moneys appropriated to the Architect of the Capitol, pursuant to section 105(b) of Public Law 88–454; to the Committee on Appropriations.

324. A letter from the Secretary of the Army, transmitting a report on special pay for officers holding positions of unusual responsibility and of critical nature, pursuant to 37 U.S.C. 306; to the Committee on Armed Services.

325. A letter from the Acting Assistant Secretary of the Army (Research and Development), transmitting a report on Department of the Army research and development contracts for $50,000 or more awarded during the period July 1 through December 31, 1970, pursuant to section 4 of chapter 882 of Public Law 557, 82d Congress; to the Committee on Armed Services.

326. A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting notice of the proposed transfer of the escort ship U.S.S. *Portage* to the Nunan-Slook Post 338, American Legion, Havertown, Pa., pursuant to 10 U.S.C. 7308; to the Committee on Armed Services.

327. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to establish a National Foundation for Higher Education, and for other purposes; to the Committee on Education and Labor.

328. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to extend and amend the Higher Education Act of 1965, and for other purposes; to the Committee on Education and Labor.

329. A letter from the Acting Administrator of General Services, transmitting a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949 to require activities financed by wholly owned Government corporations, trust funds, or by the collection of receipts from non-Federal sources, to pay for assigned space, and for other purposes; to the Committee on Government Operations.

330. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to grant all minerals, including coal, oil, and gas, on certain lands on the Fort Belknap Indian Reservation, Mont., to certain Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

331. A letter from the Secretary of Commerce, transmitting the 58th annual report of the Secretary, covering fiscal year 1970, pursuant to 15 U.S.C. 1519; to the Committee on Interstate and Foreign Commerce.

332. A letter from the Secretary of Transportation, transmitting the first annual report of the Federal Aviation Administration's operations under the Airport and Airway Development Act of 1970, covering fiscal year 1970, pursuant to section 24 of the act;

to the Committee on Interstate and Foreign Commerce.

333. A letter from the General Manager, Atomic Energy Commission, transmitting a report for calendar year 1970 on contracts entered into, amended, or modified by the Commission to facilitate the national defense under the extraordinary emergency authority contained in Public Law 85–804; to the Committee on the Judiciary.

334. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize appropriations for the fiscal year 1971 for certain maritime programs of the Department of Commerce; to the Committee on Merchant Marine and Fisheries.

335. A letter from the Secretary of Transportation, transmitting the 1971 reports on the urban area traffic operations improvement and the fringe parking facilities programs, pursuant to sections 10 and 11 of the Federal-aid Highway Act of 1968; to the Committee on Public Works.

336. A letter from the Acting Administrator, National Aeronautics and Space Administration, transmitting a proposal that NASA conduct one program at a level in excess of that authorized, together with a statement of the facts and circumstances relied upon in support of such action, pursuant to section 4 of the NASA Authorization Act, 1971; to the Committee on Science and Astronautics.

RECEIVED FROM THE COMPTROLLER GENERAL

337. A letter from the Comptroller General of the United States, transmitting a report on the necessity for improved surveillance by the Federal Aviation Administration over production of critical parts for civil aircraft; to the Committee on Government Operations.

338. A letter from the Comptroller General of the United States, transmitting a report on inaccuracies, effects, and ways to improve Army inventories; to the Committee on Government Operations.

339. A letter from the Comptroller General of the United States, transmitting a report on the application of "should cost" concepts in reviews of contractors' operations, Department of Defense; to the Committee on Government Operations.

340. A letter from the Comptroller General of the United States, transmitting a report on opportunities for savings by increasing competition in procurement of commercial equipment by the National Aeronautics and Space Administration; to the Committee on Government Operations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California:

H.R. 5182. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act; to the Committee on Agriculture.

By Mr. BENNETT (for himself, Mr. BYRNE of Pennsylvania, Mr. FASCELL, GALLAGHER, Mr. PRYOR of Arkansas, Mr. RIEGLE, and Mr. WOLFF):

H.R. 5183. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for employers who employ members of the hard-core unemployed; to the Committee on Ways and Means.

By Mr. BRADEMAS:

H.R. 5184. A bill to amend the Internal Revenue Code of 1954 and title II of the Social Security Act so as to permit exclusion from social security coverage and refund of social security tax to members of certain religious groups who are opposed to insurance; to the Committee on Ways and Means.

By Mr. BUCHANAN:

H.R. 5185. A bill to provide for the establishment of a national cemetery in the State of Alabama; to the Committee on Veterans' Affairs.

By Mr. CONTE (for himself, Mr. STOKES, Mr. TIERNAN, Mr. VANIK, Mr. WHITEHURST, Mr. WOLFF, Mr. WYDLER, Mr. WYMAN, Mr. MACDONALD of Massachusetts, Mr. PIKE, and Mr. RYAN):

H.R. 5186. A bill to terminate the oil import control program; to the Committee on Ways and Means.

H.R. 5187. A bill to repeal the Connally Hot Oil Act; to the Committee on Interstate and Foreign Commerce.

By Mr. DAVIS of Wisconsin (for himself and Mr. STEIGER of Wisconsin):

H.R. 5188. A bill to amend the war orphans' and widows' educational assistance provisions of title 38 of the United States Code in order to provide monthly training assistance allowances thereunder for eligible persons for apprenticeship and other on-job training; to the Committee on Veterans' Affairs.

By Mr. DENT:

H.R. 5189. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. EVINS of Tennessee:

H.R. 5190. A bill to encourage national development by providing incentives for the establishment of new or expanded job-producing and job-training industrial and commercial facilities in rural areas having high proportions of persons with low incomes or which have experienced or face a substantial loss of population because of migration, and for other purposes; to the Committee on Ways and Means.

By Mr. QUIE (for himself, Mr. DELLENBACK, Mr. BELL, Mr. ERLENBORN, Mr. ESCH, Mr. ESHLEMAN, Mr. LANDGREBE, Mr. HANSEN of Idaho, Mr. FORSYTHE, Mr. VEYSEY, Mr. KEMP, and Mr. PEYSER):

H.R. 5191. A bill to extend and amend the Higher Education Act of 1965, and for other purposes; to the Committee on Education and Labor.

By Mr. QUIE (for himself, Mr. DELLENBACK, Mr. BELL, Mr. ERLENBORN, Mr. ESCH, Mr. ESHLEMAN, Mr. STEIGER of Wisconsin, Mr. HANSEN of Idaho, Mr. FORSYTHE, Mr. VEYSEY, and Mr. KEMP):

H.R. 5192. A bill to establish a National Foundation for Higher Education, and for other purposes; to the Committee on Education and Labor.

By Mr. QUIE (for himself, Mr. DELLENBACK, Mr. BELL, Mr. ESCH, Mr. ESHLEMAN, Mr. LANDGREBE, Mr. HANSEN of Idaho, Mr. FORSYTHE, Mr. VEYSEY, Mr. KEMP, and Mr. PEYSER):

H.R. 5193. A bill to promote higher education throughout the Nation by providing general assistance to colleges and universities; to the Committee on Education and Labor.

By Mr. EDMONDSON:

H.R. 5194. A bill to provide for guarantee and insurance of loans to Indians and Indian organizations; to the Committee on Interior and Insular Affairs.

H.R. 5195. A bill to provide for the disposition of funds appropriated to pay a judgment awarded to the Creek Nation or Tribe of Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5196. A bill to convey certain federally owned land known as the Yardeka School land to the Creek Tribe or Nation of Oklahoma; to the Committee on Interior and Insular Affairs.

H.R. 5197. A bill to amend the law establishing the Indian revolving loan fund; to the Committee on Interior and Insular Affairs.

H.R. 5198. A bill to convey certain land of the United States to the Inter-Tribal Council, Inc., Miami, Okla.; to the Committee on Interior and Insular Affairs.

H.R. 5199. A bill to provide for the disposition of funds appropriated to pay judgments in favor of the Miami Tribe of Oklahoma and the Miami Indians of Indiana in Indian Claims Commission dockets numbered 255, 256, 124–C, D, E, and F, and of funds appropriated to pay a judgment in favor of the Miami Tribe of Indians in the Commissioner's docket No. 251–A, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. EDMONDSON (for himself and Mr. CAMP):

H.R. 5200. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Absentee Delaware Tribe of western Oklahoma, et al., in Indian Claims Commission docket No. 72 and the Delaware Tribe of Indians in Indian Claims Commission docket No. 298, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. EDMONDSON (for himself, Mr. BELCHER, Mr. CAMP, Mr. JARMAN, and Mr. STEED):

H.R. 5201. A bill to provide for the establishment of the Five Civilized Tribes National Park in the State of Oklahoma; to the Committee on Interior and Insular affairs.

By Mr. EILBERG:

H.R. 5202. A bill to authorize retirement for disability for certain former members of the Armed Forces; to the Committee on Armed Services.

H.R. 5203. A bill to extend commissary and exchange privileges to certain disabled veterans and the widows of certain deceased veterans; to the Committee on Armed Services.

H.R. 5204. A bill to facilitate and encourage cooperation between the United States and certain defense contractors engaged in the furnishing of defense material to the United States in providing for an orderly conversion from defense to civilian production, and to assure, through such cooperation, that the United States and such defense contractors will be able to meet the challenge arising out of the economic conversion and diversification required by reason of the changing defense needs of the United States to provide for such an orderly conversion in an effort to minimize, to the extent possible, the hardships and other disruptive factors likely to be encountered by defense workers and their families as a result thereof; to the Committee on Interstate and Foreign Commerce.

H.R. 5205. A bill to provide for the compensation of persons injured by certain criminal acts, to make grants to States for the payment of such compensation, and for other purposes; to the Committee on the Judiciary.

By Mr. WILLIAM D. FORD (for himself, Mr. CLAY, and Mr. HAWKINS):

H.R. 5206. A bill to amend the Department of Defense Overseas Teachers Pay and Personnel Practices Act with respect to the giving of credit to new teachers for prior experience; to the Committee on Post Office and Civil Service.

By Mr. GALLAGHER:

H.R. 5207. A bill to provide for the equalization of the retired pay of members of the uniformed services of equal grade and years of service; to the Committee on Armed Services.

By Mr. GARMATZ (for himself, Mr. CLARK, and Mr. PELLY):

H.R. 5208. A bill to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard; to the Committee on Merchant Marine and Fisheries.

By Mr. GAYDOS:

H.R. 5209. A bill to revise the Welfare and Pension Plans Disclosure Act; to the Committee on Education and Labor.

H.R. 5210. A bill to create a national system of health security; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 5211. A bill to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. GREEN of Oregon:

H.R. 5212. A bill to establish the French Pete Creek National Woodlands Recreation Area; to the Committee on Interior and Insular Affairs.

H.R. 5213. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance for the aged; to the Committee on Ways and Means.

By Mr. HALEY:

H.R. 5214. A bill to amend the Federal Reserve Act to place insured nonmember banks on a parity with other insured banks in respect to their eligibility as depositories for member banks; to the Committee on Banking and Currency.

By Mr. HALPERN:

H.R. 5215. A bill relative to the air war in Cambodia; to the Committee on Foreign Affairs.

H.R. 5216. A bill to amend the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

H.R. 5217. A bill to amend the Special Foreign Assistance Act of 1971 (Public Law 91–652); to the Committee on Foreign Affairs.

By Mr. HALPERN (for himself, Mr. BADILLO, Mr. FLOOD, Mr. DONOHUE, Mr. ADDABBO, Mr. MIKVA, Mr. BURKE of Massachusetts, Mr. PEPPER, Mr. ECKHARDT, Mr. ROSENTHAL, Mr. SARBANES, and Mr. HATHAWAY):

H.R. 5218. A bill to protect consumers against unreasonable risk of injury from hazardous products, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HALPERN (for himself and Mr. ADDABBO, Mr. BADILLO, Mr. HARRINGTON, Mr. MIKVA, Mr. ASPIN, and Mr. ROYBAL):

H.R. 5219. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 in order to promote competition among motor vehicle manufacturers in the design and production of safe motor vehicles having greater resistance to damage, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5220. A bill to regulate interstate commerce by requiring certain insurance as a condition precedent to using the public streets, roads, and highways, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HALPERN (for himself and Mr. ADDABBO, Mr. BADILLO, Mr. HARRINGTON, Mr. ROYBAL, and Mr. ASPIN):

H.R. 5221. A bill to promote the greater availability of motor vehicle insurance in interstate commerce under more efficient and beneficial marketing conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. HALPERN:

H.R. 5222. A bill to provide that certain earnings of the Federal Prison Industries shall be used for vocational and rehabilitational training of prisoners, and for other purposes; to the Committee on Judiciary.

By Mr. HALPERN (for himself, Mrs. ABZUG, Mr. ADDABBO, Mr. BADILLO, Mr. BIAGGI, Mr. BRASCO, Mr. BROOMFIELD, Mr. BURKE of Massachusetts, Mr. CARNEY, Mr. CLAY, Mr. CORMAN, Mr. COUGHLIN, Mr. DELLENBACK, Mr. DELLUMS, Mr. DONOHUE, Mr. DRINAN, Mr. ECKHARDT, Mr. ESCH, Mr. FISH, Mr. FRENZEL, Mr. HARRINGTON, Mr. HATHAWAY, Mr. HORTON, Mr. KING, and Mr. MCCLORY):

H.R. 5223. A bill to amend the Federal Water Pollution Control Act to establish health and welfare standards which must be met by all synthetic detergents and to ban from detergents all phosphates and those synthetics which fail to meet the standards by June 30, 1973; to the Committee on Public Works.

By Mr. HALPERN (for himself, Mr. MCKINNEY, Mr. MOORHEAD, Mr. MORSE, Mr. NIX, Mr. PEPPER, Mr. ROE, Mr. RONCALIO, Mr. ROSENTHAL, Mr. ROYBAL, Mr. SCHEUER, Mr. JAMES V. STANTON, Mr. STEELE, Mr. STOKES, Mr. TIERNAN, Mr. THOMPSON of New Jersey, Mr. THOMSON of Wisconsin, and Mr. VANDER JAGT):

H.R. 5224. A bill to amend the Federal Water Pollution Control Act to establish health and welfare standards which must be met by all synthetic detergents and to ban from detergents all phosphates and those synthetics which fail to meet the standards by June 30, 1973; to the Committee on Public Works.

By Mr. HALPERN (for himself, Mr. ADDABBO, Mr. BADILLO, Mr. HARRINGTON, Mr. ROYBAL, and Mr. ASPIN):

H.R. 5225. A bill to amend the Internal Revenue Code of 1954, and for other purposes; to the Committee on Ways and Means.

By Mr. HALPERN (for himself, Mr. HORTON, and Mr. REID of New York):

H.R. 5226. A bill to restore balance in the federal system of government in the United States; to provide both the flexibility and resources for State and local government officials to exercise leadership in solving their own problems; to achieve a better allocation of total public resources; and to provide for the sharing with State and local governments of a portion of the tax revenue received by the United States; to the Committee on Ways and Means.

By Mr HALPERN:

H.R. 5227. A bill to amend the Internal Revenue Code of 1954 and the Social Security Act to provide a comprehensive program of health care for the 1970's by strengthening the organization and delivery of health care nationwide and by making comprehensive health care insurance available to all Americans, and for other purposes; to the Committee on Ways and Means.

By Mr. HARRINGTON (for himself, Mrs. ABZUG, Mr. ANDERSON of Tennessee, Mr. ASPIN, Mr. BADILLO, Mr. CLAY, Mr. CONTE, Mr. CONYERS, Mr. CULVER, Mr. DELLUMS, Mr. DRINAN, and Mr. EDWARDS of California, Mr. WILLIAM D. FORD, Mr. FRASER, Mr. HALPERN, Mr. HAMILTON, Mr. HELSTOSKI, Mr. KASTENMEIER, Mr. KOCH, Mr. LEGGETT, Mr. MIKVA, Mr. MITCHELL, and Mr. NIX):

H.R. 5228. A bill to amend the Foreign Assistance Act of 1961, as amended, to prohibit any involvement or participation of U.S. Armed Forces in an invasion of North Vietnam without prior and explicit congressional authorization; to the Committee on Foreign Affairs.

By Mr. HARRINGTON (for himself, Mr. O'NEILL, Mr. REES, Mr. REUSS, Mr. ROSENTHAL, Mr. ROYBAL, Mr. RYAN, Mr. SARBANES, Mr. SCHEUER, Mr. SEIBERLING, Mr. STOKES, Mr. TIERNAN, and Mr. THOMPSON of New Jersey):

H.R. 5229. A bill to amend the Foreign Assistance Act of 1961, as amended, to prohibit any involvement or participation of U.S. Armed Forces in an invasion of North Vietnam without prior and explicit congressional authorization; to the Committee on Foreign Affairs.

By Mr. HARSHA:

H.R. 5230. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to remove the limitation on the aggregate amount of financial assistance to any one organization; to the Committee on Agriculture.

By Mrs. HICKS of Massachusetts:

H.R. 5231. A bill to increase by 9.5 percent the monthly rates of veterans pension payable to "old law" pensioners, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HORTON:

H.R. 5232. A bill to amend the Immigration and Nationality Act with respect to naturalization fees; to the Committee on the Judiciary.

By Mr. HULL:

H.R. 5233. A bill to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. HUNGATE (for himself, Mrs. CHISHOLM, and Mr. MITCHELL):

H.R. 5234. A bill to amend the Internal Revenue Code of 1954 to terminate certain tax preferences for builders and dealers in low- and moderate-income housing; to the Committee on Ways and Means.

By Mr. KARTH:

H.R. 5235. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

By Mr. KASTENMEIER:

H.R. 5236. A bill to provide for the creation of an authority to be known as the Reclamation Lands Authority to carry out the congressional intent respecting the excess land provisions of the Federal Reclamation Act of June 17, 1902; to the Committee on Interior and Insular Affairs.

H.R. 5237. A bill to carry into effect a provision of the Convention of Paris for the Protection of Industrial Property, as revised at Stockholm, Sweden, July 14, 1967; to the Committee on Judiciary.

H.R. 5238. A bill to amend section 6 of title 35, United States Code, "Patents," to authorize domestic and international studies and programs relating to patents and trademarks; to the Committee on Judiciary.

By Mr. KEMP:

H.R. 5239. A bill to regulate the dumping of material in the oceans, coastal, and other waters, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. LATTA:

H.R. 5240. A bill to repeal the Federal excise taxes on alcoholic beverages and tobacco products for providing the several States with a source of additional revenue; to the Committee on Ways and Means.

By Mr. MCCLURE (for himself, Mr. ARCHER, Mr. BUCHANAN, Mr. CARTER, Mr. DON H. CLAUSEN, Mr. DONOHUE, Mr. ECKHARDT, Mr. HALPERN, Mr. HANSEN, of Idaho, Mr. HASTINGS, Mr. JOHNSON of Pennsylvania, Mr. KING, Mr. KUYKENDALL, Mr. LLOYD, Mr. LUJAN, Mr. MCCLORY, Mr. MCKINNEY, Mr. MAZZOLI, Mr. MIKVA, Mr. MYERS, Mr. PIRNIE, Mr. SANDMAN, Mr. SHOUP, Mr. WHITEHURST, and Mr. WYATT):

H.R. 5241. A bill to encourage States to establish motor vehicle disposal programs and to provide for federally guaranteed loans and tax incentives for the acquisition of automobile scrap processing equipment; to the Committee on Ways and Means.

By Mr. MARTIN:

H.R. 5242. A bill to amend the Communications Act of 1934 in order to provide that licenses for the operation of a broadcasting station shall be issued for a term of 5 years; to the Committee on Interstate and Foreign Commerce.

By Mr. MATSUNAGA (for himself, Mr. LONG of Maryland, Mr. MOSHER, Mr.

RAILSBACK, Mr. RANGEL, Mr. ROBISON of New York, Mr. RODINO, Mr. ROSTENKOWSKI, Mr. RUPPE, Mr. SEIBERLING, Mr. TIERNAN, Mr. UDALL, Mr. VANIK, and Mr. CHARLES H. WILSON):

H.R. 5243. A bill to amend title 18, United States Code, to prohibit the establishment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the U.S. Government except in conformity with the provisions of title 18; to the Committee on Judiciary.

By Mr. MATSUNAGA (for himself, Mrs. ABZUG, Mr. ASPIN, Mr. BEGICH, Mr. BOLAND, Mr. BRASCO, Mr. CORBETT, Mr. COTTER, Mr. COUGHLIN, Mr. CULVER, Mr. DANIELSON, Mr. DRINAN, Mr. ECKHARDT, Mr. FORSYTHE, Mr. FULTON of Tennessee, Mr. GIBBONS, Mrs. GRASSO, Mr. HELSTOSKI, Mrs. HICKS of Massachusetts, Mr. KEITH, Mr. KLUCZYNSKI, Mr. LINK, Mr. MCKINNEY, Mr. MAZZOLI, and Mr. MICHEL):

H.R. 5244. A bill to amend title 18, United States Code, to prohibit the establishment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the U.S. Government except in conformity with the provisions of title 18; to the Committee on the Judiciary.

By Mr. MILLER of Ohio:

H.R. 5245. A bill to amend title II of the Social Security Act to provide a 10-percent across-the-board increase in benefits thereunder, with a minimum primary benefit of $100, and to increase to $2,400 a year the amount of outside earnings a beneficiary may have without loss of benefits; to the Committee on Ways and Means.

By Mr. MINISH:

H.R. 5246. A bill to create a health security program; to the Committee on Ways and Means.

H.R. 5247. A bill to amend the Social Security Act to increase OASDI benefits by 15 percent (with a $100 minimum) and raise the earnings base, with subsequent adjustments as the cost of living rises, to provide various improvements in benefit computations, to liberalize the earnings test, to permit the payment of benefits to a married couple on their combined wage record, and to liberalize eligibility for disability benefits; to make disabled beneficiaries eligible for medicare without regard to age, and to cover prescription drugs; to require the furnishing of drugs on a generic basis under the medicare and public assistance programs; and for other purposes; to the Committee on Ways and Means.

By Mr. MIZELL (for himself, Mr. WAMPLER, Mr. BROYHILL of North Carolina, and Mr. TAYLOR):

H.R. 5248. A bill to authorize the lease and transfer of burley tobacco acreage allotments; to the Committee on Agriculture.

By Mr. MOORHEAD:

H.R. 5249. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. NIX:

H.R. 5250. A bill to authorize repatriation of Americans of African descent and the furnishing of development aid to Africa, and for other purposes; to the Committee on Foreign Affairs.

By Mr. O'NEILL:

H.R. 5251. A bill to amend the Federal-State Extended Unemployment Compensation Act of 1970 to permit Federal sharing of the cost of unemployment benefits which extend for 52 weeks; to the Committee on Ways and Means.

By Mr. O'NEILL (for himself, Mr. SIKES, Mr. CHAPPELL, Mr. KYROS, Mr. HATHAWAY, Mr. MITCHELL, Mr. MORSE, Mr. HARRINGTON, Mr. BURKE of Massachusetts, Mr. ADDABBO, Mr. PODELL, Mr. ST GERMAIN, Mr. TIERNAN, Mr. DORN, Mr. MANN, Mr. ABBITT, Mr. POFF, Mr. SCOTT, Mr. WAMPLER, Mr. BROYHILL of Virginia, Mr. ROBINSON of Virginia, Mrs. HICKS of Massachusetts, and Mr. DRINAN):

H.R. 5252. A bill to grant to each coastal State mineral rights in the subsoil and seabed of the Outer Continental Shelf extending to a line which is 12 miles from the coast of such State, and for other purposes; to the Committee on the Judiciary.

By Mr. O'NEILL (for himself and Mr. YOUNG of Florida, Mr. DONOHUE, Mr. SANDMAN, Mr. CONTE, Mr. BOLAND, Mr. HELSTOSKI, and Mr. KEITH):

H.R. 5253. A bill to grant to each coastal State mineral rights in the subsoil and seabed of the Outer Continental Shelf extending to a line which is 12 miles from the coast of such State, and for other purposes; to the Committee on the Judiciary.

By Mr. O'NEILL (for himself, Mr. SIKES, Mr. CHAPPELL, Mr. KYROS, Mr. HATHAWAY, Mr. MITCHELL, Mr. MORSE, Mr. HARRINGTON, Mr. BURKE of Massachusetts, Mr. ADDABBO, Mr. PODELL, Mr. ST GERMAIN, Mr. TIERNAN, Mr. DORN, Mr. MANN, Mr. ABBITT, Mr. POFF, Mr. SCOTT, Mr. WAMPLER, Mr. BROYHILL of Virginia, Mr. ROBINSON of Virginia, Mrs. HICKS of Massachusetts, and Mr. DRINAN):

H.R. 5254. A bill to create a marine resources conservation and development fund; to provide for the distribution of revenues from Outer Continental Shelf lands; and for other purposes; to the Committee on the Judiciary.

By Mr. O'NEILL (for himself, Mr. YOUNG of Florida, Mr. DONOHUE, Mr. SANDMAN, Mr. CONTE, Mr. BOLAND, Mr. HELSTOSKI, and Mr. KEITH):

H.R. 5255. A bill to create a marine resources conservation and development fund; to provide for the distribution of revenues from Outer Continental Shelf lands; and for other purposes; to the Committee on the Judiciary.

By Mr. PATMAN:

H.R. 5256. A bill to authorize the Secretary of the Interior to protect, manage, and control free-roaming horses and burros on public lands; to the Committee on Interior and Insular Affairs.

By Mr. PERKINS:

H.R. 5257. A bill to amend the National School Lunch Act, as amended, to provide funds and authorities to the Department of Agriculture for the purpose of providing free or reduced-price meals to needy children; to the Committee on Education and Labor.

By Mr. PRICE of Illinois:

H.R. 5258. A bill to amend the Federal Water Pollution Control Act, as amended; to the Committee on Public Works.

By Mr. PRICE of Illinois (for himself and Mr. BETTS):

H.R. 5259. A bill to provide for disclosures designed to elicit a balance of expression to the Congress with respect to legislative measures, and for other purposes; to the Committee on Standards of Official Conduct.

By Mr. REID of New York (for himself, Mr. HORTON, and Mr. HALPERN):

H.R. 5260. A bill to restore balance in the federal system of government in the United States; to provide both the flexibility and resources for State and local government officials to exercise leadership in solving their own problems; to achieve a better allocation of total public resources; and to provide for the sharing with State and local governments of a portion of the tax revenue received by the United States; to the Committee on Ways and Means.

By Mr. ROBINSON of Virginia:

H.R. 5261. A bill to authorize acquisition by the United States of certain real property contiguous to the national cemetery at Culpeper, Va.; to the Committee on Veterans' Affairs.

By Mr. ROE:

H.R. 5262. A bill to establish a commission to plan a permanent memorial to Rev. Martin Luther King, Jr.; to the Committee on House Administration.

H.R. 5263. A bill to provide increased annuities under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

By Mr. ROGERS:

H.R. 5264. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 5265. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. ROONEY of Pennsylvania:

H.R. 5266. A bill to provide for the issuance of a commemorative postage stamp in honor of the firefighters and the 100th anniversary of the Chicago fire on October 8, 1871; to the Committee on Post Office and Civil Service.

By Mr. RUPPE:

H.R. 5267. A bill to declare certain real property in Houghton County, Mich., as nonnavigable; to the Committee on Interstate and Foreign Commerce.

H.R. 5268. A bill to regulate the dumping of material in the oceans, coastal, and other waters, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SCHMITZ:

H.R. 5269. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. SIKES:

H.R. 5270. A bill to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SIKES (for himself, Mr. BLANTON, Mr. MAYNE, Mr. VANDER JAGT, Mr. PICKLE, Mr. MELCHER, Mr. KYROS, Mr. MCCORMACK, and Mr. BROOMFIELD):

H.R. 5271. A bill to amend section 4182 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. SKUBITZ:

H.R. 5272. A bill to amend the Railroad Retirement Act of 1937 and title II of the Social Security Act to eliminate those provisions which restrict the right of an individual to receive survivor benefits simultaneously under both acts; to the Committee on Interstate and Foreign Commerce.

H.R. 5273. A bill to amend the Public Works Acceleration Act to make its benefits available to certain areas of extra high unemployment, to authorize additional funds for such act, and for other purposes; to the Committee on Public Works.

H.R. 5274. A bill to amend the Internal Revenue Code of 1954 to provide charitable deduction for blood donations; to the Committee on Ways and Means.

By Mr. STAGGERS (for himself and Mr. SPRINGER):

H.R. 5275. A bill to control the generation and transmission of noise detrimental to the human environment, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5276. A bill to amend the Federal Hazardous Substances Act, as amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5277. A bill to assure protection of environmental values while facilitating construction of needed electric power supply facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STUBBLEFIELD:

H.R. 5278. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. TEAGUE of Texas:

H.R. 5279. A bill to increase the monthly rate of pension for World War I veterans' widows entitled to pension under section 9(b) of the Veterans' Pension Act of 1959, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TERRY:

H.R. 5280. A bill to amend title II of the Social Security Act to increase from $1,680 to $3,000 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. THOMPSON of New Jersey:

H.R. 5281. A bill to assure equal access for farmworkers to programs and procedures instituted for the protection of American working men and women, and for other purposes; to the Committee on Education and Labor.

H.R. 5282. A bill to improve and increase postsecondary educational opportunities throughout the Nation by providing assistance to the States for the development and construction of comprehensive community colleges; to the Committee on Education and Labor.

By Mr. VIGORITO (for himself, Mr. MCDONALD of Michigan, Mr. GREEN of Pennsylvania, and Mr. ROY):

H.R. 5283. A bill to reduce pollution which is caused by litter composed of soft drink and beer containers, and to eliminate the threat to the Nation's health, safety, and welfare which is caused by such litter by banning such containers when they are sold in interstate commerce on a no-deposit, no-return basis; to the Committee on Interstate and Foreign Commerce.

By Mr. WAGGONNER:

H.R. 5284. A bill to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5285. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 5286. A bill to amend the maritime lien provisions of the Ship Mortgage Act of 1920; to the Committee on Merchant Marine and Fisheries.

By Mr. WYLIE:

H.R. 5287. A bill to provide for the suspension of air commerce between the United States and any country which grants sanctuary to an individual who hijacks an American aircraft, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FASCELL:

H.R. 5288. A bill to insure protection of Members of Congress, the general public, and the buildings and records of the Congress; to the Committee on Public Works.

By Mr. MILLS (for himself, Mr. PRYOR of Arkansas, Mr. HAMMERSCHMIDT, and Mr. ALEXANDER):

H.R. 5289. A bill to establish a national policy relative to the revitalization of rural and other economically distressed areas by providing incentives for a more even and practical geographic distribution of industrial growth and activity and developing manpower training programs to meet the needs of industry, and for other purposes; to the Committee on Government Operations.

By Mr. PATMAN:

H.R. 5290. A bill to authorize the Smithsonian Institution to promote the development of living historical farms in the United States; to the Committee on House Administration.

By Mr. PERKINS:

H.R. 5291. A bill to establish a universal food service and nutrition education program for children; to the Committee on Education and Labor.

By Mr. PUCINSKI:

H.R. 5292. A bill to make possible appropriate, economical, and accessible learning opportunities for all adults, both for their individual fulfillment and for the social and economic well-being of the Nation; to the Committee on Education and Labor.

By Mr. SCHERLE:

H.R. 5293. A bill to require advance payments to feed grain farmers participating in the feed grain program; to the Committee on Agriculture.

By Mr. BENNETT (for himself, Mr. O'KONSKI, Mr. ABBITT, Mr. BYRNE of Pennsylvania, Mr. MOSS, Mr. DULSKI, Mr. HALPERN, Mr. ADDABBO, Mr. EDWARDS of California, Mr. LEGGETT, Mr. MATSUNAGA, Mr. HUNGATE, Mr. DUNCAN, Mr. HELSTOSKI, Mr. GOODLING, Mr. BRASCO, Mr. NICHOLS, Mr. ALEXANDER, Mrs. ABZUG, Mr. ASPIN, Mrs. HICKS of Massachusetts, Mr. RONCALIO, and Mr. THONE:

H.J. Res. 408. Joint resolution to authorize the establishment of a Joint Committee on Peace; to the Committee on Rules.

By Mr. DELLUMS (for himself, Mr. DIGGS, Mr. RANGEL, Mrs. ABZUG, Mr. COLLINS of Illinois, Mr. RONCALIO, Mr. MITCHELL, Mr. ROSENTHAL, Mr. HAWKINS, Mr. RYAN, Mr. SCHEUER, Mr. EDWARDS of California, Mr. ECKHARDT, Mr. CONYERS, Mr. KASTENMEIER, Mr. MIKVA, Mr. SEIBERLING, Mr. BURTON, Mr. KOCH, Mr. HELSTOSKI, Mr. DOW, and Mr. BADILLO):

H.J. Res. 409. Joint resolution calling for full-scale congressional inquiry into U.S. war crimes and war crimes responsibility in Southeast Asia; to the Committee on Rules.

By Mr. DINGELL (for himself and Mr. ICHORD):

H.J. Res. 410. Joint resolution to establish a Joint Committee on the Environment; to the Committee on Rules.

By Mrs. DWYER:

H.J. Res. 411. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GAYDOS:

H.J. Res. 412. Joint resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.J. Res. 413. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. HORTON:

H.J. Res. 414. Joint resolution to rename the U.S. Coast Guard cutter *Vigilant* the *Simas Kudirka;* to the Committee on Merchant Marine and Fisheries.

By Mr. HOWARD:

H.J. Res. 415. Joint resolution proposing an amendment to the Constitution of the United States to extend the right to vote to citizens 18 years of age and older and to require that such citizens be treated as adults for the purposes of all law; to the Committee on the Judiciary.

By Mr. MILLER of Ohio:

H.J. Res. 416. Joint resolution proposing an amendment to the Constitution of the United States requiring the submission of balanced Federal funds budgets by the President and action by the Congress to provide revenues to offset Federal funds deficits; to the Committee on the Judiciary.

By Mr. RODINO:

H.J. Res. 417. Joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

By Mr. ROE:

H.J. Res. 418. Joint resolution designating the third Wednesday of April of each year as "Earth Day"; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.J. Res. 419. Joint resolution authorizing the President to proclaim the week of March 14 to 21, 1971, as "International DeMolay Week"; to the Committee on the Judiciary.

By Mr. TERRY:

H.J. Res. 420. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. WYATT:

H.J. Res. 421. Joint resolution to place the question of approval of dimethyl sulfoxide (DMSO) for human use as a prescription drug before the National Academy of Sciences; to the Committee on Interstate and Foreign Commerce.

By Mr. HORTON:

H. Con. Res. 187. Concurrent Resolution that it is the sense of Congress that the United States and the various political entities thereof should adopt "911" as the nationwide, uniform emergency telephone number; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of Texas:

H. Con. Res. 188. Concurrent resolution expressing the sense of Congress that no further troop withdrawals should take place until an agreement for the exchange of prisoners has been reached by the United States with representatives of the North Vietnamese and the Vietcong; to the Committee on Foreign Affairs.

By Mrs. HICKS of Massachusetts:

H. Res. 261. Resolution calling for the humane treatment of U.S. prisoners of war held by North Vietnam; to the Committee on Foreign Affairs.

By Mr. THOMPSON of New Jersey:

H. Res. 262. Resolution to amend the rules of the House to abolish joint sponsorship of bills, memorials, or resolutions; to the Committee on Rules.

By Mr. WAGGONNER:

H. Res. 263. Resolution providing funds for the expenses of the Committee on House Administration in the development and operation of a computer system for the House of Representatives; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ADAMS:

H.R. 5294. A bill for the relief of Leon B. Licos; to the Committee on the Judiciary.

By Mr. ADDABBO (by request):

H.R. 5295. A bill for the relief of James J. Carpenter; to the Committee on the Judiciary.

By Mr. ADDABBO:
H.R. 5296. A bill for the relief of Giuseppi and Vincensa Maggio and minor children, Peppino and Antonino Maggio; to the Committee on the Judiciary.
H.R. 5297. A bill for the relief of Kalman Rubinstein; to the Committee on the Judiciary.
H.R. 5298. A bill for the relief of Shum Chun Fat (also known as Shum Chun Fat Sang); to the Committee on the Judiciary.
By Mr. BENNETT:
H.R. 5299. A bill for the relief of Maj. Henry C. Mitchell, retired; to the Committee on the Judiciary.
By Mr. BINGHAM:
H.R. 5300. A bill for the relief of Chung Ping Yung; to the Committee on the Judiciary.
By Mr. BROYHILL of Virginia (by request):
H.R. 5301. A bill for the relief of Liceria M. Bautista; to the Committee on the Judiciary.
By Mr. BURTON:
H.R. 5302. A bill for the relief of Margherita Sarfatti Larson; to the Committee on the Judiciary.
By Mr. BYRNE of Pennsylvania:
H.R. 5303. A bill for the relief of Nunzia Platania; to the Committee on the Judiciary.
By Mr. COTTER:
H.R. 5304. A bill for the relief of Ivo Lopes Mendes Brandao and Jose Mendes Brandao, Jr.; to the Committee on the Judiciary.
By Mr. DANIELSON:
H.R. 5305. A bill for the relief of Lauro Alfonso Ochoa Gonzalez; to the Committee on the Judiciary.
By Mr. EILBERG:
H.R. 5306. A bill for the relief of Alfonso De Laurentiis and Irma De Laurentiis; to the Committee on the Judiciary.
By Mr. FREY:
H.R. 5307. A bill for the relief of Reynaldo Canlas Baecher; to the Committee on the Judiciary.
By Mr. HALPERN:
H.R. 5308. A bill for the relief of Pamella Bernadette Nelson; to the Committee on the Judiciary.
By Mr. HANSEN of Idaho:
H.R. 5309. A bill for the relief of Walter M. Piccirillo, his wife, Emma Piccirillo, and their children, Mario Piccirillo and Daniel Piccirillo; to the Committee on the Judiciary.
By Mr. HELSTOSKI (by request):
H.R. 5310. A bill for the relief of Franco Avorio; to the Committee on the Judiciary.
H.R. 5311. A bill for the relief of Kazimierz Bielecki; to the Committee on the Judiciary.
H.R. 5312. A bill for the relief of Nikolaos M. Parkas (also known as Nick Barkas and Nikolaos Barkas); to the Committee on the Judiciary.
By Mr. HICKS of Washington:
H.R. 5313. A bill for the relief of Santiago D. Sison; to the Committee on the Judiciary.
By Mr. HORTON:
H.R. 5314. A bill for the relief of John R. Groves; to the Committee on the Judiciary.
By Mr. OBEY:
H.R. 5315. A bill for the relief of Gary R. Uttech; to the Committee on the Judiciary.
By Mr. PRICE of Illinois:
H.R. 5316. A bill for the relief of Karen (Byung Yun) Lee; to the Committee on the Judiciary.
By Mr. RUPPE:
H.R. 5317. A bill granting authority to the Secretary of the Army to renew the license of the Ira D. MacLachlan Post No. 3, the American Legion, Sault Sainte Marie, Mich., to use a certain parcel of land in Saint Marys Falls Canal project; to the Committee on Armed Services.
H.R. 5318. A bill for the relief of Mrs. Fernande M. Allen; to the Committee on the Judiciary.
By Mr. SCHEUER:
H.R. 5319. A bill for the relief of Nicola Augelletta, his wife, Ida Augellettaa, and their children, Rosa Augelletta, Maria Carmela Augelletta, and Susanna Augelletta; to the Committee on the Judiciary.
H.R. 5320. A bill for the relief of Mabel Mollineau; to the Committee on the Judiciary.
By Mr. SHIPLEY:
H.R. 5321. A bill for the relief of Ofelia C. Santos; to the Committee on the Judiciary.
By Mr. SKUBITZ:
H.R. 5322. A bill for the relief of Mrs. Nashiki Sugimoto; to the Committee on the Judiciary.
By Mr. THOMPSON of New Jersey:
H.R. 5323. A bill for the relief of Luigi Giuliano and his wife, Giuseppina Testa Giuliano, and their children, Michelina Giuliano and Magdalena Giuliano; to the Committee on the Judiciary.
By Mr. THOMPSON of New Jersey:
H.R. 5324. A bill for the relief of Rosita E. Hodas; to the Committee on the Judiciary.
By Mr. VIGORITO:
H.R. 5325. A bill for the relief of Brenda Wedekind; to the Committee on the Judiciary.
By Mr. WAGGONNER:
H.R. 5326. A bill for the relief of Ivo Tomasovic; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

34. By the SPEAKER: A memorial of the Senate of the State of Indiana, relative to daylight saving time; to the Committee on Interstate and Foreign Commerce.
35. Also, a memorial of the Legislature of the Commonwealth of Massachusetts, relative to the establishment of a Veterans' Administration hospital in the north shore area of Essex County, Mass.; to the Committee on Veterans' Affairs.
36. Also, a memorial of the Legislature of the Commonwealth of Massachusetts, relative to consolidating Federal assistance programs for needy and elderly persons under the social security system; to the Committee on Ways and Means.
37. Also, a memorial of the Legislature of the State of Arkansas, relative to providing incentives for more even and practical geographic distribution of industrial growth; to the Committee on Government Operations.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

35. By the SPEAKER: Petition of David Harold Yates, Vine Grove, Ky., relative to abortions; to the Committee on the Judiciary.
36. Also, a petition of the Steering Committee, National Urban Coalition, relative to declaring the birthday of Martin Luther King, Jr., as a national holiday; to the Committee on the Judiciary.

SENATE—*Monday, March 1, 1971*

(Legislative day of Wednesday, February 17, 1971)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. ELLENDER).

The Reverend Donald H. Bowen, pastor, Downtown Baptist Church, Alexandria, Va., offered the following prayer:

Our Lord and our God, we come into Thy holy presence, not as beggars asking crumbs, but as children talking to their Father.

We pray that You will grant to our President his request for an understanding heart in these days when there is so much misunderstanding. And what we ask for him, we ask for these and all others into whose hands world affairs are entrusted.

May we always remember that much is required of those to whom much is given. As a nation, You have blessed us beyond our deserving. May we give back in the same proportion to the end that justice may run down as waters and righteousness as a mighty stream.

If, like Thy servant of old, we are ever offered the desires of our hearts, may we, like that same servant, have vision enough to ask for a double portion of Thy spirit.

In the name of Him who gave His all for us, even Jesus Christ. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Journal of the proceedings of Friday, February 26, 1971, be approved.

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

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

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

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. The nomination on the Executive Calendar will be stated.

APPALACHIAN REGIONAL COMMISSION

The assistant legislative clerk read the nomination of Donald W. Whitehead, of Massachusetts, to be Federal cochairman of the Appalachian Regional Commission.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

Mr. BYRD of West Virginia. Mr. Presi-