tinguished senior Senator from Virginia (Mr. HARRY F. BYRD, JR.).

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business, with statements limited to 3 minutes.

The PRESIDING OFFICER (Mr. HARRY F. BYRD, JR.). Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate tomorrow.

Mr. GRIFFIN. Mr. President, reserving the right to object, I am not aware of what committees may have meetings scheduled tomorrow, if any; but I am aware of the fact that unanimous-consent agreements have been entered into calling for votes on very important proposals in mid-morning tomorrow, and that throughout the day and the morning there will be very important measures on the floor. Several of my colleagues have requested me, in my leadership capacity, to object to any committees meeting tomorrow in view of the schedule that has been arranged, and I do object.

The PRESIDING OFFICER. Objection is heard.

Mr. ROBERT C. BYRD. May I ask the distinguished assistant Republican leader—and I respect his right to object and I certainly respect his reasons—as to whether, if this request had been made tomorrow morning, there would have been an objection placed against the request at that time? I ask this for my own protection.

Mr. GRIFFIN. Yes, there would be, for the same reason, on behalf of the same Senators.

Mr. ROBERT C. BYRD. Yes. I thank the distinguished assistant Republican leader.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 8:15 a.m., following the recess.

Immediately following the recognition of the two leaders or their designees under the standing order, the Chair will recognize the following Senators, each for not to exceed 15 minutes and in the order stated:

Senators TUNNEY, HARRY F. BYRD, JR., PROXMIRE, MOSS, and ROBERT C. BYRD.

Further, Mr. President, there will be a yea-and-nay vote at 9:30 a.m. on amendment No. 1310 by the distinguished Senator from Utah (Mr. BENNETT), the amendment being a substitute for the amendment offered by Mr. CHURCH.

Immediately following the rollcall vote on the Bennett amendment, a yea-and-nay vote will occur on amendment No. 1307 by Mr. CHURCH, both amendments having reference to the increase in social security benefits.

Following the rollcall vote on the amendment by Mr. CHURCH, the Senate will continue with the consideration of H.R. 15390, the so-called debt limit bill.

There are no further agreements at this time with respect to amendments thereto or regarding debate on the bill.

Upon disposition of the debt limit bill, the Senate will proceed to the consideration of H.R. 15586, the public works appropriation bill, on which there is an agreement limiting debate to 2 hours on the bill and limiting time on any amendment, debatable motion, or appeal to 30 minutes.

Upon disposition of the Public Works appropriation bill, the Senate will resume consideration of House Joint Resolution 1234, the continuing resolution, on which there is a time agreement allowing 1 hour for debate on the resolution, 1 hour on the amendment by the Senator from Wisconsin (Mr. PROXMIRE), and one-half hour on any other amendment, debatable motion, or appeal.

Mr. President, in summation, there will be at least these rollcall votes tomorrow:

A yea-and-nay vote on the Bennett amendment; on the Church amendment; on passage of the debt limit bill; on passage of the public works appropriation bill; on the Proxmire amendment to the continuing resolution; and on the passage of the continuing resolution.

I have enumerated at least six yea-and-nay votes, and there will undoubtedly be additional yea-and-nay votes.

During the day the conference report on the District of Columbia appropriations bill will be brought up. I foresee no problem there.

There will be other conference reports called up from time to time.

Mr. President, I am ready now to make the motion to recess if the distinguished assistant Republican leader has no further statement or business.

RECESS TO 8:15 A.M.

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 8:15 a.m. tomorrow.

The motion was agreed to; and at 8:05 p.m. the Senate recessed until tomorrow, Friday, June 30, 1972, at 8:15 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 29 (legislative day of June 28), 1972:

COMMISSION ON CIVIL RIGHTS

John A. Buggs, of Maryland, to be Staff Director for the Commission on Civil Rights.

U.S. TARIFF COMMISSION

Italo H. Ablondi, of New York, to be a member of the U.S. Tariff Commission for the term expiring June 16, 1978.

HOUSE OF REPRESENTATIVES—*Thursday, June 29, 1972*

The House met at 10 o'clock a.m.

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

Wait on the Lord: Be of good courage and He shall strengthen thine heart: Wait, I say, on the Lord.—Psalms 27: 14.

O Lord, our Heavenly Father, who hast safely brought us to the beginning of this day, defend us in the same with Thy mighty power and grant that we fall into no sin, neither run into any kind of danger: but that all our doings may be ordered by Thy governance, to do always that which is righteous in Thy sight. In all our doubts and uncertainties give us grace to ask what Thou wouldst have us do, that the spirit of wisdom may save us from all false choices, that in Thy light we may see light and in Thy straight path we may not stumble. Through Jesus Christ our Lord. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 15417. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1973, and for other purposes; and

H.R. 15418. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1973, and for other purposes.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The message also announced that the Senate insists upon its amendment to the bill (H.R. 13435) entitled "An act to increase the authorization for appropriation for continuing work in the Upper Colorado River Basin by the Secretary of the Interior," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. ANDERSON, Mr. MOSS, Mr. BURDICK, Mr. METCALF, Mr. ALLOTT, Mr. JORDAN of Idaho, and Mr. HANSEN to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15417) entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1973, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. STENNIS, Mr. BIBLE, Mr. ROBERT C. BYRD, Mr. PROXMIRE, Mr. MONTOYA, Mr. HOLLINGS, Mr. COTTON, Mr. CASE, Mr. FONG, Mr. BOGGS, Mr. BROOKE, Mr. STEVENS, Mr. ELLENDER, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15418) entitled "An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1973, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BIBLE, Mr. ROBERT C. BYRD, Mr. MCGEE, Mr. MONTOYA, Mr. ELLENDER, Mr. STEVENS, Mr. YOUNG, and Mr. HATFIELD to be the conferees on the part of the Senate.

The message also anounced that the Senate agrees to the amendment of the House with an amendment to a bill of the Senate of the following title:

S. 3338. An act to amend title 38, United States Code, to increase the rates of compensation for disabled veterans, and for other purposes.

The message also announced that the Senate had passed a joint and concurrent resolution, of the following titles in which the concurrence of the House is requested:

S.J. Res. 250. Joint resolution to extend the authority of the Secretary of Housing and Urban Development with respect to interest rates on insured mortgages and to extend laws relating to housing and urban developments; and

S. Con. Res. 87. Concurrent resolution declaring the Fourth of July as a day to honor America, and encouraging public activities to celebrate the 196th anniversary of its founding.

CALL OF THE HOUSE

Mr. CHARLES H. WILSON. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 244]

Abernethy	Eilberg	Mitchell
Abzug	Erlenborn	Mollohan
Adams	Evans, Colo.	Mosher
Alexander	Ford,	Moss
Anderson,	Gerald R.	Murphy, Ill.
Tenn.	Ford,	Nedzi
Ashley	William D.	Pepper
Aspin	Fraser	Pirnie
Baring	Fulton	Pryor, Ark.
Bell	Gallagher	Pucinski
Betts	Gaydos	Railsback
Blanton	Gray	Rees
Blatnik	Green, Pa.	Reid
Boggs	Hastings	Robison, N.Y.
Bray	Hawkins	Scheuer
Broomfield	Hébert	Shoup
Burke, Fla.	Heckler, Mass.	Sikes
Byron	Holifield	Skubitz
Caffery	Jonas	Slack
Celler	Jones, Tenn.	Springer
Chisholm	Karth	Stanton,
Clark	Kee	James V.
Clawson, Del	Long, La.	Steiger, Ariz.
Clay	McCloskey	Stokes
Colmer	McCormack	Teague, Tex.
Conyers	McCulloch	Terry
Davis, S.C.	McDade	Tiernan
Dellums	McDonald,	
Dent	Mich.	
Dowdy	Macdonald,	
du Pont	Mass.	
Dwyer	Matsunaga	

The SPEAKER. On this rollcall 347 Members have answered to their names, a quorum.

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

AGRICULTURE - ENVIRONMENTAL AND CONSUMER PROTECTION APPROPRIATIONS, 1973

Mr. WHITTEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15690) making appropriations for Agriculture-Environmental and Consumer Protection programs for the fiscal year ending June 30, 1973, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 3 hours, the time to be equally divided and controlled by the gentleman from North Dakota (Mr. ANDREWS) and myself.

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

There was no objection.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 15690, with Mr. WRIGHT in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Mississippi (Mr. WHITTEN) will be recognized for 1½ hours, and the gentleman from North Dakota (Mr. ANDREWS) will be recognized for 1½ hours.

The Chair recognizes the gentleman from Mississippi (Mr. WHITTEN).

Mr. WHITTEN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I do not know how one determines which bill coming before the Congress is the most important, and I do not suppose there is any way to make such a determination. I would say, though, that any bill such as this that comes before the Committee of the Whole and before the Congress, which has to do with food, clothing, and shelter, which has to do with the producer, the consumer and the man in between, which has to do with the Environmental Protection Agency, and with the consumers' welfare, certainly covers the waterfront.

Mr. Chairman, we have a fine subcommittee, a fine staff, and I feel we have done a good job. We bring you a good bill. We have had the cooperation of the Secretary of Agriculture, Mr. Butz, and of other administrators and heads of agencies.

COMMITTEE JURISDICTION

When the jurisdiction of the subcommittee was expanded to include environmental and consumer protection, many people did not realize that the subcommittee had already been active in the area of consumer protection throughout the years because it is our committee that reviews each year meat inspection to assure the wholesomeness of our food.

At the time this new jurisdiction was announced, many in the news media and many of my colleagues in Congress, did not seem to realize that through the years we on this committee have been in the forefront of protecting the environment by recommending funds for watershed protection, and for the Soil Conservation Service, and for the agricultural conservation programs. The Forest Service of the Department of Agriculture whose budget is reviewed by the subcommittee chaired by our good friend from the State of Washington (Mrs. HANSEN) has planted some 30 million trees. We also have about a million American farmers who are putting up their own money on a cost-share basis to restore our land through the agricultural conservation program.

So when this new jurisdiction of environmental protection and consumer was given to this subcommittee, we were the committee that had already worked with these programs through the years, and it was not the radical departure that it appeared to some to be.

Many people do not realize that through this bill we provide what I think may be some of the best things that have happened to our cities to help solve many of their problems.

IMPORTANCE OF AGRICULTURE

One of the problems we have today is that we have been so very prosperous and we have such a high standard of living that we have about forgotten the basic facts of life.

You know, it has been said that man's individual well-being depends on how much of his time he has to put in providing for himself the basic things—food, clothing, and shelter.

This Nation is the only one in the world that I know of where we have to

put in only about 5 percent of our time providing for food, clothing, and shelter.

I say that because only about 5 percent of our people are now on the farm providing food, clothing, and shelter for the rest of us. This frees the other 95 percent to make air conditioning, automobiles, and the thousand and one things that go to make up our high standard of living.

But the fact that those directly engaged in agriculture has declined to only 5 percent has created a very serious situation in terms of gaining the understanding by the news media and by the Congress which is necessary if we are to assure that this abundance is to continue.

It was Secretary Freeman, a few years ago, who said that out of the membership of the House of Representatives—435 Members—only 47—and this was 6 or 7 years ago—had as many as 20 percent of their people engaged in agriculture.

So it means a great percentage of our membership and a great percentage of the news media have no awareness of some of the facts I would like to call to your attention.

THE PROBLEMS OF AGRICULTURE

According to the record, 20 years ago, after paying farm production costs, the farmer or agricultural producer retained about $40 out of every $100 of realized gross income from farming; now production expenses have increased until the producer has only $27 left.

The amount of investment required to farm has continued to increase over the past 20 years; the average investment per farm has gone up five times from $17,200 to $96,500. Meanwhile, the return from farm investment has declined by 60 percent from 7.1 percent in 1945–49 to 2.8 percent in 1971.

One result has been that about 400,000 farmers and their families have left the farm in recent years, and the number of farms has declined from 5.8 million in 1945 to 2.9 million today. With small capital and a short labor supply, the average so-called, small farmer would continue at the poverty level even if all the costs of production were provided free.

These facts have created the necessity for larger farm units and farm investment, for only by the annexation to adjacent land of the lands vacated have we been able to maintain our level of production.

Today, 8 percent of our farms produce over half of our agriculture production, and nearly 90 percent of our production comes from just over a third of our farms.

Only one person out of 20 is now living on the farm. That means that each farm person has a responsibility for maintaining an understanding of agriculture among 19 other people. If that doesn't happen, the other 19 might inadvertently take action relating to agriculture that is harmful to themselves and to the remaining few who produce food and fiber for the Nation, for it is these few who provide the biggest market that industry and labor has.

THE ORIGIN OF OUR PRESENT FARM PROGRAMS

Throughout history there has been a major war nearly every generation, and an economic or financial depression has occurred with about the same regularity. Many believe that the reason is that each new generation fails to recognize the lessons learned by the one which preceded it.

This Nation seems to be in somewhat the same situation with regard to agriculture today.

The seeds of the Great Depression of the 1930's were sown in the agricultural depression of the 1920's which followed the First World War. The failure to maintain farm exports or to support farm prices and income during this period, and thus to maintain farmers' purchasing power, weakened banking and business throughout the country. Yet, people frequently fail to remember the lessons of the terrible financial crises of the 1920's and 1930's. It was graphically illustrated in 1921, in 1929, and again in 1937 that, if the farmer's prices and purchasing power collapse, the whole economy suffers both in the cities and in rural areas.

In the late twenties and the thirties, a drop in the purchasing power of those engaged in agriculture not only wrecked farming but dragged down the economy of the whole Nation.

After the First World War ended, the Government announced that it would no longer support the price of wheat. Wheat which had brought $2.94 a bushel in Minneapolis in July 1920, brought $1.72 in December 1920, and 92 cents a year later. Agricultural prices in general collapsed. Cotton fell to a third of its July 1920, price and corn by 62 percent. The "Yearbook of Agriculture" of 1922 shows that the total value of agricultural products dropped from $18,328,000,000 in 1920 to $12,402,000,000 in 1921. As a result of the agricultural crash of 1920–21, 453,000 farmers lost their farms. Many others remained in serious financial trouble which, in turn, were reflected by failures of local banks.

It has been said there were more suicides during this period among those that didn't know what a farm was than in any other period in our history. This tragic depression was the result of the breakdown in farm or commodity prices which had led to a fall in prices, income and values throughout the economy.

It was a sad way to learn it, but people at that time came to realize that real wealth starts with material things—corn, wheat, cotton, food crops of all kinds, and other raw materials—and that the general economy was primed by the sale of raw materials since, in general, the total national wealth averages some seven times the sales value of the farm or raw material production.

RESEARCH KEEPS US EATING

Years ago Jonathan Swift said:

> And he gave it as his opinion that whoever could make two ears of corn or two blades of grass to grow upon a spot of ground where only one grew before would deserve better of mankind and do more essential service to his country than the whole race of politicians put together.

John L. Blake felt much the same as Swift on this score:

> It is not known where he who invented the plough was born or where he died yet he has affected more the happiness of the world than the whole race of heroes and conquerors who have drenched it with tears and manured it with blood.

Many of the agricultural advances that we take from granted today—the wonderful equipment, the prolific varieties of seed, the greatly increased production per acre—are the result of the research and development programs of the Department of Agriculture extending over many years.

As a result of increased agricultural production derived in large part from applying the results of research to farming, American consumers are being supplied with an abundance of high-quality food products at constantly lower costs relative to their incomes. In 1939, food expenditures accounted for 22 percent of the average consumer's disposable income. In 1971, consumers were buying larger quantities of varied and higher quality foods with 16 percent of their disposable incomes.

If the agricultural output we achieved in 1970 had been produced by the methods available to farmers in 1939, it would have cost our Nation about $29 billion more in land, labor, capital, and other resources than the actual cost in 1970. Using the 1939 methods today would mean higher costs for poorer quality food.

Many people want to get back to some balance of nature. This committee takes a back seat to no one in its desire and efforts to try to do something about living with nature, which is different from being under the laws of nature.

To make discoveries and to use them puts man ahead of other living things and ahead in the competition between him and other living things. If you study ecology in depth, you find that the underdeveloped countries of the world come nearer to a condition where nature has its way than any other area of the globe and that appears to be a chief reason for their lack of development. It is certain that those who wish to return to the balance of nature don't really mean to go that far.

The problem that one has with returning to some other balance is to determine just where the line should be drawn. As the Secretary of Agriculture pointed out to the committee, we would immediately face the problem of which 50 million people would starve.

One cannot visit many areas of the world without taking shots for typhus, typhoid smallpox, and cholera. There are many countries that cannot be visited without risk of malaria. In the earlier years of the war in Vietnam, our casualties were far greater from a type of malaria that would not respond to quinine than they were from enemy troops.

That was Mother Nature's mosquitoes having their way. To say this is not to say that we need not do everything we possibly can to restore the environment and to improve the environment. But there seems to be a vocal group who is against changing the environment. The experience of this committee is that if you don't change the environment, it will change itself.

THE ENVIRONMENTAL ROLE OF AGRICULTURE

In the early 1930's we awoke to the fact that we were destroying our natural re-

sources and wasting our land. A book written in the mid-1930's—about the time that the Soil Conservation Service was established—stated:

From erosion surveys, soil surveys, and other measurements of soil losses, it is estimated that erosion in the United States already has ruined or seriously impoverished approximately 282 million acres. From an additional 775 million acres, erosion has stripped away varying proportions of the fertile topsoil. Considering only cropland, it is estimated that erosion has ruined about 50 million acres for further practical cultivation.

In recognition of this dire condition, a dual program of research and practical programs has been developed and implemented. Our knowledge of how to conserve the flow of water on the land and retain and enhance the productivity of our land has increased manyfold. By providing programs which demonstrated the usefulness of these techniques and encouraged their implementation, the Congress has assured a generation of widespread and continuing conservation effort.

Through 1971, over 3,000 local soil conservation districts have been formed, providing local leadership which has resulted in reducing erosion by 170 million tons below what might have been lost if the many soil conservation practices had not been put into place. In cooperation, local farmers, through the rural environmental assistance program, have constructed over 2 million storage reservoirs and built many acres of terraces and waterways. In short, farmers have been helped to practice practical ecology where water flow is slowed and directed to waterways and where cropland retains cover crops to protect it from the wind.

With all of this, much remains to be done, for far too many streams, clogged with sediment, flood the land and are lost to fish and recreation. It was testified that the most recent conservation needs inventory shows 64 percent of our cropland, over two-thirds of our grasslands, and nearly 60 percent of our forest lands still require some type of conservation treatment. Keeping up with the changes of nature and the changing needs of our expanding population is a continuing task.

When recognizing the contributions of agriculture to the restoration of the environment, we must not overlook the contributions of our forest lands. We had in this country about 150 years ago 8,000 million board feet of timber. Much of this timber was burned and wasted. Up until 1925, there had only been 1,600,000 acres planted to deforested areas in the country. Now, that much is planted each year. Through 1968 there was a total of 30 million acres planted and seeded. Beyond the beauty and watershed benefits we receive from our forests, over 30 million homes constructed of wood have been built in the last 25 years.

STRESS ON THE ENVIRONMENT

Paralleling our concern with the waste of our land and forest resources was the concern for pollution of water as a threat to public health. This became a matter of public concern in the United States in the late 19th century when virulent typhoid epidemics appeared in various cities. The then new science of bacteriology identified many of these outbreaks as the result of contaminated water supplies. The public outcry against pollution was great. Public health officers attempted to meet this challenge in two principal ways.

The first was to select certain streams for waste disposal and to reserve other, protected streams for municipal water supplies.

The other method was the filtration and disinfection of water.

While these systems have worked for many years, we now face a period when we must give full attention to water pollution or else pay substantial penalties for the future.

In a report entitled "The Economics of Clean Water," an EPA survey estimated a municipal investment of as much as $18 billion and an industrial investment of $8 billion over the next 4-year period to meet current water pollution standards.

For 1971, EPA estimates that about 29 percent of the Nation's waters were polluted, a deterioration of about 2 percent below the estimate of the previous year. For 1970, of the 148 million persons who live in communities served by sewer systems, the wastes for about 28 percent received only primary treatment and 6 percent received no treatment.

AIR POLLUTION PROBLEMS

Another serious problem we face in our efforts to clean up our environment is the problem of air pollution. In the second Annual Report of the President's Council on Environmental Quality, the damage cost as a result of air pollution was estimated to be $16.1 billion. This estimate is based on the following annual costs: human health—$6.1 billion, residential property—$5.2 billion, materials—$4.7 billion, and vegetation—$0.1 billion. Major sources of air pollution are motor vehicles and factories which emit such pollutants as sulfur and nitrogen oxides, hydrocarbons, and various types of particulate matter, and smoke, soot, and fly ash.

Motor vehicles of all types are responsible for much of our air pollution, with the internal combustion engine being responsible for much of the carbon monoxide, hydrocarbons, and nitrogen oxides in the air. Under current law, hydrocarbons and carbon monoxide from 1975 model year vehicles must be reduced by 90 percent from the allowable 1970 emissions. Nitrogen oxide emissions must be reduced by 90 percent in 1976 from measured emissions from 1971 model year cars.

Major emphasis in this area has been directed toward emission control devices rather than toward development and demonstration of new types of engine technology. Emission control devices are expected to add $150 to $200 to the cost of a new automobile as well as increased costs due to a significant reduction in gas mileage.

Cleanup of pollution attributable to sources other than motor vehicles will result primarily from the conversion to clean burning fuels. Coal gasification, natural gas, and nuclear power all offer significant potential for reducing emissions.

In the area of solid waste, it is estimated that we, as a Nation, throw away each year 3.5 billion tons of solid wastes, which costs us about $4.5 billion in handling costs. Of this, more than 360 million tons of industrial, municipal, and commercial solid wastes are being generated, and this amount is expected to double by 1980.

Paralleling the symptoms of man's demand on the environment; namely, air and water pollution, there is a dramatic increase in our use of resources which fuel our dynamic economy. The U.S. population of about 208 million is only 5.6 percent of the world's population, but we consume approximately one-third of the world's energy output. In 1971, the U.S. gross national product passed the $1 trillion mark. To support this level of GNP, energy and processed materials of mineral origin valued at $150 billion were required.

Annually over 4 billion tons of new mineral supplies—20 tons per person—are needed to sustain our economy. For forest products alone, 1971 consumption of industrial wood reached an alltime peak of 13 billion cubic feet.

HOW DO WE PROCEED

Though we all agree that we have a problem facing us with regard to the waste of our resources and the pollution of our streams, we are faced with what may be done. One thing is certain: You can take pollution from the air and put it in the water, or you can take it out of the water and put it on the land; but once formed, it must be disposed of somehow.

There is an old saying, "There ought to be a law." But a law is not self-enforcing. What people really mean is that there ought to be a correction. Laws require the cooperation of the vast majority of decent citizens to be effective. The law is also blind to any considerations not included in its framework. If a law causes more problems than it solves, it will not be enforced over a long period of time.

Congress in recent years has been passing environmental laws that are difficult if not impossible not to support, but which may be impossible to carry out. These laws are a reflection of the feeling of the Nation and the Congress and for the most part an earnest desire to improve and restore the environment.

But many of the provisions of these laws go well beyond the test of the prudent man. In many cases, standards are being established, standards for which no known technology exists to meet these standards, or at best technology that exists only in the laboratory or on the drawing board. For example, the committee has been told that—

Phosphates have been removed from detergents in some cases and the chemicals that have been used as replacements are more dangerous than the phosphates;

Emission control devices have been installed on automobiles to reduce carbon monoxide emissions, and nitrogen oxide emissions have been increased as a result;

The new emission control devices may result in a significant increase in fuel

consumption, thereby indirectly increasing pollution and significantly increasing the use of natural resources;

Power plant construction is being held up for environmental considerations—power that is needed to clean up our environment;

Some persistent pesticides have been banned and replaced with less persistent pesticides which we must use far more often to achieve a similar effect with much greater hazards to workers; and

We have made businesses install pollution abatement equipment and then made them replace the equipment as new technology becomes available.

Perhaps with all good intentions we are moving too fast.

A STEP BACKWARD—THE GYPSY MOTH

A second danger is using such laws to take sudden action where alternatives do not exist or at least are only in the laboratory stage of development. The gypsy moth, which defoliates our trees, is a case in point.

This insect was brought to this country as a possible source of silk in 1869. Unfortunately, some of the moths escaped from captivity. Twenty years later it infested 200 square miles around Boston. It gradually spread to infest much of New England and, in the 1920's, a barrier zone was established along the line of the Hudson River. Generally, infestations beyond the zone were held in check with aerial treatment with DDT, the treatment of choice until its extensive use was halted in 1959. Since that time, the westward spread has been significant until the 1970's found the gypsy moth as far away as Wisconsin, Ohio, North Carolina, South Carolina, and Alabama.

Current control methods involve the use of the pesticide Sevin which, reportedly, does not offer the degree of control due to its short life and the need for more frequent applications. Further, public opposition to aerial pest control operations has seriously hampered the success of the gypsy moth program. Sterile male moths are being released in limited locations where it is possible to overwhelm insect populations. In addition, experiments are being conducted with parasites, predators, and sex lures. The appropriations for this research were expanded by $1 million in 1971 for a total of over $1.6 million for the cooperating agencies of USDA. The level for 1973 should reach $1.9 million.

Problems with mass rearing techniques and with the establishment and careful testing that must precede the introduction of predators will mean that it will take several years to see their effects. Nevertheless, the committee fully expects the Department to use such funds as may be available to exploit any scientific breakthroughs that may develop regarding this pest. In the meantime, our forests are threatened by the spread.

IT TAKES TIME TO DEVELOP ALTERNATIVES

The gypsy moth is a good example of the problems which arise from precipitate action to stop or ban the use of an available method for controlling problems that man has with nature. Certainly these actions are necessary where there is an imminent hazard to human health. But, for the most part, we must move carefully to develop real alternatives in order to avoid unplanned damage to the environment and to the economy.

When disease strikes or former control methods are no longer available, the development of alternatives takes many, many years. For example, the Department has reported that it takes from 10 to 12 years to develop a new wheat, 5 years for a new corn, 15 years for an improved oilseed variety.

The develpment of a new pesticide requires about 5 years and up to $5 million before it can be approved and marketed.

Certainly any estimate of time is only an average, and the development may stretch far beyond that time. For example, literally thousands of potential herbicides have been screened over the past 27 years, but none has been developed that possess the unique characteristics of 2,4,D.

In addition to effectiveness, the cost implications of alternatives must be fully explored. The committee provided $200,000 in last year's bill to enable the Secretary of Agriculture to consider the economics of some of the rules and regulations being proposed for environmental control. The Department reported that a regulation under consideration would have cost an average size pig farmer $15,000 or $7 per animal. The agency proposing the regulation was unaware of this and glad to have the information.

By the year 2000, 28 years from now, we will grow by 92 million Americans above today's 208 million Americans who are already abusing their resources. Our lakes and rivers have become catch basins for the residues of our factories, household and agricultural chemicals, for human wastes from thousands of villages, towns, and cities. Our air has become a pall on our major cities as it is stressed by our factory and automobile exhausts. How we will clean up this situation and learn to handle it without restricting the means for providing our high standard of living may well determine the future of our Nation.

As we approach this problem, we must keep in mind that the power to control water quality and air quality is not only the power to make or break business but is a power over the life of the Nation.

If we closed all our manufacturing plants, that would greatly improve our water quality. If we stopped driving automobiles, just think what that would do to improve the atmosphere. If we could return to the 800,000 population level of this country at the time of its discovery, nature would be able to eliminate the pollution problem.

Today's population could never be asked to live the simple life of the earliest Americans. Neither could we ask or force the residents of New York City to quit eating, quit living, and quit breathing while we clean up the Hudson. The same is true for Washington and the Potomac as well as many of the people in thousands of towns and villages.

However, it should be clear that our use of resources and the discard of waste materials are directly related to the means by which we live and prosper. The ability to control their rate is the power to control how we live. Yet, under present law and under several more under consideration, we are investing more and more of this power in a single agency with a single head without the means of setting priorities in public debate and where the costs and the effects of a decision to clean up a river or clean up the air can be assessed by those workers who must seek other employment, by the consumers who must pay higher prices, and by those industries which must find better locations and manufacturing processes.

THE COST OF CLEANING UP

A study was recently released by the Council on Environmental Quality entitled "The Economic Impact of Pollution Control" which considered the general economic impact of current nationwide air and water pollution standards as well as the impact on 11 selected industries. The study indicated that none of the 11 industries, as a whole, would be seriously threatened solely by the present pollution abatement costs.

However, if found that some individual firms will earn lower profits, some will curtail production, and some firms and plants will be forced to close. It estimated further that between 200 and 300 plants would be forced to close during the study period—1972–76—with a potential reduction of between 50,000 and 125,000 jobs due to the pollution abatement requirements. Such closings are estimated to be significant for 150 communities.

In terms of the general economy, testimony before the committee indicated that industry will have to spend $150 billion between now and 1980 in order to meet the standards we have established. This cost will have to be absorbed by the consumer through higher prices. Higher cost of goods produced will mean shrinking foreign markets and increasing pressure from foreign imports. This year we are facing the largest trade deficit in the history of the country. Increased prices and increased imports will mean fewer jobs for American workers. People out of work do not care about the environment.

Much has been written about our participation in international environmental meetings. The committee is for them to the extent that we are able to share our experiences and our knowledge of problems and learn from others in the process.

However, we are never as successful in our international efforts as we hope. We did not make the world safe for democracy after World War I. The rest of the world did not pay attention to our views. Nor were we too successful in saving the world from communism after World War II.

We did not seem to have as much influence in the rest of the world as we thought we had. Now it would seem that we are going to set out to save the world from environmental degradation. This is a valid concern. But we must recognize that no matter how much we may wish to explain what we are learning to China and India, they will still want to feed their people first.

This point was recently raised by Prime Minister Indira Gandhi of India when she addressed the United Nations Conference on the Environment. Mrs. Gandhi said:

On the one hand, the rich look askance at our continuing poverty. On the other, they warn us against their own methods.

She went on to say:

We do not wish to impoverish the environment any further. Yet, we cannot forget the grim poverty of large numbers of people. When they themselves feel deprived, how can we urge the preservation of animals, how can we speak to those who live in villages and in slums about keeping the oceans, the rivers and the air clean, when their own lives are contaminated at the source.

We should set a good example, help where we can, and practice what we preach. However, we cannot forget that with only 6.3 percent of the land area and 5.6 percent of the people, we are no more going to be able to control the rest of the world with regard to the world environment any more than we were able to save the world for democracy or from communism.

Today, the Congress, the Administrator of the Environmental Protection Agency and others are faced with dealing with many of the environmental groups.

We see many projects opposed by some because it will change the type of fish or type of animal which they wish to catch and kill.

Because a major war is not at our shores, they feel that testing of weapons is unnecessary.

Because their lights come on every night, they oppose new electric generation facilities. They are trying to stop power generation when our needs are doubling each 10 years.

Because they have not been hungry, they oppose fertilizers and pesticides which are fundamental to agriculture production.

Because they have jobs, they are opposed to development of areas of this country not so fortunate.

Because their homes are not flooded, they are opposed to reservoirs.

Millions of people have been sold against "changing the environment"—even though it be for the good of mankind.

A SOUND NATIONAL COMMITMENT

It is the general conclusion of the committee, based on hearings and on the years of experience with agriculture and other matters, that we face serious problems with no immediate hope for easy solutions. At best, we face hard choices which only through common dedication, rigorous study, and orderly progress toward reasonable goals can we hope to better our present conditions.

The committee is not, however, unmindful of changing world conditions where peace may yield dividends to be used wisely to meet our urgent domestic needs. In the past, the conversion to a peacetime economy has meant jobless returning veterans, canceled war contracts, and diminished foreign markets for expanded farm production. It also seems that war or the preparation for war has brought our periods of greatest progress and prosperity. This need not continue to be true for it not from war that we prosper but rather it is the common dedication and purpose which brings the economy to its peak.

In war we spend money to buy guns, ships, and airplanes; we buy fuel to burn in the airplanes and ships; we spend money on things that are destroyed. We dig up our minerals, destroy our timber, and end up a poorer country because we have used up so much of our resources.

If we were just wise enough to put that same effort to use to improve our own country; if we were wise enough to harness our streams and reforest our lands, stop erosion, clean our lakes and rivers, build schools, and improve our country, we would have a much richer country. We would have a finer country.

If we leave our children a rich country, rich in natural resources, rich in the things that provide our high standard of living, then we truly will have left them a fine heritage.

RURAL DEVELOPMENT

More and more of rural family living is being done outside the fence lines of the farm, which gives new importance to rural community services. It is obvious that farmers must participate in planning how their communities grow and change and in the programs necessary to meet this challenge.

We now are hearing much about revitalizing rural America and it is good that rural America is receiving this attention for the need is there. It would be even better if we could get the funds Congress appropriated for the purpose released. It is in rural America that one-third of our population lives and where, with water and sewers, electricity, telephones, roads and housing, they will continue to make their homes. Despite our efforts in Congress, over one-half of the substandard housing and about 20,000 small communities without proper water and sewer systems are located in rural areas. It is in rural America where towns are dying as 500,000 to 600,000 people leave the farms yearly to compound the problems, of our overcrowded urban areas. Because of these problems, there is an absolute necessity to fully carry out our programs to meet housing and community service needs. We need continued small factory expansion. If we can keep this up, people will continue to live in rural areas.

It must be recognized that almost all USDA programs contribute to the economic and social development of rural areas. One of the key features of the Department's rural development programs is the close cooperation and involvement at the State and local level. USDA's delivery system includes its 50 State rural development committees and 1,274 area and county committees along with county, State, and national offices that provide this unique and unparalleled system that delivers not only USDA program assistance but assists other Federal and State agencies in program delivery.

The committee provided funds for over 3,200 man-years and provided assistance to many different groups and organizations for rural development in fiscal year 1971, in the Department's efforts to bring about social, economic, and cultural progress and produce a more balanced growth in this Nation.

The programs specifically oriented toward rural development objectives in fiscal year 1973 involve an estimated $3.6 billion. This does not include the farm commodity programs, farm loan programs, food assistance programs, and that part of the research and extension programs dealing with agriculture and timber production and recreation on the national forests—all of which can have important impacts. The principal rural development programs are:

[In millions of dollars]

	Program level—Fiscal year—						
	1961	1965	1969	1970	1971	1972 [1]	1973 [1]
Farmers Home Administration community loans and grants for water and sewer, recreation, flood prevention, etc.	6	68	226	210	327	370	385
Farmers Home Administration rural housing loans and grants	71	136	535	828	1,451	1,683	2,228
Rural Electric Administration telephone and electric system loans	432	489	483	485	503	679	813
Soil Conservation Service resource conservation development, watershed, and flood prevention projects	61	100	103	112	123	156	15
USDA and land-grant college's community improvement and housing research	1	2	4	5	8	13	14
Extension Service community development program	4	7	9	9	10	13	13
Total	575	802	1,360	1,649	2,422	2,911	3,609

[1] Estimate.

This is an impressive rate of expansion of which the committee and the Congress should be duly proud. Nevertheless, the Congress has been faced in fiscal year 1972 with a serious challenge from the Office of Management and Budget with serious implications in rural development activities:

Funds for water and sewer grants totaling $58 million were frozen; $107 million in loan funds for needed expansion and stronger electric service in rural areas were withheld; $75 million of farm operating loans were held in reserve for much of the fiscal year; and Federal

personnel ceilings have held back technical services in a number of programs, including the resource conservation and development programs of the Soil Conservation Service.

It is difficult to understand how a serious commitment to rural development can be overridden by such back-door tactics.

For 1973 the appropriation bill recommended by the committee will provide a total of $3.6 billion, more than double the $1.4 billion level of fiscal year 1969.

The number of FHA rural housing loans and grants has tripled, from 55,000 in fiscal year 1969 to an estimated 148,000 for fiscal year 1973. Funding during this same period has gone up from $534 million to $2.2 billion.

The number of rural water and waste disposal system loans and grants has almost doubled, from 1,313 in fiscal year 1969 to over 2,600 estimated for fiscal year 1973. Program levels have increased from $189 million to $400 million for fiscal year 1973.

Soil Conservation Service resource conservation and development, flood prevention and watershed programs have expanded from $103 million in fiscal year 1969 to an estimated $155 million for fiscal year 1973.

The Extension Service community development program in fiscal year 1973 is estimated at $14.2 million—an increase of $5.3 million over fiscal year 1969 levels.

Research on rural development and housing is estimated at $13.7 million for fiscal year 1973—triple fiscal year 1969 levels.

Rural Electrification Administration telephone and electric loan levels, including loans of the new rural telephone bank, are estimated at $796 million for fiscal year 1973—an increase of $326 million over fiscal year 1969 levels.

Another thing which disturbs me is the lack of press coverage of this bill. This is the first bill of this size—almost $12.9 billion—I have ever seen approved by the Appropriations Committee which the news media did not even mention. All the folks who are pushing and pulling about the environment and consumer affairs do not know the bill has been reported or is available or is up for consideration.

SUMMARY OF THE BILL

Mr. Chairman, the bill provides a total of $12,897,010,900. Included in the bill are funds for the regular activities of the Department of Agriculture, the Commodity Credit Corporation, rural development, the Environmental Protection Agency, the Council on Environmental Quality, and HUD water and sewer grants. Under Consumer Protection, the bill includes the Food and Drug Administration, the Federal Trade Commission, the Office of Consumer Affairs, and the Consumer Product Information Coordinating Center. Other agencies include the Farm Credit Administration, National Commission on Materials Policy, National Industrial Pollution Control Council, and the National Commission on Consumer Finance.

The bill is divided into four major titles—a division which is designed to demonstrate the general impact of the appropriation. Such a division is by no means precise and is subject to individual interpretation because of the multiple benefits derived from the programs funded in this bill.

TITLE I—AGRICULTURAL PROGRAMS

Title I includes $1,233,733,400 for the regular activities of the Department of Agriculture, including administration, research, extension, marketing, and $895,000,000 for the foreign export and donation activities financed through Public Law 480.

The bill further provides for the restoration of capital impairment of the Commodity Credit Corporation which, in addition to providing commodities for donation to schools and needy families, provides loans, purchases, payments and short-term export credit sales, and thus enables the agricultural producer to pay American costs and sell at world prices. The total included for 1973 is $3,832,952,000.

In addition, the title includes funding for quarantine activities which protect us all from the introduction of foreign diseases. It includes $2.8 million for the pest management programs which together with $1.8 million from the Environmental Protection Agency and funding from the National Science Foundation will demonstrate new techniques for suppression of pests to the benefit of the environment and the agricultural producer.

Funds are also included to expand the activities of the extension program through the nutrition aides program and the 4–H program of benefit to rural and urban communities alike. A total of $160,877,000 for meat and poultry inspection, now conducted by the Animal and Plant Health Inspection Service, is included in this chapter which benefits the health of the consumer.

TITLE II—RURAL DEVELOPMENT PROGRAMS

Title II provides funds for programs primarily directed to rural development. It includes funds for the resource conservation and development program administered by the Soil Conservation Service for the development of communities and the protection of the environment. Funds are included for the Rural Electrification Administration for loans to Rural Electric Cooperatives and Rural Telephone Cooperatives to provide services in rural areas totaling $107 million in reappropriated funds and $563 million in new funds, a total of $670 million. For grants for water and sewer facilities, $58 million in reappropriated fund, and $42 million in new funds—making a total of $100 million—are included to help with development of rural America, thus relieving the pressure on our cities. A total program of $3.6 billion is planned including $899,303,000 in appropriated funds.

TITLE III—ENVIRONMENTAL PROGRAMS

Title III includes funds for the programs of primary benefit to our environment, such as the activities of the Environmental Protection Agency. It includes funding for advisory offices such as the Council on Environmental Quality, the National Industrial Pollution Control Council, and the National Commission on Materials Policy.

It also includes the environmental programs of the Department of Agriculture, including the rural environmental assistance program and the watershed and flood prevention programs which through dams, terraces, and grassed waterways do much to halt pollution at the headwaters. In all, $2,944,684,500 is provided in this title for these environmental protection programs.

TITLE IV—CONSUMER PROGRAMS

This chapter provides $159,623,000 for the Food and Drug Administration, $30,474,000 for the Federal Trade Commission, and $1,033,000 for the activities of the Office of Consumer Affairs.

The chapter also includes the food assistance activities of USDA, for which a total of $4.1 billion is recommended. Since 1969, total food assistance has risen from $1.2 billion to $4.1 billion. The principal increase has been in the food stamp program, which was $250 million in 1969. For 1973, the bill includes $2.2 billion for food stamps, a tenfold increase over 1969. The growth in the program has been largely due to liberalizing the program to change it from a program for supplementing nutrition to a program supplementing income. It is a complicated program of rules and regulations providing special money for food which, by it sheer size, is unworkable.

WIDE COMMITTEE JURISDICTION HELPS IDENTIFY NEED FOR COORDINATION

The inclusion of these several agencies under a single bill offers many opportunities for Congress to assess the needed cooperation in several major policy areas.

The committee has examined the coordination and administrative practice between:

Agencies and the Council on Environmental Quality on environmental impact statements;

The procedures for coordination of pest management programs;

Drug and cosmetic advertising between the Federal Trade Commission and the Food and Drug Administration;

Salmonella control and residue requirements between the Food and Drug Administration and the Department of Agriculture;

Planning and utilization of the new National Center for Toxicological Research;

Research facility requirements between the Food and Drug Administration, the Department of Agriculture, and the Environmental Protection Agency;

Cooperation between the Office of Consumer Affairs, the Consumer Product Information Coordinating Center, and the Department of Agriculture on the development of bulletins useful to consumers.

SIGNIFICANT ACTIONS

TRANSFER OF INFORMATION ACTIVITIES TO THE OFFICE OF THE SECRETARY OF AGRICULTURE

Through the years, the Office of Information of the Department of Agriculture has concerned itself with publication of agriculture bulletins. Its news media efforts have been largely limited to programs for those engaged in agriculture.

By transferring this office, the committee seeks to place new emphasis on the need for more general information. This

action will enable the Secretary and the Department to reach the consumer who must understand the importance of agriculture in providing his food supply—that 20 of us must look to 1 producer for our food and fiber; that agriculture exports are an important part of our balance of payments; and that agriculture, as the largest market for industry and labor, is a key to our national prosperity.

FROZEN FUNDS REAPPROPRIATED

The committee has again been faced with the problem of funds, appropriated by Congress, held from use by the Office of Management and Budget, funds that were clearly needed to accomplish important program needs. In these cases the committee has acted to assure the continued availability of these funds.

The committee has—

Reappropriated $107 million in reserved REA electric loan funds, held in reserve though the backlog of applications continues to climb above $500 million.

Reappropriated $58 million in Farmers Home Administration water and sewer grants, frozen though the backlog of applications reached $150 million in December.

Reappropriated $500,000 in Department of Housing and Urban Development water and sewer grants, frozen though applications stand at more than $1 billion; and

Reappropriated $4,108,000 in research funds for the many needs identified by Congress.

FOOD STAMP ABUSES

Under present procedures the State welfare department, which is under the general supervision of HEW, determines eligibility of recipients and the Department of Agriculture provides for distribution. Administrative costs for 1971 included $15 million just for printing the coupons and $38 million for Federal and State administrative expenses. It costs over $220,000 just for the Federal Reserve banks to destroy the coupons after their use.

This complicated program, with divided responsibility, has created an almost impossible situation where charges of violations are so numerous that the Department of Justice in most cases has not had sufficient personnel to prosecute and still meet its responsibilities with major cases. With one agency certifying eligibility and another having to administer the program, it appears that correction of abuse is impossible.

In view of this, the committee considered transferring the funds for the food stamp program to the Department of Health, Education, and Welfare, the agency which, through welfare, certifies eligibility. Then in cases of violation, eligibility can easily be withdrawn, thus putting the program on a sound basis; however, it has been decided it would be better to make this change in an orderly manner.

The committee last year directed that notice of each violation be filed with the welfare agency. This may have helped in the elimination of some abuses but not enough; therefore, the committee hereby urges the Department of Welfare which certified eligibility to give notice of these abuses and take appropriate action immediately.

The committee notes the difference with the programs for child nutrition and commodity distribution which are properly agricultural functions. These programs have made major contributions to nutrition and provided a significant base for our agricultural economy. School lunch purchases of local food products total about $1.5 billion annually.

ENVIRONMENTAL PROGRAMS

The committee has long supported restoration, development, and improvement of our environment through the agricultural conservation program, now called the rural environmental assistance program, which has built 2.2 million water storage reservoirs, 114 million acres of strip cropping systems and many other pollution control measures. To date, the first 1,000 Soil Conservation Service watershed projects funded by this committee have prevented damage totalling $178 million. In addition, national reforestation efforts have meant the replanting of 30 million acres.

For the past 2 years, the committee has reviewed the activities of the Environmental Protection Agency. It has become increasingly evident that the Agency and its Administrator have been subjected to the stress of putting together an agency from many dissident parts while being asked to absorb functions assigned by more and more legislation. The committee has identified serious problems due to a lack of expertise in many of the areas on which EPA is asked to rule. The committee has, therefore, provided funds for advisory committees to review the research priorities of the Agency to assure that grants and contracts are properly directed.

The committee has, for some time, held the view that it is not how little can be measured, but the effect that counts. We must require standard tests to determine legal tolerances which are no greater than the amount determined to be absolutely safe. Such a tolerance process must be widely understood for there is no such thing as zero tolerance with modern ultrasensitive testing devices.

The committee has also provided funds for scientific and technical training to assure that EPA employees are of a caliber equal to their awesome task.

The committee has also determined that the Environmental Protection Agency budget fails to provide adequately for the special effort needed for the restoration of one of our prime natural resources, the Great Lakes. The committee has provided $108,500,000 to accelerate this activity as described later in the report.

ADVERSE EFFECTS OF OMB PERSONNEL CUTS

The committee is concerned about several personnel issues. The most pervasive and the most troublesome problem is the refusal of the Office of Management and Budget to permit agencies to hire the full number of people authorized by the Congress in the 1972 appropriations bill. The following table indicates the extent of the problem:

1972 PERSONNEL INCREASES APPROVED BY CONGRESS BUT NOT HIRED BECAUSE OF OMB ACTIONS

	1972 congressional action	1972 OMB action	
		Allowance	Decrease
Federal Trade Commission	+77	+5	−72
Food and Drug Administration	+613	+427	−186
Environmental Protection Agency	+1,515	+852	−663
Department of Agriculture:			
Meat and poultry inspection	+1,102	−41	−1,143
Soil Conservation Service	+1,426	−35	−1,461
Department of Agriculture—Continued			
Farmers Home Administration	+45	−305	−350
Other	+1,245	−700	−1,945
Total	+6,023	+203	−5,820

The most striking thing about the above table is the cuts in regulatory programs. These programs—such as food plant inspections, meat and poultry inspections, and pollution abatement activities—can literally affect the life and death of the consumer. They are also unique in that because they are regulatory programs with legal sanctions, their activities cannot properly be delegated to other levels of government or performed on contract or by some other means.

In other words, unlike many other programs, there is no alternative except to increase Federal employment in the regulatory agencies if there is to be an increased level of inspectional activity.

These comments are also relevant because in the 1973 budget the committee has again provided for significant personnel increases in the regulatory agencies, as indicated in the following table:

Personnel increases recommended

Food and Drug Administration	+1,391
Meat and poultry inspection	+500
Environmental Protection Agency	+560
Federal Trade Commission	+205
Total	+2,656

In some cases, these increases have had to be larger than might otherwise have been necessary because, in effect, a year was lost as a result of the OMB actions on the 1972 budget. In the case of the Food and Drug Administration, which proportionately has the largest increase, the committee tried to partially alleviate this problem by providing $8,000,000 in the 1972 Second Supplemental Appropriation Act.

Personnel limitations were also imposed on the Environmental Protection Agency. This being a new agency there may be justification to hire slowly in

order to obtain qualified and objective persons.

The personnel reductions in the programs of the Soil Conservation Service and the Farmers Home Administration are equally disturbing because again these are organizations with unique personnel and responsibilities. The Soil Conservation Service is one of the most technically competent organizations in the environmental field, and restrictions of these technicians in a time of mounting environmental concern is completely unsound. The Farmers Home Administration also is a vital element in a key national goal—the provision of better housing for all Americans. The expanding responsibilities of the Farmers Home Administration, which include determining the soundness of a loan and the proper repayment in cases where rural people cannot get a loan elsewhere, are so difficult that the committee questions here also whether they should properly be delegated to non-governmental personnel. When housing loans alone have gone from $800 million in 1970 to $2.2 billion in 1973, the potential for mishandling is great, and the relatively minor impact on total Federal employment seems insignificant by comparison.

In summary, these programs are vital to health and well-being, and there is no alternative to increased Federal employment. Faced with this situation, the committee believes it has acted in the only responsible way by providing for additional personnel.

NEED FOR INCREASED ATTENTION TO SELECTION AND TRAINING OF QUALIFIED PERSONNEL

As indicated earlier, the Environmental Protection Agency and the Food and Drug Administratiton particularly have faced expanding responsibilities. One thing is certain, the qualifications and training of the personnel required to administer these difficult programs must be of the highest quality. When any program is growing dramatically, an agency must always be on its guard that it does not relax its standards. Only qualified personnel must be hired, even if this means temporarily delaying implementation of a program. This is especially true for programs which can, if improperly administered, do irreparable harm to the reputation of firms or individuals.

The committee is pleased to note the plans by the Farmers Home Administration and the Environmental Protection Agency to begin training operations. In addition, the committee calls on the Department of Agriculture to review its meat and poultry inspection training programs, particularly at the supervisory level. The committee has also provided increases in training funds to accompany its increases in personnel for the Food and Drug Administration and for the Federal Trade Commission. The additional funds in all training programs should be used to assure both that new employees are adequately trained and that existing employees receive refresher and such other training as is required to maintain their qualifications. Rotational assignment policies are also an important aspect of an agency's personnel program—especially in regard to inspectors—and should also be periodically reviewed.

Information provided to the committee has indicated that in some cases the Environmental Protection Agency may be experiencing a lack of technical expertise in some areas. The need for expert advice was particularly evident in the recent highly publicized decision on DDT. The report demonstrated a regrettable lack of information on the costs, supplies and programs for cotton. The report indicated that information on costs of production were not available. The Department of Agriculture has made numerous cost studies and findings on this crop. The report indicated supplies were plentiful, while the Department of Agriculture, which is officially charged with the responsibility reports that cotton is now in short supply and that we are not meeting minimum export demands. The report indicated that Federal cotton programs are designed to provide producer profits, while the Congress has carefully written programs to provide the differential between U.S. costs, including a reasonable return on investment, and the world price. To compound this show of lack of knowledge of the crop which will take the brunt of increased costs and greater dangers in handling substitutes, the administrator made reference to "a per bushel subsidy" a measurement which has never been used for this commodity throughout history. Due to the enormity of impact of EPA's decisions on the citizens of the country, it is essential that only the very best qualified personnel be available to the Agency. In recognition of this need, the committee has provided funds for EPA to establish an in-house formal training program for scientific and technical personnel.

The committee directs the agencies covered by this bill to include in their budget justifications for next year detailed descriptions of the actions they have taken to assure that the selection and training procedures of the Agency are of the caliber required to assure that only qualified and objective persons are placed in these responsible positions.

COMMITTEE INVESTIGATIONS

The committee, by law, has at its disposal the Surveys and Investigations Staff to conduct special investigations at the request of the committee to supplement material developed in the hearings. The Investigative Staff is headed by a senior investigator with wide experience and is supplemented by personnel selected by him for their specialized expertise, who are borrowed from various agencies on a cost reimbursable basis to conduct specific studies.

As in previous years, the committee has made extensive use of the Investigative Staff to gather information to assist the committee in making its decisions. Investigations have been completed or are currently in progress in all major areas of committee responsibility, including agricultural, environmental, and consumer programs.

Following general committee practice, these studies are also made available to the responsible agency head in order to assist him in performing his duties. The agency, in turn, supplies to the committee a detailed response to the study findings. Where appropriate, the study and the agency response are printed as a part of the hearing record.

The committee would also emphasize that the existence of an investigation should not be interpreted as implying that any wrongdoing or misconduct is suspected; rather the purpose is the constructive gathering of information to assist the committee in exercising its responsibilities.

Two investigations are currently in progress, and two have been completed. These are discussed below.

INVESTIGATION OF THE FOOD AND DRUG ADMINISTRATION

The commitee requested an investigation of the programs of the Food and Drug Administration. The investigation found serious deficiencies in the food inspection programs. It also found processing delays in the approval of new drugs and in the review of the safety and effectiveness of existing drugs, food and color additives. Other problems included an inadequate import inspection program and ineffective Federal/State cooperation.

The Food and Drug Administration conceded the validity of many of the findings, which it attributed to a variety of causes, including inadequate budgetary support and legislative authority. The Food and Drug Administration also expressed the opinion that the large budget increase requested for 1973, recent organizational changes, and anticipated new legislation would all help to alleviate the problems highlighted by the investigation.

The committee, in response to the problems identified by the investigation and in the hearings, added a total of $50,278,000 to the 1973 budget, an increase of 46 percent over the 1972 program level, and an increase of $7,300,000 over the budget request.

INVESTIGATION OF THE FEDERAL TRADE COMMISSION

The investigation of the Federal Trade Commission revealed general management deficiencies and found that an effective policy planning process to set priorities has not yet been realized, although a beginning has been made. It also found a lack of programs to check compliance with past Commission orders. Finally, the productivity of hearings examiners was considered to be very low and delegation of responsibility to regional offices to be less than optimal.

The Federal Trade Commission conceded the validity of many of the findings. The Chairman of the Commission asserted that agency performance was improving, however, and would continue to do so given legislative and budgetary support.

The committee, recognizing the urgency of the problems and the necessity for action, approved a 1973 budget increase of $5,285,000, a 21-percent increase over 1972, and an increase of $2,120,000 above the budget request.

INVESTIGATION OF AGRICULTURAL RESEARCH

The committee has spent much time reviewing the research activities of the

U.S. Department of Agriculture this year. This review stemmed from a growing concern in agriculture with limited results from the agricultural research effort. Those dependent upon research results to meet costs and competition, consumer groups, and even environmental groups have expressed their dissatisfaction. Concrete evidence of the problem and the need can be seen from the sudden, virulent attacks by corn blight which knocked out 15 percent of our corn crop and contributed to the widespread consumer dissatisfaction with high meat prices. The onslaught of veterinary equine encephalomyelitis on thousands of horses and the resultant human death and sickness is another recent example of the problem.

Beyond the fact that new diseases are not being contained and anticipated but can strike with devastating results, many of the methods for control of the age-old enemies of agricultural production are under attack. Chemicals developed since the Second World War, which have been fully integrated into our modern farming methods, stand accused of having unexplored implications for the environment. The Environmental Protection Agency just announced the almost total banning of DDT, perhaps the most significant of the various chemicals for agricultural use, beginning in January 1973. Yet, there is a serious danger that those who maintain that chemicals have been put into widespread use without examining the ecological implications will achieve their wholesale elimination without examining the economic implications or proving that damage has occurred from their use.

These are but two problems facing agriculture. There are others, including the critical need for problem solving solutions to reduce costs of marketing and production, conserve our productive capacity and solve new problems arising from concentrated production such as waste disposal.

To meet these immediate problems, agriculture research seems only able to recommend that more funds be appropriated. Agriculture research seems to have, to a degree, lost the flexibility necessary to meet the problems at hand and to discontinue work of lower priority.

This is a serious charge, thoughtfully made. It should in no way take away from the past accomplishments of agricultural research. The committee has included in volume 1, pages 635–798, of its hearings an impressive summary of the progress made over the past 30 years. On the other hand, there is evidence that the Agricultural Research Service needs to constantly review its fundamental national research role.

A wholesale reorganization was recently announced and some steps taken toward its implementation. Its objectives are said to be to provide four regional heads of research with an emphasis on management of funds. As an appropriations committee, we can appreciate the needs in this regard but seriously question whether the proposal will not result in less supervision. Evidence before the committee does not indicate a corresponding concern with supervision of persons, with special training, or departmental control of field activities to the point of maximum progress. The committee further holds the view that continuing liaison with the various crop and livestock producers must precede and be an important consideration for any reorganization.

Beyond this general observation, the committee finds it difficult to deal with the proposed reorganization due to its timing. It was not presented as part of the 1973 budget, but developed later. However, as is its usual practice, the committee has directed a review of the research activities by its investigative staff. The findings will be discussed with the Secretary of Agriculture, and the committee will make such recommendations as are appropriate at a later date.

INVESTIGATION OF THE ENVIRONMENTAL PROTECTION AGENCY

This is now the second year the committee has had responsibility for funding the Environmental Protection Agency. The committee questions whether the responsibilities and authorities which have been delegated to the Administrator of the Environmental Protection Agency can be met by any one person, and certainly not without the advice, counsel and recommendations of highly trained advisory boards in each of the major areas such as air, water, solid waste, and so forth, composed of qualified and objective scientists who should conduct hearings prior to conclusions or recommendations. Present difficulties have been compounded still further by the fact that the Agency was created from many other agencies, and the difficulties of molding these diverse groups into one agency have been immense. Finally, the Administrator has been and will always be subjected to intense outside pressure from groups on all sides of the environmental issue. He will always have to adjust to continually changing legislative authorities which often go so far as to require new actions, which to be sound, are dependent upon new inventions or the development of new technologies.

Given all these almost unprecedented circumstances, there has inevitably been some difficulties in the initial formative periods of the Environmental Protection Agency.

To enable the committee to better understand how far we have come, and how far we yet have to go, the committee has directed the surveys and investigations staff to undertake a comprehensive examination of the Environmental Protection Agency. This investigation has already been underway for several months and, due to its complexity, will require more time to complete. The committee believes that when completed the investigation will provide a valuable source of additional information to assist the committee and the agency in the exercise of their respective responsibilities.

AGENCY BUDGETS SHOULD FULLY REFLECT ALL DOLLARS AND PERSONNEL AVAILABLE

The committee has become increasingly disturbed by the failure of several agencies to fully reflect the scope of their programs in the budgets presented to the committee.

Last year, for example, the committee found that the Office of Consumer Affairs had significant numbers of personnel on detail from other agencies. The committee provided funds to directly finance the personnel in the Office of Consumer Affairs budget.

This year the committee found that while the Office of Consumer Affairs was directly financing its personnel, it was receiving additional dollars, which were not reflected in the budget, from other agencies.

In the Environmental Protection Agency, the committee found that approximately 1,500 temporary employees are being employed. While these positions were reflected in the budget, they are, nevertheless still somewhat misleading as to the total work force of the Agency.

The committee has included specific recommendations in the body of the report relating to the individual problems and will expect future budgets of all agencies to clearly indicate all personnel and dollars available to an agency and the sources of these dollars and personnel.

AGENCIES SHOULD MORE FULLY UTILIZE EXISTING LABORATORIES BEFORE REQUESTING NEW LABORATORIES

The committee has been unable to approve several new laboratories requested and has also denied several major repair and improvement projects. This action results from the committee's conviction that existing Federal laboratories are not being fully utilized. The Food and Drug Administration and the Environmental Protection Agency have been directed to conduct surveys of the use of existing facilities.

The committee feels this action is also necessary because some of the studies it has reviewed seem to be biased, against the utilization of existing laboratories. Compromises in requirements may be good. Multiagency utilization of a single laboratory may be necessary. Offsetting advantages, such as creative scientific interchange, more rapid availability of increased capability, and cost savings significantly in excess of the change in capabilities, may occur and these should be fully weighed in the final decision.

Committee staff and investigators have visited several facilities and have seen both the creative adaptation of laboratories for new missions and the underutilization of existing laboratories. Other information available to the committee has further strengthened the committee's belief that what is being requested is possible, desirable, and necessary. The committee has heard much evidence that existing laboratory space is not now utilized and can well be adapted to these needs.

The committee has also requested that its surveys and investigations staff undertake a comprehensive study of this subject.

I believe our committee has done a fine job. We are united on our committee. Many things are beyond our control. We tried to steer the way.

Mr. Chairman, I am proud to present this bill. As I said at the outset, I do not know which bill is the most important to the American people, but that which

feeds and clothes us, that which enables a few to do so much for the rest of us, so that the rest of us can work, will have to come pretty high on the list of bills before this Congress.

Mr. ANDREWS of North Dakota. Mr. Chairman, it is indeed a great privilege for me to be able to work with the distinguished chairman of our subcommittee and the members of our subcommittee on matters of such great importance not only to the farmers who live on the land and the consumers who are in the cities but also to those concerned with the environmental problems of our entire Nation.

Actually, this bill contains more indivdual items of importance to the future of America, probably, than any other bill which will be brought on the floor of the House.

As my chairman has pointed out, we are charged with the obligation of setting the appropriation levels for the Department of Agriculture, along with all Federal agencies working in the areas of the environment and consumer protection.

Let me assure you that it is indeed a monumental task and it deserves the understanding and study of all of the Members of this body.

As I indicated to you last year, the expansion of the duties of our subcommittee into the area of environmental and consumer protection was a very logical one, because the farmers of this Nation are probably more concerned than any other segment of our country on a day-to-day basis with the maintenance of our environment.

I feel one of the most important features of our committee report is the language calling for the Food and Drug Administration to increase their efforts on food ingredient labeling.

If an individual in this country of ours has a cardiac problem and goes to a noted heart specialist, and the specialist says "Go down and buy polyunsaturated fats for your cooking oil and you will live a lot longer, because it will lower your blood cholesterol." Then the man and his wife go into the supermarket and pick up a pound of oleomargarine, and on the label it says "Contains polyunsaturated fats." Down below it will say it contains some safflower. There is not enough safflower grown in this country, Mr. Chairman, to produce enough oil to give you more than about two drops in a 55-gallon drum.

It is long past due that the Food and Drug Administration puts on the label not only what is in the food but the percentage of the individual ingredients, because the consuming public has the right to know. We provide funds for this in our bill, and the report specifically calls for this action on the part of the Food and Drug Administration.

Mr. Chairman, I was hoping this year I could come before the House and say that the decline in our farm population has stopped. As our chairman just pointed out, unfortunately that is not the case. Things are still tough on the farm and the farmer is not getting his proper share of the consumer's dollar. He is not getting a proper return on his investment. As the chairman pointed out, 20 years ago after paying farm production costs the farmer retained about $40 out of every $100 of realized gross income from farming. Now production expenses have increased. The sale price of his end products have stayed the same, and he now gets only $27 instead of $40.

Mr. Chairman, we have some charts in our hearings which I think are worthy of study, because later on you will hear an awful lot about payments to farmers. To listen to the critics you would almost think farmers were all driving around in big automobiles at the expense of the long-suffering taxpayer. That is just not true.

In volume I on page 241 we have a very interesting and revealing chart. This shows the return on cost of the farm equities and the ratio of profits to stockholders' equities in 1970. The farmer gets a little over 5 percent on his investment. All manufacturing in this country gets a ratio of return of 15 percent or almost three times as much as the farmer. The producers of durable goods get about 14 percent, and the producers of nondurable goods get about 17 percent return in this country on their investment. Virtually, every business in this country gets almost three times as much return on their investment as our country's farmers.

Farming, of course, is the basic industry of any nation, and when the amount of investment required to farm has increased fivefold over the last 20 years while, as we pointed out, return on investment has declined 60 percent then serious problems exist both for the farmer and for the Nation.

As my colleagues are aware, the conference report on the rural development bill has been filed, and while there are several points in this legislation I do not favor, I think it is important that we all do whatever we can to enhance the rural areas so that those people who want to live in the country can. It is important to the people who live in New York City, Philadelphia, and Chicago that the migration caused by low-farm income and inadequate farm living standards be stopped, because as people are driven off the farm they are forced into the big city areas and complicate the already pressing problems which exist there.

Frankly, the Government gets a whale of a bargain in helping to keep people on the land through rural electrification programs and through the Farmers Home Administration programs and all the other programs to help rural America. The cost to the Government would be far greater if these people are impacted in the already overcrowded cities, where they would increase mass transit, housing, and other problems we have in our major city areas.

So I would hope that we can take a look at this bill not only as a bill that helps farmers but, by keeping our population distributed, it helps all America by reducing the impact on the already overcrowded metropolitan areas.

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

Mr. ANDREWS of North Dakota. I will be glad to yield to my friend, the gentleman from Minnesota (Mr. ZWACH).

Mr. ZWACH. Mr. Chairman, I thank the gentleman Mr. ANDREWS from North Dakota for yielding. I want to associate myself with his remarks, and the remarks of the eminent chairman of the subcommittee, the gentleman from Mississippi (Mr. WHITTEN). Rural America, countryside America, is certainly grateful for this subcommittee. You are doing enlightened and important work. I want to compliment the gentleman in the well and the subcommittee for their work on this bill that they are presenting to us. The committee report is must reading for those who want a real insight into countryside America.

Mr. ANDREWS of North Dakota. I thank the gentleman for his contribution.

Mr. Chairman, adequate electricity at reasonable rates is the best way of enhancing life in rural America. Rural electrification is designed not to provide electricity in the country at a rate cheaper than that paid by the consumer who gets it in the city, but to provide comparability so that the individual's electric bill on the farm is no greater than his electric bill would be if he lived in the city. To that end our subcommittee has recommended a total of $545 million for loan authorizations for the REA. This includes $107 million appropriated for fiscal year 1972 which had been frozen by the OMB. For some reason OMB has failed to use the money made available, despite the widespread interest in the program throughout the country, and that the demand for loans continues to be heavy.

I think the rural electrification and the rural telephone programs are more important today than at any time since they were started. Our rural electric cooperatives must be able to provide power to the farms and rural areas.

The cost of operating a farm has increased tremendously over the years, and the need for farm credit is of growing importance. Because we have raised the Farmers Home Administration operating loans by $75 million to a total of $350 million. There is a definite need for these funds, and the committee strongly feels that the appropriate level should not be delayed because of a proposed change to an insured loan basis. It is difficult to judge when that legislation may pass, and the farmers need help right now.

Year after year I have received letters from people wanting help in obtaining a Farmers Home Administration loan to continue farm operations. I might add that a number of these people are young people who are trying to stay in farming, to stay on the family farm, and the only way you are going to be able to enable them to stay on the family farm is through maintaining the Farmers Home Administration to enable them to get the financing they need so badly.

I would also like to point out for the benefit of the consumers, and those of you who are represent consumers, the price-cost structure in agriculture. Today at the White House there was a meeting of individuals concerned over the prices of food, concerned over what we should do to meet the problem brought about

by the increased cost of the market basket of food. Today on the floor of the House I would like to recommend to you volume 3, page 843 of our 1973 hearings on the bill, where we have a graph indicating what the consumer pays for the staple commodity of bread and where that amount paid for a loaf of bread goes.

Twenty years ago or 25 years ago the cost of a 1-pound loaf of bread was about 14 cents. As indicated on this chart, today it is 25 cents. The farm value of all of the ingredients in that loaf of bread 20-some odd years ago was about 4 cents. Today it is still 4 cents. The price of a 1-pound loaf of bread today has gone up 50 or 60 percent, but the price the farmer receives has stayed exactly the same.

Today we hear a lot about the cost of beef in the supermarket, yet the price the farmer gets for his steer that he has kept in his lots for some 6 months is no higher today than it was 20 years ago.

Those who are concerned with the consumer prices on food will have to look toward others than the farmers to find out where the causative agencies for these high prices are.

Mr. ANDREWS of North Dakota. Mr. Chairman, the rural environmental assistance program of the Department of Agriculture aimed at restoring and improving soil fertility, reducing erosion caused by wind and water, and conserving water on land has been a most important program in protecting the environment in rural America.

The practices carried out under REAP protect and increase our wildlife and beautify the countryside. There is no question that the entire public benefits greatly from conserving methods carried out under the program.

Let us look at this program again.

Back in 1936 when the country's national income was far lower than it is today, the Congress in the thirties appropriated $500 million for the same program, the agricultural conservation program.

There are a lot of people running around here saying that we do not need these flood-retention structures and that we do not need this channelization. Five will get you ten that none of them have lived through the floods that we have had during the last week or two.

It is easy to come out against water conservation and the building of dams and channel improvements, if you have never had floodwaters come on to your land or into your home.

This program is so important that the committee has increased the funding by $85 million, including $30 million to be transferred from the Environmental Protection Agency. This rural antipollution program is in reality a program for all America.

This bill calls for an additional $10 million for the Water Bank Act. The basic purpose of this act is to prevent the drainage and destruction of natural wet lands needed by migratory waterfowl and other wildlife and it is another program that is a benefit to all America.

Our committee has recommended $2.4 billion in the budget for EPA for the fiscal year 1972. The majority of this money—$1.9 billion is to be used for construction grants.

There have been some problems in that agency. They have put together a whale of a lot of diverse groups under one head in the last 1½ years and I think if you read the questions that we asked of the Administrator, you will see that they are beginning to get their organization shaken down and they are doing an extremely important job in straightening out our environment, but there are still problems.

None of us can downgrade the importance of the Food and Drug Administration under the direction of Dr. Charles Edwards, who has done an outstanding job. Hopefully, as I said before, this agency will, because of our committee's action, move rapidly in their efforts on ingredient labeling. Our bill contains a total of $159.6 million for the Food and Drug Administration—an increase of $50.3 million over 1972, and $6.2 million over the budget request.

We also fund the Federal Trade Commission. The purpose of the Federal Trade Commission is to preserve free competitive enterprise through the prevention and suppression of monopolistic practices and unfair restraints of trade.

It is also responsible for detecting and prosecuting acts and practices which unfairly deceive and victimize the consuming public.

The Federal Trade Commission is one of the agencies responsible for enforcing the Flammable Fabrics Act. We dealt extensively with the problem of flammable fabrics in our hearings and added money to help increase the Commission's activities in this area.

The committee recommended a budget level of $30,474,000 for the Federal Trade Commission for the fiscal year 1973, an increase of $2,120,000 over the budget.

This is a good bill. I strongly feel it deserves the support of my colleagues. There is a major need for this legislation and I recommend it to the Members of the House.

Mr. WHITTEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky (Mr. NATCHER).

Mr. NATCHER. Mr. Chairman, the Subcommittee on Agriculture—Environmental and Consumer Protection, of the Appropriations Committee, now brings to the floor of the House for your approval the annual appropriations bill for fiscal year 1973.

For a period of 17 years I have served as a member of the Committee on Appriations, and one of the subcommittees that I have served on during this period of time is the Subcommittee on Agriculture Appropriations. In addition I serve as a member of the subcommittees that appropriate funds for the Department of Labor, the Department of Health, Education, and Welfare, and for the District of Columbia budget.

We have a new Secretary of Agriculture, and when Secretary Earl L. Butz made his first appearance before our committee, I discussed generally with him problems concerning agriculture and the American farmer. I called his attention to the fact that down through the years, for some reason or other, after serving for a short time the Secretaries of Agriculture were criticized because they would not stand up for the American farmer. Regardless of a change on the part of any administration, in my opinion, the Secretary of Agriculture should be an outstanding man in the field of agriculture and at all times should stand on the frontline and make the fight for the American farmer. Secretary Butz, upon being selected for Secretary of Agriculture, in my opinion, started making the fight for the American farmer. In his speeches and in the action that he has taken to me discloses the fact that he knows full well that as the Secretary of Agriculture he must stand firm.

Our farmers know how to produce and we have an adequate food supply. In every emergency, when called upon, our farmers have produced the necessary food and fiber to take care of our people and in many instances have produced adequate supplies for assistance programs to free countries around the world who are in need.

Mr. Chairman, we must keep in mind that we still have many serious problems in agriculture, and certainly this is not the time to turn our backs on the American farmer. Each year it becomes more difficult to maintain a sound agricultural economy due to increasing costs in labor, equipment, and the high cost per acre of good farmland.

It is imperative that we give more time and study to the situation that now prevails between the time agricultural commodities leave the farm and are sold to the time the products go into the homes of our people for consumption. Every investigation that has been made in the past 10 years discloses the fact that the middleman and not the farmer is the cause of the high price of food and agricultural commodities.

During our hearings we discussed the power situation throughout this country and as we all know there is a shortage of electric power as well as natural gas, and in certain sections, oil. Each summer the eastern seaboard section is confronted with a power shortage and this difficulty shows that we must have more electricity. In addition, we must have a better supply of natural gas.

Mr. Chairman, I believe that the American farmer is entitled to a fair share of our national income.

Title I of our bill includes $1,233,733,400 for the regular activities of the Department of Agriculture, including administration, research, extension, marketing, and $895 million for the foreign export and donation activities financed through Public Law 480.

In addition, Mr. Chairman, this bill provides for the restoration of capital impairment of the Commodity Credit Corporation, which in addition to providing commodities for donations to schools and needy families, provides loans, purchases, payments, and short-term export credit sales. Funds are also included to expand the activities of the extension program through the nutri-

tion aids programs and the 4–H program of benefit to rural and urban communities alike.

In this bill we have $160,877,000 for meat and poultry inspection.

Title II of our bill provides funds for programs primarily directed to rural development. Funds for the resource conservation and development program administered by the Soil Conservation Service for the development of communities and the protection of the environment. Funds are included for the Rural Electrification Administration for loans to rural electric cooperatives and rural telephone cooperatives to provide services in rural areas. The total amount contained in this bill is $670 million. For grants for water and sewer facilities $58 million in reappropriated funds and $42 million in new funds which makes a total of $100 million. A new program of $3.6 billlion is planned, including $899,303,000 in appropriated funds.

In our bill we have title III which includes funds for the programs of primary benefit to our environment, such as the activities of the Environmental Protection Agency. In all we have $2,944,684,500.

In our bill we have $159,623,000 for the Food and Drug Administration. $30,474,000 for the Federal Trade Commission and $1,033,000 for the activities of the Office of Consumer Affairs. In this title we also have the food assistance activities of the Department of Agriculture which contains a total of $4.1 billion. Since 1969 total food assistance has risen from $1.2 billion to $4.1 billion. The principle increase has been in the food stamp program which had $250 million in 1969 and in this bill for fiscal 1973 we have $2.2 billion.

We are again, Mr. Chairman, faced with the problem of funds appropriated by Congress in previous fiscal years which have been frozen by the Office of Management and Budget. This money was clearly needed to accomplish important programs and I do hope that none of the funds appropriated in this bill will be frozen by the Office of Management and Budget.

In order for our people to live in this country we must stop polluting the air, water, and land. This is one of the most important problems facing our people today. In enforcing our new laws concerning environmental protection we of course must strike a reasonable balance and this can be accomplished.

For our extension service we appropriated $172,279,000 in 1972. We recommend in this bill the sum of $191,831,000.

For our marketing services we recommend $34,174,000. This is almost a $3 million increase over 1972.

One of the outstanding programs in agriculture is our Rural Electrification Administration program. For 1973 our committee has provided a total loan authorization of $545 million which includes the $107 million frozen in 1972 by the Office of Management and Budget. In addition to the frozen funds totaling $107 million, the Office of Management and Budget froze $109 million last year which was finally released.

We recommend $30 million for our rural telephone program.

For the child nutrition programs $1,329,624,000. This amount includes a direct appropriation of $590,461,000 and donated commodities available through the price stabilization activities valued at $249,345,000.

Again, Mr. Chairman, I discussed in detail with the witnesses who appeared in behalf of extension funds the need and necessity of paying adequate salaries to our county agents and home demonstration agents. Finally in Kentucky, after quite a struggle, I have succeeded in helping our people secure raises which were long overdue. When I started insisting upon more adequate salaries in Kentucky our people were just about at the bottom of the list. We are now a little better than halfway up the list and I intend to see that they continue receiving necessary increases. Some of our most dedicated people in agriculture today are our extension workers and certainly they must have enough to live on and educate and support their families.

For the Federal Trade Commission we recommend $30,474,000.

For our Soil Conservation Service we recommend a total of $324,010,500. This is $2,233,000 more than the amount we appropriated for 1972 and $7,024,500 more than the amount requested by the Department of Agriculture.

For our Pure Food and Drug Administration we recommend a total of $154,123,000. With prior year unobligated balances this gives us a total of $155,723,000.

Mr. Chairman, it is a distinct honor for me to serve on this subcommittee, and as No. 2 on the committee, I have enjoyed working with all of our members down through the years.

We recommend this bill to the Members of the House.

Mr. ANDREWS of North Dakota. Mr. Chairman, I yield 7 minutes to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Chairman, later today, when I offer my amendment to limit individual subsidy payments to $20,000 per crop, I will highlight the most important reasons why I believe this amendment should be adopted.

At this point, I want to do two things: First, to restate briefly the basic rationale behind my amendment; and second, to update recent history to show that that experience reinforces the need for this reform.

The basic reasoning behind my amendment is the "radical" notion that we ought not to be spending 1 cent more than necessary to achieve the purposes of the subsidy program. A distinguished number of agricultural economists, including former Under Secretary of Agriculture, Dr. John A. Schnittker, have concluded that this $20,000 ceiling can be adopted without frustrating those purposes. In effect, they say that present subsidy levels are far in excess of amounts needed for an effective production adjustment program. Indeed, former Secretary of Agriculture Hardin himself revealed that in 1968 nearly two-thirds of all subsidies to cotton growers, for example, were, to use his own words, "income supplements." In other words, the Department has also acknowledged that those funds are not needed for crop adjustment.

So the record is clear that a reasonable payment ceiling will not harm our farm program. On the contrary, it can only improve it, by restoring some balance, some measure of equity, to a badly distorted program that benefits only the wealthy few. And, in addition, it can make possible savings up to $250 million, funds badly needed for other priority needs.

I need hardly add that, in this period of astronomical budget deficits, we should take every opportunity to trim fat where we can. I know of no better place to start than right here.

Now that it is clear that this reform does make sense, let us take a look at events since last year, which, as I have said, reinforce the need for this action.

First, we must recognize that the number of payments in excess of $20,000 continues to grow rapidly. Four years ago, only 5,914 farmers got more than $20,000 in a total amount of $275 million. By 1971 that number had more than doubled with nearly 14,000 such farmers, getting a total of $486 million. It is almost certain that 1972 will show a further sharp increase.

Having said that, let me remind you, as I pointed out in the RECORD yesterday—page 23105—that this growing number still represents less than one-half of 1 percent of all those getting subsidies. It is therefore sheer nonsense to suggest that my amendment will seriously disrupt the program.

A second major development in the past year is the recent report of the Department of Agriculture, of March 15, 1972, which first describes the impact of the present $55,000 ceiling; and second, seeks to measure the potential impact of my amendment.

The USDA report concludes that, although potential savings of $58 million were possible under the present limit, actual savings were only $2 million. Although 1,350 producers got subsidies of more than $55,000 in 1970, only 466 of them actually had their total payments reduced. The remaining thousand farmers changed their operations to evade the ceiling.

I might digress here to note two examples of the kinds of maneuvers these corporate farming grants engaged in. First, there is the well-known case of the gentleman cotton farmer from Mississippi. This gentleman and his family met the limitation by dividing their 5,200-acre cotton plantation into eight business entities. These businesses in total collected about $160,000—virtually the same amount received the year before.

The second case involves the equally celebrated cotton empire of J. G. Boswell of Fresno County, Calif. This corporation picked up more than $4 million in subsidies in 1970. Faced with the $55,000 ceiling last year, Boswell and its wholly owned subsidiary leased about 11,600 acres of cotton allotments, worth about $2.5 million on the basis of 1971 payments. They were leased to five newly created organizations, qualifying for 53

separate payment ceilings. Then, in addition to collecting these lease fees, Boswell also stayed in the action by contracting to do the farming for these lessees. This arrangement, called custom farming, in effect allowed these 53 individual "business entities" to receive payments of about $2.5 million without actually farming.

Now, I am the first to recognize that this "custom farming" loophole has now been closed. In fact, I was one of the first to compliment Secretary Hardin for this step forward in a speech on the House floor last October, the CONGRESSIONAL RECORD, volume 117, part 27, page 35843. But I describe these situations to give us all some idea of the lengths to which people will go to evade the present ceiling. Who knows what these agribusiness giants are planning now to evade the present regulations.

In the second part of the March USDA report we were given the Department's estimate of the potential impact of the amendment I offer today. That report makes clear that my amendment will have only the slightest impact on the present program. It simply will not have the serious adverse impact some of my critics have claimed. This is also the current opinion of economists outside of the Department including Dr. Schnittker.

I will have more to say on the subject, Mr. Chairman, when I offer my amendment. I hope that this analysis, however, provides the essential background to support this reform.

Mr. WHITTEN. Mr. Chairman, I yield 5 minutes to the distinguished chairman of the Committee on Agriculture, the gentleman from Texas (Mr. POAGE).

Mr. POAGE. Mr. Chairman, each year we hear the same arguments made in behalf of headlines in the papers. Each year we are told how a few people control a whole lot of land and get a whole lot of payments.

And certainly that is the way it works. If we want our farm program to be successful it must work that way. Our farm program is no longer a compulsory program.

Some Members who should know that do not know that. Some Members who should know that we quit killing little pigs and plowing up cotton in 1934 do not know it. They do not seem to know that we have not killed any little pigs since 1934. Nor do they seem to know that, save for the quotas on peanuts and tobacco, there is no limit on the crops one can plant, grow, harvest, or sell.

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

Mr. POAGE. I yield to the gentleman from Massachusetts.

Mr. CONTE. Does the gentleman mean by his statement now I can go out and buy a 10,000-acre farm and plant all the corn or wheat or grain I want?

Mr. POAGE. Yes, that is what I mean.

Mr. CONTE. That is good to know.

Mr. POAGE. That is what I wish all of our Members realized.

I believe this shows the complete lack of knowledge of our farm program.

Our farm program is based upon retiring acres. "Set-aside" acres, they are now called. They set them aside so that they will not be used in the production of crops which apparently are going to be in surplus.

Now, to get those acres set aside we are not penalizing anybody who plants, but we are saying that we are going to give a benefit to those who do not plant more than is needed. This is not a program to pay somebody to make him rich, or even to enable him to feed his family. This is not a welfare program. It is simply a matter of getting land out of unwanted production into wanted production as cheaply as we can.

The price we have set obviously is not too attractive because according to the last figures we have—the year before last—almost half of the lands that could have been retired were not retired. In other words, had this been such a profitable thing, as it has been represented to be, surely the owners of that land would have retired the land. But almost 50 percent of the eligible cotton land went unused because owners of the land felt that the program was not profitable—that they could make more by growing crops than they could by retiring the land.

The present program lets the individual decide for himself whether he wants to participate or not. Unless you enable the large operators to participate in this program, the program cannot function, because if you make it impossible for those operations the gentleman from Massachusetts has described to be retired, then you have to retire the land of, oh, 100 or 1,000 small farmers. If these big farmers do not participate in the program, the way to make the program work is to retire more land from the small farmers.

The small farmers obviously do not want to do that. They simply can't set aside a larger part of their small holdings.

The whole attack on this program is made on the assumption that we are making these payments to enable somebody to feed his family. The whole assumption is that it is some kind of a gift. The whole assumption is it is some kind of a welfare program. As a matter of fact, it is not a welfare program at all, but it is a program of trying to balance supply and demand.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WHITTEN. Mr. Chairman, I yield the gentleman 3 additional minutes.

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

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

Mr. HALL. I appreciate the distinguished gentleman from Texas, the chairman of the legislative Committee on Agriculture, making this statement. I think it certainly needs to be known nationwide and worldwide.

The gentleman has journeyed to an area I am privileged to represent, and he knows about the so-called agricultural and land use program that I have suggested.

Mr. POAGE. Yes, I do.

Mr. HALL. That would take this program he has so beautifully outlined here today just one step further; namely, it would on a voluntary basis allow increased subsidization for those who would enhance and improve the land and water conservation and management practices in the same areas that are now set aside.

Mr. POAGE. Yes.

Mr. HALL. I would ask the distinguished gentleman, in view of his outstanding background, of which there is no equal, if he does not think this would also be equally applicable to the big commercial farmers as well as the small family farmer and at the same time on a voluntary basis place in reserve, restored land immediately ready to produce for the future, on call from the Secretary of Agriculture?

Mr. POAGE. Yes; I think that it would be or should be.

Now, of course, the gentleman will recognize that we have long had a $2,500 limitation on certain conservation payments. That, in my judgment, has rather seriously hindered the effectiveness of that program, because it is not for the benefit of that particular landowner that we do these things. If we did, we could not justify it. It would be simply a personal gift. What we pay for is cooperation in balancing supply and demand.

Mr. HALL. I agree with the gentleman.

Mr. Chairman, will the gentleman yield further?

Mr. POAGE. I yield further to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I appreciate the gentleman yielding further.

The relevant point to the plan that we have outlined and fostered so regularly through the last several Congresses, has been that this would enable the individual farmer, be he corporate or small family farmer operating his own plot, to specify, if it was economically feasible for him to do so in whole or in part, and if he chooses, the worst quarter or fifth of his land could be put into the set-aside and improve it for just reward which he certainly would do in order to support his family and make further improvements; and then when it becomes economically feasible for him to farm and produce the improved area he would do so. It has been indicated that this would greatly increase the number of acres set aside on a voluntary basis up to 60,000 to 70,000 acres per year. I think it is a great program, and one that we should look forward to, and I hope that the current Secretary of Agriculture would abide by and coordinate with the direction of the gentleman from Texas' committee in moving forward on this.

Mr. POAGE. I agree with the gentleman from Missouri (Mr. HALL) and I think the gentleman has served a very useful purpose.

I know the time is running out, and I simply want to call your attention to what the chief authority in this Nation says about this program. I have a letter here dated the 26th of this month, addressed to W. R. POAGE from the Secretary of Agriculture. He said:

JUNE 26, 1972.

Hon. W. R. POAGE,
House of Representatives.

DEAR MR. POAGE: It is very disturbing that once again a move may be underway in connection with the Agricultural Appropriations bill to further limit the maximum level of payments permitted under the feed grain, wheat and cotton set-aside programs.

Hopefully, this is an unfounded rumor but in view of past attempts at such amending action, I feel compelled to point out that

the Administration's position has not changed. Aside from the obvious unfairness to many farmers, this is not the method to follow in fashioning basic and fundamental changes in farm legislation.

Of course, the proponents of such a move would exempt 1972 crops. If they didn't, such a change would constitute a breach of contract. The government has already committed itself to the provisions of the three programs now in effect. It is too late for farmers to make changes in their operations and it should also be too late for the government to do so.

Even if 1972 crops were to be exempted, the government would still be in a position of breaking faith with farmers if further payment limits were mandated before the expiration of the legislatively authorized three-year program. The main arguments in the past for such a proposal just do not ring true. They always centered about the savings in program costs and the few number of farmers involved. Some who hold these views do so sincerely, but unfortunately many do not.

Knowledgeable people recognize that savings, if any, will be minimal * * * in fact, so small that they are not worth it in view of the disruption brought about in the operations of many farmers.

However, I really get concerned with the argument that not many people will be affected. Each person has a right to expect fair treatment from his government. It matters not that only a few thousand instead of millions are affected. This is not a valid reason for our government to renege on its commitments. It is this kind of irresponsible and ill-advised legislation that shakes a citizen's faith in his government and causes credibility gaps.

I feel confident that the great majority of the Congress will see through his proposal and recognize its unfairness with overwhelming rejection if it is injected into the appropriations legislation.

Sincerely,

EARL L. BUTZ,
Secretary.

Mr. ANDREWS of North Dakota. Mr. Chairman, I yield such time as he may require to the gentleman from Illinois (Mr. ARENDS).

Mr. ARENDS. Mr. Chairman, let me say that I listened with great interest to what the gentleman from Texas, chairman of the Agriculture Committee of the House, had to say.

If I might, I would like to suggest to the chairman, at such time as we discuss this issue later this afternoon, that he again make the pertinent points that he has just discussed and summarize such facts and use them at the time that the amendment is offered for the benefit of such Members who were not privileged to be present at this particular time.

Mr. ANDREWS of North Dakota. Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. PRICE).

Mr. PRICE of Texas. Mr. Chairman, as a practicing farmer and rancher, I want to associate myself with the remarks of the chairman of the Committee on Agriculture who is a very knowledgeable man and probably one of the most knowledgeable men regarding this problem who sits in the House today.

We have worked very closely as members of the Committee on Agriculture to come up with a bill by which we have committed ourselves for 3 years, as he said, and now to withdraw the agreement that we have made with the farmer, I believe, would be reneging upon what we told these people they could rely on and depend on. When they go to the bank and borrow money and when they have committed themselves for 3 years to buy a new tractor and all types of equipment and spend thousands of dollars to equip themselves and to purchase leases that have cost them millions of dollars, thinking that we would hold true to what we said in the law.

If we renege on this at this time, I think we are failing the American farmer. What can he believe—if he cannot believe the legislation that we passed and in which we told him this is what you can depend upon, and then jerk the rug out from under him, is irresponsible in my opinion.

My associate, the gentleman from Massachusetts (Mr. CONTE) has, I think, a very small acreage in his State whereas in my own district, we have more than 4 million acres of dry-land farming and about 4 million acres of irrigated land. We have more agriculture production in my own district than they have in their whole State, and in the amount of products that are produced.

So, for this reason, I believe, as the chairman just stated, that to go back on the legislation we have already enacted into law, would be reneging on the part of the Congress today.

I plan to speak further on this, if the gentleman offers the amendment this afternoon.

Mr. Chairman, I yield back the balance of my time.

Mr. WHITTEN. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas (Mr. MAHON), chairman of the Committee on Appropriations.

Mr. MAHON. Mr. Chairman, the House has already passed nine of the major annual appropriation bills for the fiscal year 1973 which begins on Saturday.

This is the 10th one and, basically, it is probably the most important of all—because without healthy agriculture we could not maintain our standard of living and we could not sustain the dynamic and diverse economy which in turn provides the resources to support the various programs of Government otherwise.

I would commend to all the reading of this report which has been drafted by the chairman of the subcommittee, the gentleman from Mississippi (Mr. WHITTEN) because it points out the vital job that is being done by American agriculture.

It is good to have small farmers, as in Massachusetts and in other places, but if this Nation were to undertake to depend on these small and basically nonagricultural areas for food and fibers, the Nation would collapse.

It is the larger operation that produces the quantity and quality of food and fiber that this Nation requires. An attack upon those who are largely responsible for the dramatic job that is being done is wholly unjustified and indefensible.

So I would hope that this bill, when we get to the amendment stage, will not be misunderstood. I would hope that the so-called Conte amendment will be defeated.

I was observing a speech which I believe was made by another one of our Members in which it was said, as I understand it, that the Member wants to cut payments down to $20,000 and then step the payment down to $15,000. Then it was proposed to step it down to $10,000. That was apparently the long range plan.

This would seem to destroy the farm program which has helped make us preeminent in the entire world in the field of agriculture, but provide no substitute.

It would be very bad, indeed, at this stage when this 3-year program has only 1 year to run, for us to drastically modify the program. That is what we would be doing. The gentleman from Massachusetts said that the farmers involved are relatively few in number. But the impact of what they are doing by way of providing the food and the fiber to the consumer, enabling us to be preeminent, is really what counts, and it is a very, very important contribution.

Therefore, I hope that we will not undertake to rewrite the Farm Act of 1970 this year, which expires next year, in this bill. It would be a damaging thing to agriculture, but more than that, it would be a damaging thing to the consumers of the country. It would be damaging to the environment, because we would tend to make the control of our land and the upkeep of our land less possible than it is under the present circumstances. I would hope that the amendment, if it is offered, will be voted down.

The gentleman from Massachusetts, my good friend on the committee, is on his feet. I will be glad to yield.

Mr. CONTE. I would like to make two points. As you know, I have offered my amendment many other times, and this House has passed it two or three times. Unfortunately, it was defeated over in the other body. But again I am offering the amendment.

The gentleman says, why do we not wait until the legislative bill comes up. I have heard that song before. I participated in trying to draft sound legislation with the chairman, and I say he is a highly qualified and distinguished chairman of the Agriculture Committee. He knows I tried to work with him the last time we considered the legislation. I tried to get some language in the bill which would prevent these farmers from pulling end runs around the law, and I got nowhere.

I say to you that my back is to the wall, and the taxpayers' backs are to the wall, the consumers' backs are to the wall, and this is the only way we can do it. This is the only avenue we have left.

Mr. MAHON. The gentleman realizes that the present law expires next year, and we will have to write a new law, and when we write that new law, the Congress next year will have an opportunity to work its will in passing the legislation. So while the farmer's back is to the wall in many respects because of drought, disaster, and other factors, I do not think the back of the gentleman from Massachusetts is to the wall here. I think we want to be orderly in our procedures, and certainly we should not undertake to modify the 3-year law at this time in such a drastic way. There would be a tremendous impact on all of agriculture and on the economy generally.

I would hope that while the gentleman

holds the views which he has expressed he would not press too strongly for the amendment today, because this is not a timely moment to try to write a farm program.

Mr. CONTE. Mr. Chairman, will the gentleman yield further?

Mr. MAHON. I yield to the gentleman from Massachusetts.

Mr. CONTE. I must say it is very difficult for me to stand up here and fight for this amendment, because the chairman of the committee is not only a very persuasive gentleman, but such a fine gentleman. But I just cannot see at this point how I can back down on this amendment. I feel we are going to have to send a message here today, and I hope we can get a teller vote on the amendment.

Mr. MAHON. I am pleased to have this colloquy with my good friend from Massachusetts. We represent various areas of the Nation. We want to look after our own interests. Some of us are vitally interested in agriculture, and all of us are vitally interested in the consumer. The consumer is dependent upon healthy agriculture in this country. We must work together in the best interests of all the Nation within the limits of our ability.

I yield to the gentleman from Texas.

Mr. POAGE. The gentleman referred to the interest in the consumer, and I fully agree with him, but I wonder if he can explain one single beneficial effect that the passage of this amendment would have on the consumer. How in the world would it help the consumer in the least?

Mr. MAHON. My reference to the consumer was that the amendment would be damaging to agriculture, and furthermore it would be damaging to the consumer.

Mr. CONTE. Mr. Chairman, will the gentleman yield further?

Mr. MAHON. I yield further to the gentleman from Massachusetts.

Mr. CONTE. The gentleman knows, and, of course, the chairman of the committee knows better than anyone else—a man of such intelligence on fiscal matters—there is $4 billion a year being put out for this subsidy program, and if you cut the program out entirely, the taxpayers across this Nation, not the selective few cotton growers, but all of the taxpayers would benefit. That is where the consumer would benefit.

And not only that, but if we put this cotton production on a supply and demand basis, with no program at all, and let the farmers grow as much cotton as they want in this country, we will see the price of cotton go down.

If I may go one step further, if the gentleman will yield further, and I may stand to be corrected by the chairman of the Agriculture Committee, but with this present program the price of cotton went up 10 cents a pound last year. Is that correct?

Mr. MAHON. Mr. Chairman, I would like to say the price of cotton, because of a disastrous crop year which made a heavy impact on the production in this country and the income of our farmers, did go up temporarily, and it has dropped back down to a considerable extent.

But speaking of the welfare of the consumers, if we cut out all the farm programs—and they do not cost $5 billion a year, a $4 billion figure is more apropos to the matter here—if we destroy the farm programs, the impact on the consumers and the taxpayers and the country and the statute of the United States in the world would be great indeed.

I just hope we may preserve the position the Congress took last year and the year before in connection with this legislation.

Mr. Chairman, I thank the chairman for yielding.

Mr. ANDREWS of North Dakota. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois (Mr. MICHEL) a member of the subcommittee.

Mr. MICHEL. Mr. Chairman, I feel first I should pay tribute to the distinguished chairman of our subcommittee, the gentleman from Mississippi (Mr. WHITTEN), and the ranking minority member, the gentleman from North Dakota (Mr. ANDREWS), as well as other members of the committee who gave so much time to the cause of agriculture in the tedious job of conducting these hearings over a prolonged period of time.

The gentleman from North Dakota (Mr. ANDREWS) and the gentleman from Iowa (Mr. SCHERLE), who sit on either side of me in that subcommittee, are farmers in their own right, and know agriculture from A to Z, and the gentleman from Mississippi (Mr. WHITTEN) and the gentleman from Kentucky (Mr. NATCHER) are likewise, very well schooled in the field of agriculture.

The last time we checked, there were probably no more than 43 or 44 of us in this House who have as much as 20 percent of our district considered to be rural in nature. I live in the city, but seven of my nine counties are predominately agriculture. I spent a great deal of my childhood on the farm, so I feel I have pretty much of a mix between the rural communities and the city life, but there is a great deal of misunderstanding around the country about what it really takes to make a go of it down on the farm.

I am reminded, for example, of people complaining about meat prices these days. As I understand it, the law of supply and demand still prevails in this country, and the more meat we have, the lower the price, as in any other commodity.

To hear some of the environmentalists who appear before our committee, we ought to be putting diapers on our cattle, because the waste from our livestock is destroying the countryside. It should be noted that one steer or cow produces as much solid waste as about 17 human beings. A hog produces as much as two human beings, and 10 little chickens produce as much solid waste as one human being in a given day.

Farmers have always been very conscious of the problems of animal wastes and have done a good job of dealing with them. Farmers, perhaps more than anyone else, have been practicing conservationists for years before it became popular. But, I wonder if the environmentalists realize that imposing rigid new animal waste disposal requirements on livestock producers adds to the cost of meat to the consumer?

These are some of the facts of life we have got to be thinking about and talking about to the folks in the city, facts about what we are confronted with in simply providing the food and fiber that are necessary to the people who live in the urban centers who are being supplied by the fewer than 5 percent of the people of this country who are living on the farms.

I am concerned about how the $12,897,010,900 that this bill provides will be treated in the press. I would hate to see in the New York Times or some other big metropolitan newspaper tomorrow that the House passed $13 billion for agricultural subsidies. That is just about the way it will come out in some of the news media around the country.

The gentleman from Massachusetts. off the top of his hat, talked about $5 billion in subsidies. But, even he is in error. He is wrong.

If Members really want to get a more precise cost of the commodity program, they should look at the Commodity Credit Corporation and the reimbursements for net realized losses year after year.

The budget request came up at just over $4 billion to cover the net realized losses for the Commodity Credit Corporation. In this bill there is $3.8 billion. It is a $225 million cut. It is in effect a phony cut, but I am of the mind that over in the other body this item will be increased.

Personally, through the years I have been one of those who has advocated that we keep the books of the Commodity Credit Corporation balanced year by year rather than falling behind as we have in the past and losing accountability for the actual cost of an agricultural program in a given year. I believe by keeping ourselves updated we will have a better grasp of what the commodity programs really mean to the taxpayer in dollars and cents.

Let me say to my friends on this floor that the gentleman from Mississippi has been unduly maligned on occasion for the point of view he has taken in years past.

I want to call attention, also, to the expression of concern in our committee report on the research activities of the Agriculture Department. The Agricultural Research Service is one of the most important agencies within the Department, for it has been through the development of new methods of production, new varieties of plants, improved livestock breeds, better soil and water conservation methods and other research advances that the people of this country are able to enjoy an abundance of high-quality food products at constantly lower costs in relation to their incomes.

The contributions of the Agricultural Research Service have been outstanding, and the agency well deserves our accolades. However, as we point out in the report, there is need for continuing review of that agency's fundamental national research role and our overall objectives and program priorities in this field. Our committee will, of course, be

following very closely the major reorganization effort of the agency, and we are hopeful that its objective of increased efficiency will be realized.

Included in the ARS appropriation is more than $4 million in reappropriations for activities which were adversely affected by overall personnel and budget ceilings in fiscal 1972. Among these are soybean production research, and efforts to control the cereal leaf beetle and the soybean cyst nematode. I have been especially concerned with the continuing spread of the cereal leaf beetle into new areas, and our apparent lack of ability to control it.

Turning to the section of our bill dealing with the programs of rural development, I would like to call attention to our committee's action with regard to the Rural Electrification Administration.

The committee has provided a total REA loan authorization of $545,000,000 for fiscal 1973, including $107,000,000 in funds appropriated for fiscal 1972 which were not released by the Office of Management and Budget. The committee has also urged the REA to give priority to the urgent need for distribution facilities in contrast to wholesale power supply, since the latter can be met from a variety of sources. Furthermore, the committee cautioned REA to use the utmost discretion in making Federal funds available in conjunction with non-Federal financing to make certain that the use of Federal funds complies with the provisions of the 1936 act.

I would like to take this opportunity to note for my colleagues that as of June 16, the present REA Administrator, David A. Hamil, achieved the distinction of serving as Administrator longer than any other person in the REA's 37-year history. I believe Mr. Hamil has done an outstanding job of guiding the REA during his two terms in this office, the first from 1956 to 1961, and the second from 1969 to the present. He is himself a rancher with an understanding of rural problems, rural people and rural needs. This understanding has been of great value and has contributed to the effective, balanced and judicious administration Mr. Hamil has brought to the rural electric program.

On his return to REA in 1969 after an absence of 8 years, Mr. Hamil was confronted with an REA program in a sad state of disrepair. Millions of dollars of loans had been made needlessly to G. & T. borrowers to provide services that could have been obtained better and more cheaply from other power suppliers. He has been successful in settling most of the controversy so that the program can go forward with wide support of the American people. He has supplied REA borrowers with the leadership and confidence to strike out on their own and obtain financing in the private money market. I congratulate Dave Hamil on his wise and lengthy service on behalf of rural America.

With respect to the Food and Drug Administration, the Federal Trade Commission and the Environmental Protection Agency, no one could accuse this subcommittee of short changing those agencies in this bill. I personally am somewhat distressed that we have the number of increases we do in here for personnel for the Food and Drug Administration. There are 1,391 new positions for the FDA. There are 500 for meat and poultry inspection. This is for the benefit of the consumer in the city. In the Environmental Protection Agency there are 560 additional people to help protect the environment. And, there are 205 new positions for the Federal Trade Commission.

The gentlemen from North Dakota and Mississippi, and the other members on this subcommittee, have done a tremendous job in looking out for the interests of the urban centers, of the population centers in this country, in this bill.

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

Mr. MICHEL. I am happy to yield to my distinguished chairman.

Mr. MAHON. I believe it is worthwhile to point out that since we—and it was my decision to do so—consolidated all these environmental and consumer protection activities in this bill, this subcommittee and the Committee on Appropriations and the Congress itself have gone to great lengths in order to undertake to meet the problems of agriculture, the problems of the consumer, the problems relating to the environment. I do believe in many instances the basic laws authorizing these environmental and consumer protection programs have gone too far. But we have done our utmost in this bill to be as fair as possible to the entire electorate, to all Members of the Congress and all segments of American society.

The gentleman has made a valuable contribution in pointing out our overall effort to serve the best general interests of the entire Nation, not just of some groups or some section of the country.

Mr. MICHEL. I thank the gentleman for his contribution.

Over the years I believe the caliber of the annual report from the Agriculture Subcommittee has been such that this very worthwhile document ought to be in every school library in this country. In addition to just having some cold, uninteresting figures on appropriated amounts there is some good reading material, about the problems this country faces. We ought not separate the agricultural problems from the problems in the cities, because the two are closely intertwined.

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

Mr. MICHEL. I am happy to yield to my friend from New Jersey.

Mr. PATTEN. I thank the gentleman for yielding.

I want to say I have a right to talk, because I am the only one from the State of New Jersey who gave this committee a vote on more than one occasion, in 1967, 1968, and 1969.

Now, the gentleman is a rural, country fellow. The gentleman from Michigan (Mr. O'HARA) is a national man.

If this is so good for the consumer, why can this committee not get some of these good talkers from St. Louis, Minneapolis, New York, or Boston on the floor to help the committee?

You do a very poor job of selling. I get crucified, and I can see my opponent with the headlines saying, "Patten Responsible for High Price of Beef." I do not have the money to say that there is no beef control in here, and I do not have the other answers like the gentleman is saying here that it is the law of supply and demand that controls. In my area nobody thinks that it is high except on account of the beef strike. Everybody is against this subsidization even though you and I will agree there is no beef in it.

Mr. MICHEL. If I may interrupt the gentleman at that point, the Washington Post—which is not exactly the most conservative paper in the country but has one of the most liberal policies and one which in times past has supported some kind of limitation on payments to cottongrowers, and so forth—printed on Monday what I thought was a very good editorial on beef prices, which said that Government price controls on food "promise far too many troubles to be justified by the price of beefsteak alone."

But people are still complaining about the prices of the most expensive cuts of meat. Everybody does not eat steak and does not have to have prime rib. There are a lot of less expensive cuts that we eat in our own family and we do not always take the prime cuts. But we are such an affluent society that some of us have become accustomed to eating such things as prime ribs rather than the shank sometimes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANDREWS of North Dakota. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. PATTEN. Will the gentleman yield further?

Mr. MICHEL. I yield to the gentleman.

Mr. PATTEN. I say to you the Secretary of Agriculture does do a poor PR job as far as the northeast part of the United States goes. Every time we hear him open his mouth it indicates he is trying to get a higher price for the farmer. If I am called upon to vote after having listened in the committee and everything else, I have had poor help from the Department of Agriculture as to why this is good for America.

I hear the chairman and I hear Mr. WHITTEN and you, and you all say that it is good for America. You are only stating conclusions. I said 4 years ago that the Department of Agriculture should do a better selling job, even if they do take full-page ads in the metropolitan area papers, to tell people why it is good for America. They have not done it, and that is why an amendment like this today will carry and you are in trouble on it. The Department of Agriculture has not sold their program.

When President Nixon campaigned in 1968 I well remember the promises he made to the American people. He said we are going to have a new farm policy and a new law. And Mr. CONTE pulled his amendments out in 1969, because Brother FORD said give the administration a chance to pull out a new farm policy, and when the new program came through it looked like the same old subsidy program.

It is hard to support you, if you live in New Jersey, I want to say to you.

Mr. ANDREWS of North Dakota. Will the gentleman yield?

Mr. MICHEL. I yield to the gentleman.

Mr. ANDREWS of North Dakota. I appreciate the contribution our friend from New Jersey, a member of the committee, made. And it has been a contribution. Those of us who are privileged to serve on this committee have talked and talked and talked but, you know, you can give the facts and if the people are not willing to listen and you cannot get them to analyze it in their own minds to see that that is the case, then what can you do?

The committee met it head on. We transferred the Department of Information in the Department of Agriculture directly up under the Secretary of Agriculture, because we feel there are a lot of things that have to be done besides sending out yearbooks and bulletins. We are trying to go along with you on it. We finally added $800,000 to it to help.

I might say this, which you can pass on to your constituents in the East. There is not 1 single penny in the total nearly $13 billion to support the price of meat or meat products in this country. There are some funds to make sure the meat products that are processed in this country are thoroughly inspected so that the consumer is going to get a good quality, wholesome product.

There are funds in this bill, about $160 million to do this, and to also inspect foreign beef coming into the country, so that the imported beef that is coming in will also be inspected and checked to see if it is wholesome. But the gentleman can assure his good constituents who sent him here from his great State that not 1 red cent in this bill has been dedicated to price supports of any meat products.

I think that is a fact that should be known and made crystal clear on the floor of the House today.

Mr. PRICE of Texas. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Texas.

Mr. PRICE of Texas. Mr. Chairman, I would like to speak in rebuttal to my friend who spoke just a moment ago, and that is that we have had the Secretary of Agriculture out in the middle west and southwest, and they are applauding the Secretary of Agriculture because for the first time we have a man who has spoken out in behalf of the American farmers, just like the Secretary of Labor has spoken out in behalf of the laboring man. I think that he has done far more for the farmers in trying to get decent prices for their products which now are running somewhere around 72 and 73 percent of parity.

The gentleman has been here a lot longer than I have been, and he knows that the President does not make legislation, and also that we do not control on this side the committees under which this bill was authorized. It was controlled by the gentleman's side. And while some of the Members did not associate themselves with that bill the majority on that side of the aisle did associate themselves with that bill, and that was authorized and passed into law.

Mr. PATTEN. Mr. Chairman, will the gentleman yield further?

Mr. MICHEL. I yield further to the gentleman from New Jersey.

Mr. PATTEN. They say wait for the new bill. Is there anybody on this committee or anybody in the administration or anyone who can speak for the Secretary of Agriculture who can give me any hope that next year we will get legislation to remove the evils that the gentleman from Massachusetts (Mr. CONTE) has pointed out, and those who are bringing them to our attention today?

Mr. CONTE. If the gentleman will yield, never, I will tell you that.

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

Mr. ANDREWS of North Dakota. Mr. Chairman, I yield 5 additional minutes to the gentleman from Illinois.

Mr. MICHEL. Mr. Chairman, I thank the gentleman for the additional time, and if I may continue—and I will say that I am glad to see the gentleman from Massachusetts is still on the floor, because in my own case when we considered this bill last year I had opposed the gentleman's amendment, feeling that even though it qualified as a limiting amendment on an appropriation bill under the Holman rule, that because of its nature it did decidedly change the effect of the law. When we changed the authorizing legislation to set up the current farm program I supported the limitation of payments because I thought the problem was giving agriculture a bad name, and it kept getting rapped all over the country, with talk of the outlandish subsidies going, supposedly, to a few big operators. But from a realistic view I do not see how a program of this kind can really operate in a situation where you are trying to control production, without including the big operators. So the gentleman, in his remarks, listed, as I recall, any number of small farmers who now participate in the program, but when you added up the payments, they went to a comparatively few. Still, the bulk of the total agricultural production in this country comes from the few.

Now, if you do not want controlled production and you want to just glut the market, then the thing to do is change the authorizing legislation to do that, not the appropriation.

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

Mr. MICHEL. I yield to the gentleman from Massachusetts.

Mr. CONTE. Of course there is no doubt about it, but when you talk about trying to work this out with the authorizing committee I am telling you this, right now, you will never get it. I am sending them the message.

Mr. MICHEL. I think perhaps that is what George Wallace has been trying to do.

Mr. CONTE. And in many cases he was right, and the votes he received proved that maybe he was right in sending a message.

Let me say this. You took issue with the $5 billion subsidy payment. It has been $5 billion at times—it is hard to find out—I understand this year it is $4 billion; is that correct?

Mr. MICHEL. If you take the net realized loss of the Commodity Credit Corporation as the standard of measurement, and I prefer to do that although there are others who would do otherwise.

Mr. CONTE. Can we agree for the record that it is $4 billion?

Mr. MICHEL. I consider it to be that because that seems to be the loss sustained by the Commodity Credit Corporation over the past year in buying and selling and disposing of commodities of all kinds. They are chartered to do that. It is a $14.5 billion corporation to do just that. We have set it up that way and it is perfectly legal. But the point is—you do not get the bill for the realized losses until a year or more after the fact.

I do not want to see it get any further beyond 18 months, so we can keep a handle on what the programs are costing.

Mr. CONTE. I agree with the gentleman. I just want the record to be right. I do not want it to go off half cocked. I think we can arrive at a figure here of about $4 billion.

Mr. MICHEL. Yes, and the reason I made the point in mentioning the total cost of this bill of some $13 billion is that I certainly did not want the news media to say that we passed an agriculture bill amounting to $13 billion that in the main goes for agricultural subsidies, which just is not the case. When it was $8 billion, you had people off the cuff and without any knowledge about it saying that it was an $8 billion subsidy program for agriculture. They did not know what they were talking about.

Mr. CONTE. If the gentleman will yield further, I would like to have another correction for the RECORD. I mentioned that cotton last year went up 10 cents a bale—what I meant was 10 cents a pound. I believe there are 500 pounds in a bale so it is a lot more than 10 cents a bale.

Mr. PRICE of Texas. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman.

Mr. PRICE of Texas. I would like to correct some of the assumptions by my friend, the gentleman from Massachusetts (Mr. CONTE) regarding cotton going up 10 cents a bale.

The cost is between 27 cents and 28 cents a pound to produce that cotton.

An average bale of cotton, I think, weighs somewhere around 478 pounds. That is how much it has come down on the cost of production.

Secondly, with reference to the Commodity Credit Corporation—for the record this money—a lot of the loss in the Commodity Credit Corporation comes on account of products sent overseas and free to other nations such as Bangladesh and Pakistan and other countries—that cannot be charged as a subsidy to the American farmer.

Mr. MICHEL. I agree with the gentleman wholeheartedly and, particularly, when he makes reference to the Public Law 480 program.

Mr. Chairman, I will conclude by simply alerting the Members that later on in the consideration of the bill, when

we get to reading the bill under the 5-minute rule, I will have some very appropriate remarks to make with respect to my amendment which will be offered to the food stamp section and which would, in effect, prohibit the use of food stamps for striking workers. We will not belabor the point at this juncture, but we will leave it until we get to the point of reading the bill under the 5-minute rule.

Mr. WHITTEN. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, may I say we were urged by the speakership when we were given permission to proceed today to proceed expeditiously with this bill. We are trying to get through with a number of other matters today.

I gave the assurance that I would try to proceed expeditiously and get on with the business. I hope we can have the cooperation of the Members.

Mr. Chairman, I yield 5 minutes to the gentleman from South Dakota (Mr. DENHOLM).

Mr. DENHOLM. Mr. Chairman, I commend the distinguished chairman of the subcommittee, the gentleman from Mississippi (Mr. WHITTEN) for his opening statement today and I want to associate myself with his remarks and the remarks of the distinguished chairman of the Committee on Agriculture, the gentleman from Texas (Mr. POAGE).

When we talk about culture, we sometimes forget that there is no culture in the history of mankind that is more important to all of us than the agrarian culture. I fully realize that when we talk about issues and programs, reasonable men can differ on those issues and alternatives of national policies and programs but I do not believe that anybody can question or doubt the sincerity of the chairman of this committee and the members of the committee, including such men as Mr. NATCHER of Kentucky, and Mr. POAGE of Texas who have brought the legislation to the floor with the idea of doing what is right for our country.

I can appreciate further the tremendous problems that the urban people may have and their inclination to say that this is a subsidy to agriculture, and in that respect I have asked for time to direct some questions to the chairman. How much money is there in this appropriations bill for farmers? We can get to that best by asking the chairman and the members of the committee, first of all, how much is in the bill for food stamps.

Mr. WHITTEN. All of that is shown in the report, which I am sure the gentleman has read. It is a little over $2.3 billion.

Mr. DENHOLM. That is one specific amount to be subtracted from the $12.8 billion, the total amount in the appropriations bill. I might ask the chairman if he has any statistics, or if anybody in the House knows how much of the appropriations for food stamps go to farmers? By and large the farm people do not receive those benefits. If you subtract that from the bill, and subtract other amounts from the bill—such as the amount designated for the improvement of our national environment; how much goes for consumer affairs; and also how much goes for the REA and RTA? Those are loan funds that are repaid with interest. We can better realize the meager amount left after expenses of administration—for farmers. There is one program that stands by itself, it stands alone, and it is one of the successful industries in rural America—it is the rural electric program. The distinguished gentleman from North Dakota (Mr. ANDREWS) commented on the excellent record of the REA programs. It is a successful program. It is not a capital outlay for a program of subsidy or welfare. It is a loan program—instituted and operated on a sound financial basis and it is an investment in America. The rural electrification system has an enviable and unequaled record in the history of all programs enacted by Congress. The loans have been paid with interest—and a substantial part of those payments are made 2 years in advance.

When allocated deductions are actually subtracted from the agriculture appropriation bill, there is a very small amount of money left for the farmers and the people of rural America. The trend of population growth in this country is evidence that the farmers have not been enriched in the occupation of farming. Many people have been moving to the cities and the real costs of the farm programs that we have had in the past are now reflected in the appropriations for the urban centers of this country. We are reaping the harvest of the inadequacy of funding for agricultural programs for rural America. Now, we must increase appropriations for the care of drug addicts, for the rehabilitation of people who have suffered from the abusive use of drugs, increase the appropriations for a greater effort to control crime on the streets, build massive transit systems, and spend more and more money to free our cities of the social ills of cancerous decay. That is the price we pay for inadequately funding essential programs for rural America.

Mr. Chairman, the $12.8 billion total of your appropriation package is "peanuts" compared to the billions and billions yet to be spent to fix the wrong too long perpetrated upon the farm families of rural America. Your requests and the requests of the committee are modest—it is too little too late for thousands of American farm families across this land. In my judgment, we can not achieve a balance in national economic growth and social stability until we give proper attention to the depression imposed upon farm and rural people.

There are those that are worried about high prices of meat. The Secretary of Agriculture told me on Saturday of last week that the meat market in Europe is $30 higher than it is in America today. I just returned from Japan where I talked to the agricultural attache in Tokyo, and where I saw fresh cuts of meat in the Tokyo shopping arcade priced at almost $8 per pound—more than twice as much as the cost of the best cuts of steak in America, and the per capita income for the Japanese people is only one half as much as the per capita income in America. Yet, red meat is one food commodity the Federal Government has never sustained in price supports or attempted to control by outright production controls. But the receipts to producers are scarcely equal to the live weight market quotation of 20 years ago while costs of production have sky-rocketed to farmers and ranchers.

Mr. PRICE of Texas. Mr. Chairman, will the gentleman yield?

Mr. DENHOLM. I yield to the gentleman from Texas.

Mr. PRICE of Texas. I wish to commend the gentleman for his remarks, and also, in response to the remarks of Mr. PATTEN, I should like to point out that there are three things that he can tell his constitutents about—the food stamp program, the school lunch program, and the school milk program. Actually it gets down to this: The American farmer gets $3.2 billion to $3.4 billion out of this entire appropriation, and the remainder is expended under such programs as Public Law 480.

Mr. DENHOLM. I thank the gentleman from Texas. That is exactly why I said the amount of money in this appropriation for farmers and ranchers is "peanuts." The real cost of the economic imbalance and social ills that have erupted in our country can not be measured in the billions appropriated in our feeble attempts to correct the wrongs of our time—it will be recorded in the ruins of history because in our wisdom we did not recognize that a nation moves on the backs of farmers. When farmers and ranchers do well the country does well—and when you read in history of the fall of a government—ask yourself when you last read in the history of all time that a nation fell because of a prosperous agriculture?

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

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

Mr. PATTEN. The trouble is, my worthy colleagues, this: Why are not the Members from Baltimore and Indianapolis present on the floor saying this is good for the consumer? This committee does a poor "PR" job. There is not a member from an American city present on the floor to help you do the job to help pass this bill. The beef trust is keeping cattle off the market. The people will not help with the passage of this bill.

You are talking about the price of meat. Our newspapers report that the beef trust is keeping meat off the market in order to maintain a high price. You are doing a poor "PR" job here.

Mr. DENHOLM. The gentleman from New Jersey is correct about public relations and I respectfully ask his assistance in explaining why the hide from a thousand pound steer is worth less than $1 and shoes are sold at $35 per pair. Mr. Chairman, if I have any criticism of your excellent work—it is because you have not appropriated enough for the

essential programs of rural America. I urge that all crippling amendments offered today be defeated and this appropriations bill for agriculture be approved.

Mr. WHITTEN. Mr. Chairman, I yield such time as he may consume to the gentleman from North Dakota (Mr. LINK).

Mr. LINK. Mr. Chairman, at this time, I would like to associate myself with the distinguished members of the Agriculture Appropriations Subcommittee. I compliment the chairman, the gentleman from Mississippi (Mr. WHITTEN), and the members of the subcommittee for this comprehensive and important bill.

Serving on the House Agriculture Committee, I want to assure the membership of the House this is a bill that will truly pay off in good dividends for the Nation as a whole. I commend the bill to the favorable consideration of the Members of this House.

Mr. WHITTEN. I yield such time as he may consume to the gentleman from Arkansas (Mr. ALEXANDER).

Mr. ALEXANDER. Mr. Chairman, I rise in support of this appropriation bill.

Mr. Chairman, we have under consideration today a money bill—the agriculture appropriations measure—which deals with one of the most vital sectors of our national life. It is agriculture which provides us with the food that fills our stomachs and much of the fiber which provides the clothing and decoration to make life pleasant.

By and large the activities involved in agriculture are carried on in a quiet, efficient, economical manner. The men and women who dedicate their lives to the task of raising beef, pork, poultry, fish, rice, soybeans, wheat, corn, field peas, tomatoes, cotton—the whole directory of food and fiber—are proud, hard-working people.

Like millions of their fellow Americans, they do ask something of the system. They want a fair return on their investment of money, time, talent, and energy. They want the men and women who do not make their living tilling the land, but who benefit from that toil to bring to their judgments about "farmers" the same understanding the nonfarmers want brought to their problems.

Mr. Chairman, too often when we are considering a bill such as the one before us today, we talk only of money. What we are actually talking about is people—people and the future of their industry.

It can be reasonably expected today that the question of crop support payments will be the subject of some discussion during the consideration of this bill. I believe that it is most unfortunate that many in our Nation believe—completely in error—that agricultural producers are the only recipients of "subsidies." Indeed, too many persons erroneously believe that Government supports or subsidies began and end with the agriculture industry.

Maybe at this time we should agree that whether a Government benefit is properly called a "subsidy" or not depends frequently upon who is doing the defining. As a matter of fact, my research indicates that the only Federal statutes using the term are those dealing with ship construction and ship operations.

But, in fact, we as a self-governing people have found it in our best national interests to provide supports to a long list of activities either through direct payments or through such things as loan guarantees, and tax exemptions and credits. These include manufacturing, banking, aviation, railroads, trucking, mining, petroleum operations, waterborne shipping, urban mass transit, housing, small and large businesses, and on and on.

The aids which are provided these sectors of our national life have the effect of making the retail purchase prices of the product or service lower than it would be were the existing aid reduced or abolished. In other words, the retail price at the cash register is lower because of the programs we have established.

Some say the best thing for agriculture would be for it to operate in a free market. Maybe so. But, the fact is that it, like most other economic endeavors, does not operate in a free, unregulated market. To ask the food or fiber producers to buy from or through protected markets and sell through unprotected markets is to ask him to produce at a retail cost and sell to the consumer at wholesale cost.

That is not good business from any reasonable person's point of view. Historically we have found it in our national interest to promote the development, expansion and survival of our industries. To take steps that would lead to the inefficient, uneconomical operation of our agriculture industry would seem a foolish, expensive act against the interest of our citizens.

I would urge my colleagues to carefully review these thoughts to which I have given voice. The choice we are called upon to make today is not for or against a spending program. It is for or against the people and the price they shall pay at the market counter for their food and fiber.

Let us vote for the survival of our agriculture industry.

Mr. STEIGER of Wisconsin. Mr. Chairman, the question of food stamps for strikers is again a matter of heated and emotional debate. I have just completed a thorough review of all available information on this issue and its implications to our Federal wage and price policies, and I would like to share my conclusions with you.

I voted against the amendment last year to the agriculture appropriations bill that would have prohibited the distribution of food stamps to strikers. I did so based on the new work and registration requirements for eligibility contained in the 1970 food stamp authorization.

Under these requirements a striking worker must accept work at the minimum wage with the following exceptions: First, he is not required to accept employment in the struck plant; second, he is not required to accept employment that is not in his major field of experience; third, he does not have to accept employment where he is required to join a union; fourth, he is not forced to accept employment at any site subject to a strike or lockout; and fifth, he is allowed to contest all determinations made by the State in the areas above. Under existing law, over 2 months may pass before the issue is resolved, with the striker receiving benefits during that period. Of course, most strikes are over before that time will have expired. While arguments can be made for these exceptions individually, the net result is that the work requirements are not very effective. Without countervailing economic pressures on both sides of the bargaining table, equitable bargaining is not possible. In addition, Mr. Chairman, the Michel amendment would not affect those involved in a lockout, nor those receiving food stamps prior to a strike.

I also believe that the many arguments put forth in favor of striker eligibility for food stamps are now outweighed by the pressing need to return to a market economy regulated by supply and demand. I have stated from the outset that while wage and price controls may be appropriate as an interim measure in emergency situations, they are not at all effective as a long-term means of achieving balance in our Nation's economy.

In order to return to the competitive dynamics of a free economy without the threat of runaway inflation, it is imperative that, to the maximum extent possible, that economic entities—whether they be corporations or labor unions—not be exempt or insulated from supply and demand constraints.

It is for these reasons I support Congressman MICHEL'S amendment to the fiscal year 1973 agriculture appropriations bill prohibiting the distribution of food stamps to strikers.

Mr. ANDERSON of California. Mr. Chairman, the farm program is a disaster in three important aspects: first, it is a waste of the taxpayer's money; second, it has not kept down the price of groceries; and third, it benefits only those agribusinesses which are not in need of this kind of welfare.

WASTE OF TAXPAYER'S MONEY

In this era of a record high public debt—interest on which costs the taxpayer over $20 billion a year—we have a responsibility to reduce Federal spending in order to get the very most out of the tax dollar, and to provide a measure of tax relief to the moderate and middle-income wage earner.

The first item we should cut is the farm program that pays billions of dollars to producers of cotton, wheat, and feed grain not to grow crops.

For the 5-year period 1966 through 1970, the Department of Agriculture paid between $2.5 billion and $3.3 billion annually in direct payments to producers participating in the cotton, wheat, and feed grain programs. In 1970, 17 producers between $500,000 and $3.5 million each, and over 300 producers received over $100,000 each.

In 1970, to restrict what was quickly becoming "welfare for the rich," Congress limited to $55,000 the amount of direct Federal payments a person could receive annually under the cotton, wheat, and feed grain programs.

This restriction was to save an estimated $68 million a year. However, due to administrative decisions made by Agriculture Department officials, there was no significant reduction in 1971.

The General Accounting Office conducted a study of the arrangements made by some agribusinesses to avoid the intent of the law, and slip through the loopholes allowed by the Department of Agriculture. They revealed that agribusinesses were simply leasing part of their acreage, and thus collecting both government payments, and rental fees.

One such operation was in California.

According to the General Accounting Office:

A California corporation and its wholly owned subsidiary leased about 11,600 acres of cotton allotments, worth about $2.5 million on the basis of 1971 direct payments, to five newly created organizations qualifying for 53 separate payment limitations. In addition to receiving lease fees, the corporation contracted with the organizations to farm the cotton for fees based on the cost to produce the crops. This latter arrangement, called custom farming, allowed the 53 individuals to receive Federal payments of about $2.5 million without actually farming.

Another such method to avoid the intent of the law is the practice of forming partnerships, a la John Wayne. The GAO revealed a case in Mississippi which illustrates this technique:

Under the 1970 cotton program, a Mississippi farmer received about $87,000 and his adult son received about $46,000. Had the father made no changes ir his farming operation for 1971, he would have qualified for payments, in the absence of the payment limitation, of about $79,300. Application of the $55,000 payment limitation would have resulted in reducing his payments by about $24,300.

In 1971, however, the father and son combined their farming operations and joined with a son-in-law to form a three-member partnership. The partners increased the size of their farming operations by leasing additional cotton allotments and, as a result, were eligible, before application of the payment limitation, for $165,152 in 1971 cotton program payments. Because each of the three partners could receive $55,000 or a total of $165,000, a savings of only $152 resulted.

These are not rare examples, Mr. Chairman. According to a March 1972 Department of Agriculture report "of about 1,350 producers who received more than $55,000 each in 1970 payments under the three programs, 1,046, or 77 percent, changed their farming interests or operations for 1971."

GROCERY PRICES ARE HIGH

While the taxpayer pays up to $3.3 billion to benefit agribusiness, he does not receive the benefit of low-cost food and fiber.

Choice steers at Omaha rose from about $29 per hundredweight in January 1971 to nearly $34.50 in December 1971. In February 1972, choice steers at Omaha, were at a 20-year high of $37 per hundredweight.

In fact, food costs have increased by 7.4 percent since the beginning of phase II in November 1971.

According to a study commissioned by former Secretary of Agriculture Hardin, food and fiber can be produced at reasonable prices without the Government subsidy. The report, issued on June 16, 1972, states:

We feel the agricultural industry can provide adequate supplies of food and fiber at reasonable prices and equitable returns to resources, including family labor, with a minimum of government intervention. Programs costing the U.S. taxpayers $4 to $5 billion annually are not needed for these purposes.

Mr. Chairman, the housewife who buys the family groceries knows that prices are high and getting higher.

This farm giveaway program cannot be justified by claiming to keep down the price of groceries.

CONCLUSION

Mr. Chairman, the taxpayer is tired of paying his hard-earned dollars to the Government. He is especially irate when the program is of no benefit to him, but, instead, benefits the wealthy.

The taxpayer would like a cut in taxes, but that cut cannot come until we reduce Government spending.

Let us get the fat-cat agribusinessmen—who would not know a boll weevil from a weaved bowl—off the backs of the taxpayer. Let us dump the farm program, and save the taxpayer billions of dollars a year.

How can anybody possibly justify paying billions of dollars to agribusinesses for not growing crops while millions of Americans are being denied an adequate diet? While the taxpayer continues to bleed? While the national debt climbs to almost half a trillion dollars? And while the consumer pays record-high prices for groceries?

I cannot.

I am, therefore, voting against this bill, and I urge my colleagues to join me in putting an end to this scandalous waste of money.

Mr. SHRIVER. Mr. Chairman, I rise in support of H.R. 15690 which provides nearly $13 billion for the operations of the Department of Agriculture, the Commodity Credit Corporation, rural development, the Environmental Protection Agency and other related agencies in the fiscal year 1973.

A good share of the funds in this bill will go for important rural development and farm programs.

For example, the programs specifically oriented toward rural development objectives in fiscal year 1973 involve an estimated $3.6 billion. This does not include the farm commodity programs, farm loan programs, food assistance programs, and that part of the research and extension programs dealing with agriculture.

A total of $670 million, including $107 million in reappropriated funds, are included for the Rural Electrification Administration. There is $100 million for grants for water and sewer facilities in rural areas. More than $2 billion is recommended for the Farmers' Home Administration rural housing insurance fund and $350 million for farm ownership loans and another $350 million for direct operating loans.

Nearly $3 billion is provided for environmental protection programs. I am especially pleased by the committee's action in recommending $225 million for the Rural Environmental Assistance program—REAP—formerly called the agricultural conservation program. This is an increase of $30 million above the 1972 amount specifically for pollution abatement practices.

Necessary increases also have been recommended for watershed planning, conservation operations and the Great Plains Conservation program. Funds are included to enable the Soil Conservation Service to launch 75 construction starts for watershed protection projects in the coming fiscal year.

A big job remains to be done in soil and water conservation. The most recent conservation needs inventory shows 60 percent of our cropland, over two-thirds of our grasslands, and nearly 60 percent of our forest lands still require some type of conservation treatment. Keeping up with the changes of nature and the changing needs of our growing population is a continuing task.

Mr. Chairman, I was impressed with some of the observations made by our committee regarding the important national commitment that has been made to clean up the environment. In discussing our participation in the international environmental movement, the committee report states:

We should set a good example, help where we can, and practice what we preach. However, we cannot forget that with only 6.3% of the land area and 5.6% of the people, we are no more going to be able to control the rest of the world with regard to the World environment any more than we were able to save the world for democracy or from communism.

We, in Kansas, know of the serious problems confronting the farmers and our rural areas. This appropriations bill addresses itself to helping with some of those problems. But more than money is needed. We need to have a new awareness among those who live in the cities but depend upon the farm for survival.

Rural America begins with farm America. Agriculture was America's first industry, and it remains one of the keystones of our national economy today. It has made Americans the best fed people in history, and now exports the produce of one-fourth of its acreage to help feed the world.

American farmers have led all sectors of the economy in annual increases in productivity for most of the years in this century. Those who attempt to make the farmer the scapegoat in the battle against inflation do a disservice not only to the farmer, but to the Nation as a whole.

The committee report vividly presents the problems of agriculture today.

For example, 20 years ago, after paying farm production costs the farmer retained about $40 out of every $100 realized gross income from farming. Today production expenses have increased until the producer has only $27 left.

The amount of investment required to farm has continued to increase over the past 20 years. The average investment per farm has gone up five times from $17,200 to $96,500. Meanwhile, the return from farm investment has declined by 60 percent from 7.1 percent in 1945–49 to 2.8 percent in 1971.

In view of this grim picture, about 600,000 farmers and their families have left the farm each year for the last 6 years, and the number of farms has de-

clined from 5.8 million in 1945 to 2.9 million today.

We have seen the necessity for larger farm units and farm investment, for only by the annexation to adjacent land of the lands vacated have we been able to maintain our level of production.

Today, 8 percent of our farms produce over half of our agriculture production, and nearly 90 percent of our production comes from just over a third of our farms.

Only one person out of 20 is now living on the farm, which means that each farm person has a responsibility for maintaining an understanding of agriculture among 19 other people. If that does not happen, the other 19 might inadvertently take action relating to agriculture that is harmful to themselves and to the remaining few who produce food and fiber for the Nation, for it is these few who provide the biggest market that industry and labor has.

We must do more to reach the consumer who must understand the importance of agriculture in providing his food supply—that 20 of us must look to one producer for our food and fiber; that agriculture exports are an important part of our balance of payments; and that agriculture, as the largest market for industry and labor, is a key to our national prosperity.

Mr. PICKLE. Mr. Chairman, I am concerned that additional appropriations have not been made for the screwworm control program. The bill before us, as best I can ascertain from the report, provides an increase of $2,616,000 for cooperative efforts between Mexico and the United States. Most of these funds, though, are going to provide relief south of the border—or approximately $2.1 million. Only $500,000 additional money is being appropriated for the screwworm sterile fly program north of the border. I am advised that this is not enough money. I have recommended to the committee that an additional $2 million in appropriations be provided to administer the sterile fly program in Mission, Tex., to produce sterile flies at the rate of above 200 million per week for at least another year or possibly longer. The members of the committee tell me that the present level of production now is approximately 200 million sterile flies per week and they advise me that additional funds would not enable this lab to immediately produce in excess of that amount. I am surprised if this is the case. If so, steps should be taken to increase the capacity at the Mission lab and it should be done immediately.

The director of the Texas Animal Health Commission advises me we face an estimated loss of $50 million worth of livestock alone this year if we do not increase the production of the sterile fly. The screwworm cases are increasing and I am told we now have over 10,000 cases and this exceeds the case level we had in 1968. So this makes the second worst year since 1962 when we had almost 50,000 cases of screwworm.

I am also surprised to learn that the Secretary of Agriculture has advised the committee that they do not need any more funds than the $500,000 added in this bill. This takes a very shortsighted view of our problem and it leads me further to believe that we must have a close investigation of this problem to be certain what our production capacity might be and why additional funds right now would not help this program. I find this hard to believe that the Department would not be willing to initiate the request for additional funds and for additional production. If indeed the screwworm cases are rapidly flowing northward and our caseload is next to the highest we have ever had, then surely we must agree that something must be done. It should also be kept in mind by the committee that screwworm not only can infest a wound on a cow or calf but on any warm-blooded animal, and that could include your favorite dog or cat.

The Department of Agriculture does have emergency funds for use in programs such as the screwworm program—up to $1 and $1½ million of emergency funds. And the Department should use these funds immediately to see that whatever level of production needed at the lab in Mission is achieved.

I am hopeful that the other body will include at least $2 million additional for this program if it can be shown that the funds can be well used this year—and I am advised that the additional funds are needed. Since I was told we would not have enough time to do everything this year, I have withheld from introducing a separate amendment—temporarily, pending the submission of proof over these facts. My State animal health officials tell me that they are critically needed and I am disappointed that the committee has not provided additional funds at this time.

Mr. SCHERLE. Mr. Chairman, I rise in support of this agriculture, environmental, and consumer protection appropriations bill. We on the subcommittee had many difficult priority decisions to make in allocating the very limited funds available to the numerous worthwhile programs covered by this bill. This legislation does not contain funds just for agriculture. It provides financial assistance for programs which affect both urban and rural Americans. There is money in this bill for the people in the ghetto and for the working family in the suburbs. Both the consumer and the agricultural producer will benefit from the programs funded here.

One of the most important factors that this committee had to consider was the many millions of dollars previously frozen by the Office of Management and Budget. Funds for the REA loan fund, the Farmers Home Administration, badly needed USDA research projects, and HUD water and sewer programs were all reinstated in the bill this year. An additional problem was that certain much-needed personnel increases ordered by Congress were then subsequently denied by OMB. Of particular concern here were the cuts in the regulatory programs which guard the health and welfare of all Americans. The Soil Conservation Service for example, which performs valuable work in protecting our environment, has had to postpone much of its work because of OMB personnel limitations. This year we have funded the Soil Conservation Service at a level where it can continue its record of high quality service in preserving our Nation's ecological health. Another program from which OMB has repeatedly withheld funds is the rural environmental assistance program. The committee has once more appropriated $195 million for REAP which has been the level of funding for the last few years.

Funds for our land-grant colleges was provided to assist in their vital contribution in the field of research and technology.

I urge all my colleagues to read the Appropriations Committee report on this legislation and to support it. It is a credit not only to my colleagues on the subcommittee, particularly our chairman (Mr. WHITTEN), but to the research and assistance provided by the committee staff. The agencies under the jurisdiction of this bill face many challenges in the duties given to them by Congress. We are hopeful that these appropriations will provide them with the necessary provisions to achieve these goals. This is an "all America" bill.

Mr. GRIFFIN. Mr. Chairman, I would like to take a few minutes to commend my very distinguished colleague and fellow Mississippian, JAMIE WHITTEN, for the outstanding work he and his subcommittee have performed on the very important programs contained in the Agriculture, Environmental, and Consumer Protection Appropriations bill.

Congressman WHITTEN and his subcommittee have been charged with a great responsibility of overseeing governmental programs that touch the daily lives in some way of all Americans, and thus determine the quality of life that we as a Nation will enjoy. I believe they have performed magnificently in the best interest of our country.

The efforts of Congressman WHITTEN and his subcommittee dramatically illustrate their concern and accomplishments to insure that American agriculture remains the world leader that it is today and that the people of this country will continue to enjoy a plentiful supply of food and fiber. In their efforts they have remained ever mindful of the plight of our farm community and rural America and sought increasingly to upgrade the quality of rural life. Acting to reappropriate funds previously frozen for REA loans, water and sewer grants, and research programs, the committee and the Congress have assured a greater sharing in this Nation's opportunities and resources by rural America.

The continued strong funding for the tremendously successful programs of the Commodity Credit Corporation, Rural Electrification Administration, Farmers Home Administration, Soil Conservation Service, and various Department of Agriculture programs are the very vehicles needed to insure continued economic improvement in rural America.

Quoting from the committee report:

Only one persons in 20 is now living on a farm. That means that each farm person has a responsibility for maintaining an understanding of agriculture among 19 other people. If that does not happen the other 19 might inadvertently take action relating to

agriculture that is harmful to themselves and to the remaining few who provide the biggest market that industry and labor has.

The committee has acted with great responsibility in seeking a balance between protection of our environment and in insuring that the plentiful supply of foodstuffs and raw materials in this Nation is not jeopardized by the inadvertent actions of some.

I agree with the admonitions of the committee report that we cannot indiscriminately act to destroy the very tools that made this a land of plenty; nor should we allow ourselves to be caught in a maze of figures and percentages and led down the path to the creation of more bureaucratic confusion and spending without clear and concise understanding of the affect. Congressman WHITTEN and his subcommittee have done an outstanding job in their hearings and report to provide us with an understanding and sensible approach to the solutions of these problems that affect us.

The numerous agricultural advances that we take for granted today, a result of the research and development programs of the Department of Agriculture, might be set back in the long run with serious consequences for us all. The committee has sought to provide more and better research efforts under the direction of the Department of Agriculture. I am pleased to see continued strong support for agricultural research and I am confident that it will keep our Nation in the forefront with agricultural superiority.

I also share the concern of the committee for the abuses, lack of coordination, personnel problems and general ineffectiveness of many of the programs the Congress has created. For too long we have tried to solve problems with more spending and bureaucracy, without comprehensive planning and coordination. As the committee report states:

Perhaps with all good intentions we have been moving too fast.

The committee's investigations and findings, I am sure, will help us to correct many of the serious problems that do exist and to proceed with much better results. I commend Congressman WHITTEN and his subcommittee's efforts to insure that the direction and speed in which we are moving does not make us lose sight of our commitment to all America.

Mr. WHITTEN has demonstrated once again his great leadership in presenting to us a program that will serve to direct our commitment for a better America and an improved quality of life for all Americans. I applaud and commend him for his hard and dedicated work.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

COMMODITY PROGRAMS

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

SALARIES AND EXPENSES

For necessary administrative expenses of the Agricultural Stabilization and Conservation Service, including expenses to formulate and carry out programs authorized by title III of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301–1393); Sugar Act of 1948, as amended (7 U.S.C. 1101–1161); sections 7 to 15, 16(a), 16(d), 16(e), 16(f), 16(i), and 17 of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590g–590q); subtitles B and C of the Soil Bank Act (7 U.S.C. 1831–1837, 1802–1814, and 1816); the Water Bank Act (16 U.S.C. 1301–1311); and laws pertaining to the Commodity Credit Corporation, $169,235,000: *Provided*, That, in addition, not to exceed $78,346,000 may be transferred to and merged with this appropriation from the Commodity Credit Corporation fund (including not to exceed $33,248,000 under the limitation on Commodity Credit Corporation administrative expenses): *Provided further*, That other funds made available to the Agricultural Stabilization and Conservation Service for authorized activities may be advanced to and merged with this appropriation: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $100,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That no part of the funds appropriated or made available under this Act shall be used (1) to influence the vote in any referendum; (2) to influence agricultural legislation, except as permitted in 18 U.S.C. 1913; or (3) for salaries or other expenses of members of county and community committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, for engaging in any activities other than advisory and supervisory duties and delegated program functions prescribed in administrative regulations.

AMENDMENT OFFERED BY MR. CONTE

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

The Clerk read as follows:

Amendment offered by Mr. CONTE:

On page 19, line 21, strike the period and insert the following: *"And provided further*, That none of the funds appropriated by this act shall be used during the fiscal year ending June 30, 1973, to formulate or carry out any single 1973 crop-year price support program (other than for sugar and wool) under which the total amount of payments to a person under any such program would be in excess of $20,000."

Mr. WHITTEN. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Mississippi reserves a point of order against the amendment.

Mr. CONTE. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

The Clerk will call the roll.

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

[Roll No. 245]

Abernethy	Clay	Hastings
Abzug	Conyers	Hébert
Anderson, Tenn.	Davis, S.C.	Howard
Ashley	Dent	Karth
Badillo	Diggs	Kee
Baring	Dowdy	McCloskey
Bell	Dulski	McDade
Betts	Dwyer	McDonald, Mich.
Blatnik	Erlenborn	McKinney
Boggs	Ford, Gerald R.	Macdonald, Mass.
Broomfield	Ford, William D.	Miller, Calif.
Burke, Fla.	Fulton	Mink
Cabell	Gallagher	Mitchell
Caffery	Gibbons	Mizell
Celler	Green, Pa.	Mosher
Chisholm	Halpern	Moss
Clark	Harsha	Murphy, N.Y.
Clawson, Del	Peyser	Ruppe
Pike	Scheuer	Staggers
Pirnie	Shoup	Stuckey
Pucinski	Sikes	Teague, Tex.
Railsback	Skubitz	Terry
Robison, N.Y.	Slack	Wolff
Rodino	Smith, Calif.	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WRIGHT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 15690, and finding itself with a quorum, he had directed the roll to be called, when 361 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

The Speaker resumed the chair.

The SPEAKER. The Chair will receive a message.

MESSAGES FROM THE PRESIDENT

Sunday a message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On June 20, 1972:

H.R. 9096. An act to amend chapter 19 of title 38 of the United States Code, to extend coverage under servicemen's group life insurance to cadets and midshipmen at the service academies of the Armed Forces.

On June 22, 1972:

H.R. 11417. An act to amend the Rail Passenger Service Act of 1970 in order to provide financial assistance to the National Railroad Passenger Corporation, and for other purposes; and

H.R. 13034. An act to authorize appropriations to carry out the Fire Research and Safety Act of 1968 and the Standard Reference Data Act, and to amend the Act of March 3, 1901 (31 Stat. 1449); to make improvements in fiscal and administrative practices for more effective conduct of certain functions of the National Bureau of Standards.

On June 23, 1972:

H.R. 5404. An act to direct the Secretary of Agriculture to release on behalf of the United States a condition in a deed conveying certain lands to the Arkansas Game and Fish Commission, and for other purposes.

The SPEAKER. The Committee will resume its sitting.

AGRICULTURAL - ENVIRONMENTAL AND CONSUMER PROTECTION APPROPRIATIONS, 1973

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the Chair had recognized the gentleman from Massachusetts (Mr. CONTE) for 5 minutes.

Mr. CONTE. Mr. Chairman, once again today I ask this House to begin the task of restoring some measure of sanity and reason to a runaway farm program that has long been a scandal to the taxpayer, and a disgrace to the legislative process.

At the outset, let me say that I share the frustration of all my colleagues who have long supported this amendment.

Three times now—in 1968, 1969, and 1971—this House has worked its will, and adopted this amendment. Three times, however, our colleagues in the other body have failed to go along.

Talk about the frustrations of the young when they seek to work within the system. All of us here know that same frustration far too well.

Mr. Chairman, if, as I expect, this House once again adopts this amendment today, I cannot, of course, predict what the other body will do. I do believe, however, that there is reason for renewed hope this year. I believe we can expect an election year to make the difference.

Let me quickly summarize the now familiar case for my amendment. We have already seen that my amendment will affect very few farmers—less than one-half of 1 percent of all those in the program. It is clear, therefore, that it will not disrupt the program.

Consider now the present scale of priorities within the subsidy program. The wealthiest 7 percent of farms—the corporate giants—now receive a whopping 63 percent of total subsidies. The poorer half get a measly 9.1 percent. Do we need any other evidence to show why the average farmer himself cries out for this reform?

Consider what this subsidy program is doing to fuel the voracious appetites of corporate giants. Agribusiness is being taken over by conglomerates like Tenneco, Purex, Penn Central, Union Carbide, Kaiser Aluminum, Aetna Life, and Dow Chemical. What is happening to the small farmer, the family farmer? I will tell you what is happening. He is going out of business fast. More than 100,000 small farmers are going out of business each year. Are these facts enough evidence to convince us of the need for my amendment?

What of the small farmers who are still in business? Over a million and a half of them—out of a total of 2.9 million farmers—earn less than poverty-level incomes. Can anyone here deny that we must stop this dangerous trend of giantism on the farm?

If it is clear that these huge subsidies are not needed, and further that they are fostering an alarming growth in agribusiness giants, what, then, do we say to the average taxpayer to justify the continuation of this scandal?

It now seems likely that for the 3-year period, fiscal years 1971, 1972 and 1973, we will have a record high total budget deficit of $60 billion. How can any of us return to our constituents without taking every opportunity to trim fat where we can. What better place to start than right here? What better time than now?

Finally, it is always a sobering reminder of the distortion in our priorities to have before us a bill that, not only pays out $5 billion in farm subsidies, but also includes appropriations to eliminate hunger and malnutrition. What can we say to the 11 million underfed Americans—most of whom are children or elderly—if we persist in this extravagance, while their desperate human needs go unmet?

Mr. Chairman, these questions, I suggest, answer themselves. The time is now, to correct this imbalance. The time is now, to eliminate this injustice. The time is now, to restore the faith of the taxpayer and the farmer in their Government. Let us seize that time, and pass this $20,000 payment limitation.

The CHAIRMAN. Does the gentleman from Mississippi desire to address himself to his point of order?

Mr. WHITTEN. I do, Mr. Chairman.

Mr. Chairman, as I take the floor here I do so with the knowledge that in some years past the Chair has ruled against the point that I make. Error often repeated does not change the need to correct the error, and I would hope I might have the attention of the membership, because I think I am sound in what I say.

I have never yet appealed a ruling of the Chair, and I am not going to this time, but there will come a time in my opinion when this kind of thing has to be stopped. If the Congress cannot do what it has done here in providing for a corporation and for its operation, there is a weakness some place that I know nothing about.

As to my point of order, Mr. Chairman, the amendment, to which I make the point of order, goes to tying strings on the Commodity Credit Corporation. The Commodity Credit Corporation at the present time is a creature of statutory law originally created and incorporated under the laws of the State of Delaware. It was made into a corporation so that it could perform and discharge all of the duties of a corporation, that is, sue and be sued. It had an independence created by statute. With time the Congress made it a U.S. corporation and brought forward the provisions which are incorporated in the Corporation Control Act. It appears in the compilation of statutes of February 17, page 154, 69 Stat. 1007.

In addition, the Commodity Credit Corporation by law and in the law is created for the purpose of stabilizing, supporting, and protecting farm income.

Mr. Chairman, I respectfully submit, too, that the Chair, may I say, is faced with the unhappy situation of reversing those who preceded him, including the present presiding chairman, but when a law is passed and the law provides for certain authority, to change that would be to change the law and would be legislation. But the Congress, to be sure about which was passed and which appears in this, in the Corporation Control Act, title 31, at page 7455, section 849, provides that nothing shall interfere with the Commodity Credit Corporation carrying out its functions.

Now, Mr. Chairman, contrary to the statements made by my good friend, the gentleman from Massachusetts—and we are good friends—and I think in this debate he has shown an excellent knowledge of public relations and of the feelings of the people in his district. However, I think, in addition, he has shown a complete failure to understand the purpose of this agricultural act. The agricultural act was passed to maintain farm income. It was passed to provide an incentive to keep the supply and demand in balance.

In the last depression, in the late twenties and early thirties we did not have anything like this. Production went so sky-high that those engaged in it went broke, they could not pay for their equipment. Bankruptcy reached an all-time high. They had more suicides on Wall Street than at any other time in history, so it is said.

So I am saying it was the purpose of this act to maintain farm income. They say why is it that if it is to maintain farm income, why is it that somebody gets so much more than somebody else? And I made this point earlier: I was asked by the manager of a motel how it was that a certain individual in Congress received such a big payment. I said to him, "Yesterday I paid $16.50 for a room." I said, "How many rooms have you got?"

He said, "Two hundred." I said, "Could I rent them all?" He said, "Yes." I said, "For $16.50?" He said, "No, for $16.50 per room."

These high payments have come because these people voluntarily pass up their right to produce and rent large acreage, 200 rooms if you please.

So this is to help the Government program, and the purpose is to get the program where it will work so as to maintain farm income.

I respectfully submit, Mr. Chairman, when the Congress goes out of its way to create a corporation, not a Government agency or a Government department, but a corporation, then they have some purpose in making it a corporation. Then when they pass another act that says nothing we can later do which will prevent the corporation from discharging its duties under the law, I respectfully submit, Mr. Chairman, notwithstanding all of the rulings previously made, that when you try to prevent that corporation from discharging its functions in favor of U.S. agriculture, and pass a statute in the Corporation Control Act where it says you cannot do anything that will prevent the carrying out of its obligations, which is to maintain farm income, that this is clearly a method and a means or an effort to change the legislation in two acts, the Corporation Act creating the Commodity Credit Corporation, and the act in which we took into the Congress some surveillance over its operations. I respectfully ask the Chair to reverse itself from its prior ruling.

The CHAIRMAN. Does the gentleman from Massachusetts (Mr. CONTE) desire to be heard on the point of order?

Mr. CONTE. Yes, Mr. Chairman, I will speak on the point of order in a relatively limited fashion.

Mr. Chairman, I rise in opposition to the point of order. This is the same argument that has been raised by the gentleman from Mississippi on several previous occasions. One such occasion was January 26, 1965; another was June 6, 1967, and still another such objection was made to an amendment which I offered on May 26, 1969. On all of these occasions the gentleman was overruled and again a year ago, on June 23, 1971—CONGRESSIONAL RECORD, volume 117, part 16, page 21636. Except for the change in date, my amendment today is exactly the same as that I offered a year ago. I sup-

pose we should commend the gentleman for his persistence, but the plain fact is there is no substance to his point of order.

On each of those occasions, the limitation went to the entire act, as does this amendment. It stated on each occasion that "no part of this appropriation shall be used," or "none of the funds appropriated by this act," language of that sort. The language applies to administrative salaries of USDA organizations. The limitation is clearly negative on its face. It clearly shows retrenchment, the reduction in spending and, therefore, is entirely within the Holman rule, and I believe it is completely in order.

The CHAIRMAN (Mr. WRIGHT). The Chair is prepared to rule.

The gentleman from Massachusetts has offered an amendment to which the gentleman from Mississippi has made a point of order on the ground that it would constitute legislation on the pending appropriation bill, and thus be in violation of clause 2, rule XXI.

There have been at least six rulings on points of order offered against similar or identical amendments in recent years.

Chairman Kilday in 1959, Chairman Harris in 1965, Chairman Corman in 1967 and 1968, and the present occupant of the chair in 1969, 1970, and 1971.

All have ruled on similar points of order. On each occasion the amendments have been held to be in order as being limitations on an appropriation bill.

In the present instance, the Chair has examined the amendment and is of the opinion that it applies only to funds which would be appropriated in the pending appropriation bill and that it does no more than limit the use or application of the funds made available in the pending bill.

Therefore, consistent with the precedents that the Chair has cited, the Chair holds that the amendment is in order as a limitation on an appropriation bill and the point of order is overruled.

Mr. SMITH of Iowa. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I want to agree with one thing that the gentleman from Massachusetts said.

He said his amendment will affect very few States. That is true and that is the reason it does not really amount to anything.

I want also to refer to language in 1970 in a statement by the gentleman from Massachusetts when on the floor of the House he said:

> What good is a limitation, if we allow the gigantic corporate farmers, the people who have large entities, to subdivide their properties and get around the law? Then we do not save the taxpayers anything.
>
> Surely, we could grab a headline for back home, but what will we have done to save the taxpayers any money?

That applies today, too. One may grab a headline back home, but this kind of amendment does not save money.

In reply to that, I said:

> Land operated by a person or corporation can be divided and subdivided and I defy anybody to come up with any language that will avoid getting around such a limitation when on an appropriation bill.

That applies today, too.

This is an appropriation bill and the language submitted in the amendment did not and could not get around dividing and subdividing and owners' rights which cannot constitutionally be denied the use of their property without due process of law.

Therefore, they can lease the land and they can divide and they can subdivide and this amendment does not stop it and there is no way that anyone can draft one that will stop it on an appropriation bill.

Now he talks about the big corporations and the big farmers. But there are also corporations in the sugar business. Why should the sugar business be exempt? I know that sugar is sweet, but apparently payments for sugar are also sweeter than for corn or cotton.

Big companies are in the sugar business. Why exempt sugar—why not apply it across the board? Is there something good about saving money in one instance and not in another? But I do not think money will be saved in either case.

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

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. CONTE. The gentleman knows full well that we have debated this issue before.

I am not trying to grab for headlines. I have worked with him on many issues, on plenty of small business problems and HEW and labor issues and he knows of my determination and sincerity with reference to this and other problems facing our Nation.

I think it is high time we stopped this scandalous program. Sugar is in a different category as I understand it, sugar is taxed and the revenue pays for the subsidy. This is not the case with cotton, wheat, and other grains. Furthermore I voted against the entire sugar bill last year.

Mr. SMITH of Iowa. I think consumers are getting benefits from these farm programs and that is obviously true as shown by the fact that food is cheaper in this country than anywhere else.

The way this really works is this:

You have some big farms, that is true, and they farm more acreage. We also have some family-type farmers that do not have enough land to farm.

If we run the big farmers out of the program and they do not lease or set aside some of their land in the reserve, then the smaller farmer has to put more of his land into the reserve in order to keep the prices just in the ratio that they are in.

As far as the family farmer is concerned who has too little land to farm, he would be better off if we would rent the land from the big farmer and let the little fellow use his capital and his time and the machinery he has to farm all of his land.

Mr. EVANS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Colorado.

Mr. EVANS of Colorado. Is it not true that the limitations already in the law actually caused the larger farms to be broken up?

Mr. SMITH of Iowa. They did not save $2 million, according to the Department of Agriculture's own figures, and I defy anyone to show me that it did not cost more than that to administer the law. They talk about saving money, but there is nothing to it. Money will not be saved under this amendment. All it will do is cause trouble in administering the law, and make small farmers contribute more land that they need to farm and cause bigger ones not to contribute as much land to a balance of supply and demand. I urge defeat of the amendment.

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

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. BERGLAND. Mr. Chairman, I very reluctantly rise in opposition to this amendment. While I am in general sympathy with the objectives of the amendment offered by the gentleman from Massachusetts, I do not believe this appropriation bill is the proper vehicle with which to accomplish his stated goal.

The Agricultural Enabling Act which we are now funding expires at the end of 1973 setting up the first session of the next Congress with the responsibility for rewriting a farm program. The farm bill under which we are now operating established a $55,000 per crop annual limitation in payments but the law is so ridden with loopholes that such people as John Wayne have run their farm empire through these gaping holes making a mockery of the payment limitation provision. I am a member of the Committee on Agriculture and if I am fortunate enough to serve in the next Congress I intend to use all my energies in designing a farm program that drastically changes the payment system so as to stop subsidizing these farming giants by closing these loopholes. The intent of the amendment offered by the gentleman from Massachusetts would be circumvented by these farming giants who have and will continue to cook up schemes and devices allowed by the enabling act. Mr. Chairman, I urge the defeat of this amendment.

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

Mr. SCHERLE. Mr. Chairman, Members of the House, to begin with, farming is my occupation. I have been on a farm for perhaps close to 35 years, and it has been both a primary main source of joy and frustration. A great experience in living close to nature and gambling against those forces for survival.

When we talk about farming in this country, we are talking about agriculture, which is the backbone of the Nation, gentlemen, and it seems strange to me that the few times we come to the floor of the House we usually find that agriculture has to be the whipping boy by people who do not fully understand the intricate workings of a farm program and how they are tied together.

We have lost 23 million people off the farms since World War II. There are only about 2.8 million farms left in this country to provide the food and fiber that is needed for survival. Fifty-two percent of the income on the farm today is earned off the farm. In other words, the farmer or his wife moonlights. He desires to stay on the farm, and the only way he can do it is to work off the farm. This additional money provides his wife and children the right to stay on that piece of land.

We talk about large operators. It is the large producer that is contributing to the problem that we face when we take our products to the marketplace. The small farmer is usually the one who is diversified, where he has row crops, livestock, and perhaps feeds this grain to livestock. It is the large operator who produces the most grain and brings that commodity to the marketplace this is what causes the glut on the market.

Would it not be better to spend the money on the large operator and not produce in the first place, rather than under this program, buy up that commodity with tax dollars, store it with tax dollars, and pay rent on that commodity for—who knows—3 to 5 years? It would be better not to produce in the first place, and this in essence would help the small farmer.

Another thing I think we should remember is that this Congress signed a contract that the farmers of this country would be entitled to a certain amount of money for 3 years. It would be foolhardy and it would not at all be fair to break that contract at this time. A new farm program will be written next year for succeeding years, but I do not believe it is right for the Congress at this time to impede the normal rotation that a farmer must undertake as he develops his farm operation for next year.

It is not possible to change a farm operation in 1 year; this normal procedure usually takes 3 or 4 years to provide the necessary time.

The farmers of America are providing a real subsidy for consumers. Today only 15.6 percent of disposable income is spent on food. If anyone is being subsidized, it is the consumer, the people.

I would suggest that the House this afternoon abide by the contract that the Congress authorized, and allow the $55,000 figure to prevail. If the Members are not satisfied, when the House bill comes to the floor next year, then offer an amendment at that time, but allow the farmers of this country to know what they are entitled to, and allow them to plan accordingly.

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

Mr. Chairman, I have just been reading again the letter which the Secretary of Agriculture wrote to the gentleman from Texas (Mr. POAGE) and the gentleman from Mississippi (Mr. WHITTEN) and the gentleman from North Dakota (Mr. ANDREWS) and to me, and to others, about what would happen if this amendment prevails.

One paragraph is especially impressive and pertinent. The Secretary says: "The Government would still be in the position of breaking faith with the farmer"—and that is what the farmers think, millions of them—"if further payment limitations were mandated before the expiration of the legislatively authorized 3-year period."

This is a time when many people tend to lose faith in Government. We hear that frequently here on the floor. We read it in the press. Much is said about credibility. The question is asked: Can we depend upon the good faith of Congress?

That question is involved here today.

Mr. Chairman, we gave the farmers a 3-year program. They went into the program. Next year is the last year of that program. An effort is being made here today which would, if successful, break faith with the farmer. It would do harm to the stature of the Congress. It is not right. It should not be done. It has not been done, although we have faced this matter in previous years. It should not be done now.

The Government could welsh on its agreement and its legislated plan, but what about the farmer? He has made plans. He has bought a tractor. A tractor with the necessary equipment is about $11,000 to $13,000. He cannot pay for that immediately. Costs of equipment and the costs of production are tremendous. The farmer cannot welsh on his obligations to pay. Also, there are land values to be considered. All these things must be taken into account, as well as labor costs which are very great. So the farmer has made his plans. Now, the author of this amendment is in effect seeking to force the Government to welsh on its contract, but the farmer who has bought this equipment and has not completed payment for it cannot welsh on his contract.

I hope we will not adopt this amendment which has been offered here today.

It is said that not too many people will be affected. All agriculture will be affected, because it will, in a sense, throw a monkeywrench into the whole farm program. To succeed, the farm program must have some balance to it. If we cut the large farmer out of this program, he has to find ways to produce to try to pay for the equipment which he has bought and maintain his farming operations. Maybe he will say, "I will go into soybeans," if he has been in cotton, or he will go into corn, or some other production.

The amendment would be very disruptive. It is indefensible. It is unthinkable that we should consider seriously changing the basic program by adoption of the amendment offered by the gentleman from Massachusetts (Mr. CONTE). I trust the House will not approve the amendment, and that we will stand pat on the 3-year period which we as a moral matter, agreed to do.

I know that the gentleman from Massachusetts (Mr. CONTE)—and there are others—are thinking in terms of bringing this to $20,000, and then perhaps to a lower, and lower figure. Some appear to favor abolishing all farm programs. I repeat, the problem of revising the present program is a problem to be considered by the legislative committee next year.

I would hope that my friend from Massachusetts, having made his point that farm programs are not perfect—and I know some other programs that are not perfect—will not insist in urging this disruptive course which would do ill service to the consumers of this Nation who have found they can rely upon our great agricultural production capacity—the marvel of the world.

Mr. PRICE of Texas. Mr. Chairman, I rise in opposition to the $20,000 limitation payment amendment offered by the gentleman from Massachusetts (Mr. CONTE).

We have had this colloquy and fight now almost every time an agricultural bill comes up.

As a fourth generation practicing stockman and farmer, I believe it would be heartless and most unfair now, when the Federal Government has given its word to the farmers of our Nation, and, based on existing law, the farmers have gone to their banks, have borrowed money, have planted their crops, and are now tending them in good faith. They thought they knew what they were doing, because the law was on the books. They knew that they could depend upon Federal assistance, for they were legally entitled to it. Now for us to renege upon legislation that we passed into law I believe is shocking. No wonder individuals are losing faith in their Government. The ink is hardly dry on the books, and already the body is trying to go back on its solemn enactments.

As a member of the House Agriculture Committee, and as a Representative from a rural district of the Nation, I know full well the dynamics of the delicate relationship between the Federal farm program and our food fiber supply. As one who helped bring the new farm program into being, a program which placed a payment limitation of $55,000 per farmer per crop, I know full well we have stretched this delicate relationship between farm program and producer to the breaking point. To adopt this amendment would be to rupture this relationship beyond repair. Given the cost-profit squeeze in agriculture today, many individuals are leaving the farms and seeking their livelihood elsewhere. As evidence of this, in the last 20 years the population in this country has increased by 36 percent while the farm population has decreased 50 percent. During this same period, the number of farms has dropped from 5.7 million to 2.9 million and the decline continues.

We must ask the question: Who is going to feed this Nation in the future?

The current condition of the American farmer can also be well depicted by examining his earning position relative to nonfarm sectors of the economy. Since 1950 the hourly earnings of manufacturing workers have risen over 131 percent. Since 1950 corporate dividends have increased over 235 percent. In contrast to these success stories, the farmers' average return in 1967 to 1969 was 3 percent below what it was 20 years ago using 1947 to 1949 as a base period. Moreover, modern-day prices received for the three major farm crops: corn, wheat, and cotton, are actually considerably lower than those received two decades ago. For example, the average price re-

ceived for corn last year was $1.12 per bushel. Twenty years ago it was $1.68.

The ability of the agriculture sector to provide the underpinning and momentum for our economic growth depends on the courage, resourcefulness, and initiative of the hardy few who are willing to risk their lives and their fortunes in the risky business of farming. To survive in the face of mounting costs for equipment, land, labor, facilities, and supplies, farmers have had to expand their operations and take every advantage of the economies of scale. As a result in many areas of the country, such as the Texas Panhandle, it is common for man to farm whole sections of land where in his father's time, men normally described their operations in terms of acres.

It is this fact, that farming has become big business, that the prime sponsor of the amendment to limit farm payments to $20,000—Mr. CONTE and others, seem singularly unwilling or unable to recognize. Perhaps his vision is limited to the farming conditions in his State, a State that has only 126,219 acres tied up in farming. In Texas, we farm 35,778,092 acres. If this is the case I would suggest the gentleman expand his horizons.

Mr. Chairman, the plain unadorned fact of the matter is that if this amendment were adopted and a $20,000 ceiling set on farm payments, the larger, more efficient producer would be unable to participate in the Federal farm program and still cover his overhead, much less make a profit on his investment. He would have no other choice than to determine what crops he could grow most efficiently and plant them fence to fence.

The gentleman from Massachusetts (Mr. CONTE) should take note that they had to expand their operations in order to take advantage of the economies of this scale.

What justifications does a farmer have to pay a $10,000 tractor or an $18,000 combine to farm 80 acres? He has to expand to farm more land to justify buying this expensive equipment.

This would force the smaller farmers who were participating in the farm program to economic ruin. It would destroy the delicate bonds of the farm program which match farm production with the consumption needs of this Nation. It would create new gluts on the market. It would dislocate the farm economy in so many ways the economic tidal wave that would be created could well swamp the rest of the economy and drive the Nation smack into a devastating depression.

The history of the United States is fairly clear that nationwide depressions begin on the farms. When I was growing up there was an old saying that went like this:

> Depressions in this country have always been farm bred, farm led, and farm fed.

I predict, and I hate to be a prophet of doom, but I predict that if this Congress adopts the amendment to limit farm payments to $20,000, it may well have sown the seeds of our economic ruin.

I urge my colleagues to defeat this proposal.

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

Mr. Chairman and Members of the House, all the statistics have been read and reread. All the tragedies that are going to happen to the farmers have been recalled to us very often. I am afraid we are in a position, as is so often the case, that no matter what is said on the floor, the gentleman from Massachusetts and the gentleman from Illinois will not pay one bit of attention to the rest of us. And it may be mutual. I do not know.

However, I will just say this: At a time when it begins to look as though rural America and urban America are beginning to recognize that they do have common problems and they do have the opportunity to gain common goals, to continue a political activity of this kind is not very important.

When all of the figures are analyzed and when all of the statements are made it adds up to this: In the end, without any program, the consumer will pay directly whatever has been paid in subsidies theretofore.

I think that if these gentlemen are ever successful in doing away entirely with the farm program, then, and perhaps only then, can this House be convinced for the first time that food was cheaper with the $3 billion a year programs than without them.

Unless there is some other kind of arrangement made, the consumer is the only one who can ultimately pay the price for producing and processing food and selling it at the retail level. The farmers of this country have been working for 30 or 40 years under the so-called agricultural programs. These programs have worked to varying degrees of efficiency, and none of them to the degree we would like to have them work. However, all of them save the consumers money. All of them have been to the direct benefit of the consumer.

So, as useless as it may be, I would like to say at this late hour that for the sake of this country, for the sake of the consumer if not for the sake of the farmer, that the joyful impetus and importance put on further limiting the payments on these agricultural programs, when this is not in the legislative committee's report, is wrong.

The bill will be up again next year in the proper form. I would suggest to the gentleman that in fairness to everybody that this not be pursued with the glee with which I suspect that it will be.

Having said that, I will say I look forward to working with these gentlemen again and doing the very best we can to make sense out of our legislation and benefiting the American people as best we can.

Mr. RHODES. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, this is sort of like replaying a broken record. I almost got out my old speech on this subject and reinserted it in the RECORD, because it seems we have to make this fight every now and then; and the facts are about the same as they were before.

This is an attempt again to shackle the American farmer, and an attempt to indicate that the American farmer has done something less than a great job insofar as feeding and clothing this Nation is concerned.

I do not believe, Mr. Chairman, that the Members of this body would be very popular back home if indeed they were to do something which would cripple the agricultural program. The American agricultural program which we now have is the main reason why the people of this country are paying only 16 percent of their usable income for food and sustenance, and why they are getting food and fiber of the quality that they are getting at the present time.

I think if you compare the performance of the agricultural industry, the American farmer, with that of anybody else in the world, you would have to come to the conclusion that he has produced more, produced it cheaper, produced it better and more efficiently than any other nation in the world has been able to do.

It seems to me that playing Russian roulette with a program which has been so successful in providing much of the good life which we have in this country is sheer folly, and I feel that the Members of the House will not want to engage in that type of a dangerous charade.

It has been said that passing this amendment would be a breach of faith to the American farmer. I happen to think that this is true.

We passed a basic agricultural bill almost 2 years ago. A limitation of $55,000 was put on the amount of payment which could be made to any one farmer in that bill. This was agreed upon by all parties. Mr. Chairman, it was even agreed by some of the people who are now supporting this amendment, that if this limitation of $55,000 were put on that there would be no attempt to lower the limitation during the time that this particular law was in force.

I say to you that if the gentlemen who have offered the amendment think it is necessary to lower the limitation more, then in all good faith they should wait until it becomes necessary to reenact the basic law under which we make these payments. Then, at that time, if they want to try to lower the payment it is up to them. But I suggest that it is not good faith; it is a breach of faith, in fact, to the American farmer to attempt to do this on an appropriation bill, or during the time that this basic act is in effect.

Do you think this is good politics? I suggest it is not very good politics. I suggest that the people back in your districts, if they realize what may occur if the American farmer produces less, or does not produce it as well, would tell the gentleman that it is not very good politics, because they like the food they now eat. There is no doubt but what if you keep on lowering the payments and you keep on breaking faith with the American farmer you will have fewer of them, and they will not be doing as good a job as they are.

Mr. WAGGONNER. Mr. Chairman, will be gentleman yield?

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

Mr. WAGGONNER. I thank the gentleman for yielding.

Mr. Chairman, the gentleman from Arizona has made a very important point, and a point that we ought to give more consideration to.

I think the gentleman will verify for our colleagues here in the House that it is only in the area of agricultural commodities that we have a favorable balance of trade, and this is so because we in America, our American farmers, are low-cost producers of agricultural products. Is that not so?

Mr. RHODES. That certainly is so. I am sure the gentleman from Louisiana would agree with me that putting a limitation on this would not save any money; all it does is harm the most efficient farmer, the one who is mainly responsible for the favorable balance of trade that the gentleman from Louisiana has indicated we have.

Mr. WAGGONNER. If the gentleman from Arizona will yield further, if you would do this to the producers, as this amendment proposes, it would further affect our already unfavorable balance of trade by making us, not low-cost producers of agricultural products, but high-cost producers.

Mr. RHODES. Higher cost and lower quality is what we would have; there would be no doubt about it.

So, Mr. Chairman, I trust that the House will in all good faith reject this amendment and keep this program for at least 1 more year, then we can decide what we want to do with it. This is not the time to change.

Mr. ABOUREZK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to ask a question of the gentleman from Massachusetts (Mr. CONTE). Does this amendment close the loopholes that now exist in the farm subsidy programs that allow people to distribute land amongst members of their family allowing large corporate agribusinesses to exceed the $55,000 limitation?

Mr. CONTE. The gentleman was not here during general debate?

Mr. ABOUREZK. No.

Mr. CONTE. I gave a long dissertation on this subject and I said—no, it did not. That was the unfortunate part in the adoption of the present $55,000 ceiling. I worked with Chairman POAGE and others and tried to get language in the 1970 act that would have prevented these evasions. They would not buy it at that time.

On the floor of the House, I said that the $55,000 ceiling would not save any money, but it did save about $2½ million, as the Secretary of Agriculture stated.

What I did say earlier today was that this $20,000 ceiling is a message to the Department of Agriculture that the American taxpayers are sick and tired and fed up with this program.

Next year when the authorization bill comes up, if we can win on this amendment here today, it will be a message to the chairman and the rest of the Committee on Agriculture that they have to do something about it.

Mr. ABOUREZK. You are saying that the amendment does not close the loopholes?

Mr. CONTE. No, it does not.

Mr. ABOUREZK. As you know, I come from one of the most agricultural States in the Nation—my people support a lower limitation. I supported your amendment last year, but I must reluctantly oppose it today because I think what you ought to do is to make it meaningful and not just an exercise in futility. It should be written into a law that closes the loopholes.

Mr. CONTE. I hope the gentleman can help me and others next year, to get Chairman POAGE and his committee to bring out meaningful legislation. I have been here for 14 years and I have heard that claim that this is not the time too many times. It is really an old broken record and, as I stand here and I hope to be here a year from now, if my people have the kindness to send me back—the Agriculture Committee will still not do anything next year—unless we act today.

Mr. ABOUREZK. You have not heard that "broken record" from me.

Mr. CONTE. No, not from you—but from the committee.

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

Mr. ABOUREZK. I yield to the gentleman.

Mr. SISK. Mr. Chairman, I simply want to join my colleague, the gentleman from South Dakota, and the gentleman from Arizona (Mr. RHODES) and others in opposition to this amendment. I would hope that other Members of the House would go along with this program for the duration which would mean only 1 more year. Then at that time the legislative committee will exercise the prerogatives of the House in directing such changes as need to be made.

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

Mr. ABOUREZK. I yield to the gentleman.

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

This amendment is unrealistic and breaks an agreement that the Department of Agriculture has made with the farmers of this country.

The bill before us today is designed to help the farmers. The Conte amendment hurts the farmer instead of helping him.

This amendment does not save the taxpayers a dime. The cost of administration of this type of amendment will just add to the cost of the program.

Mr. Chairman, I hope we can soundly defeat this amendment.

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

Mr. ABOUREZK. I yield to the gentleman from Washington.

Mr. McCORMACK. Mr. Chairman, I would like to comment that the $55,000 figure was not set capriciously or in some arbitrary manner. But rather it was set to maintain the delicate balance between supply and demand in the wheat and feed grain industry.

It is this that we are trying to maintain. If this amendment passes today, it may very well force many farmers in my district to go out of the program completely, which they can do voluntarily, and plant "from fence to fence." This will destroy the entire program.

I think the amendment is ill-conceived. It does not take into consideration, I believe, the needs of the people of the agricultural community today, and consequently of the rest of the Nation.

I sincerely request that we defeat the amendment to reduce the $55,000 ceiling, and take up this matter in the new agriculture bill next year.

Mr. MAYNE. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, I want to commend our distinguished colleague, the gentleman from Massachusetts, for continuing the fight. I also want to commend our distinguished colleague, the gentleman from Illinois (Mr. FINDLEY) who serves with me on the Committee on Agriculture for sticking to his guns and for not failing to bring this very important issue again to the attention of the House and the American people.

The statement has been made that this $20,000 limitation amendment would work to the disadvantage of the American farmer.

Well, who are our colleagues talking about when they say "the American farmer" will be adversely affected by a $20,000 limitation? If they are talking about the great corporate combines which have been gobbling up the independent farmers of this country, they are right.

If they are talking about the very small minority of farmers in this country who are receiving subsidies of more than $20,000 a year from the Federal Government, then they are right. But if they are talking about the overwhelming majority of American farmers, those with small- and medium-sized operations who do not qualify under this program for anything like $20,000, then they are dead wrong.

Let me tell you Members of the House that those farmers, the family farmers, the independent farmers, the actual farm operators, those who we have traditionally called the real dirt farmers of this country, are just as sick and tired of hearing about these huge payments to agribusiness giants as are Mr. CONTE's constituents. They know such abuses of the farm program are discrediting it in the eyes of the American people and jeopardizing its continued existence to serve the real farmers for whom it was originally intended.

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

Mr. MAYNE. I will be happy to yield to the gentleman from Massachusetts.

Mr. CONTE. I wish to thank the gentleman, because others have made some statements about this delicate balance and the balance of trade and all. There is a front-page story today in the Wall Street Journal about "Baleful Yarn," and it says, in part, that—

> Uncle Sam's cupboard, which once held millions of 480-pound bales of the stuff as subsidized surplus, is bare; now a shortage threatens. And prices are about 40 percent higher than a year ago, are nearing Korean war levels.

This is an election year, and these people have to go back to their voters. They

are paying the highest prices that they have ever paid for bread, for meat, for corn, for cornmeal, for commodities, and for garbage.

Who got up here to speak against this amendment? The gentleman from the Appropriations Committee, Mr. MAHON. Go look at the record. His district gets one of the highest level of subsidies of any district in the United States—millions and millions of dollars—while there are people in Texas who go to bed hungry every night.

Mr. MAYNE. I decline to yield further and I emphatically disagree with the gentleman when he suggests that farmers are receiving high prices for their products. The price of corn is woefully inadequate and our cattle and hog farmers are just now starting to receive an adequate return after 20 years of depressed prices.

The reasons I support the gentleman's $20,000 limitation amendment are very different from those he has just stated.

My district includes a great number of independent farmers, livestock and grain farmers and I know the vast majority of them are very much opposed to large payments. They have told me repeatedly that there is nothing I have done since coming to the Congress which has their support more wholeheartedly than my attempt to cut down these outrageously large subsidies, which have run into millions of dollars annually for some corporations. These huge payments have given large agricultural combines an unfair competitive advantage over independent farmers, assisting them in buying more land and driving more and more people from the farms. So I say let us vote for this amendment. I say that the argument which has been made that it would be a breach of faith or a breach of contract for the Congress to now impose a lower limit than $55,000 is rather spurious, because I would say to you that good faith runs both ways.

What kind of good faith have the agribusiness giants shown in the various sham subdivisions and elaborate leasing arrangements and other subterfuges they have been employing to nullify the $55,000 limitation? It has been breached and evaded and shot through with so many loopholes that the good-faith argument collapses of its own weight.

Annual payments of more than $20,000 are hurting, not helping the family farmer. We should not be misled by the arguments that payments of over $20,000 are helping small- or medium-sized farmers in any way.

Large payments are accelerating the growth of larger and larger farm units whose owners are encouraged to acquire more and more of their neighbor's land through the use of huge subsidies. Government checks are being used as the downpayment to buy up family-sized farms with more and more farm families being driven from the land. Many of them then move to great cities where they are ill equipped to make the necessary adjustments to the complexities of urban life.

Escalating Government payments are not the only reason for this alarming trend but they are certainly a contributing factor. Fewer and fewer farmers have been receiving larger and larger payments, which certainly subverts the intention of most Congressmen who voted for the 1965 act. The independent family farmer finds himself caught in a vicious cost-price squeeze and in increasing danger of being cannibalized by corporate and other farming combinations subsidized by big payments.

A statewide poll taken by the Des Moines Register in May 1970 showed three out of four Iowa farmers favoring a limitation of payments. The average annual limit suggested by these farmers was about $11,000. Only 3 percent suggested a limit of $25,000 or higher.

I am convinced after considering all available surveys on the subject that a $20,000 limitation will not have any adverse effect on the feed grain program, but will in fact strengthen it.

On the best evidence available, it appears that payees receiving more than $20,000 are farming only about 2 percent of feed grain base acres. I believe we should immediately end all subsidization over $20,000 of this very small percentage of large operators. This will strengthen and redirect the farm program so that it can better serve the great majority of American farmers and the consuming public. I, therefore, urge all Members to vote in favor of the $20,000 limitation amendment.

Mr. BURTON. Mr. Chairman, I move to strike out the requisite number of words.

The CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. BURTON. I think it is a rewriting of economic history or contemporary events to blame the farmers of this country for the inflation that haunts the land. I would like to address, if I may, my remarks to my colleagues who represent the major urban areas of the country. It may or may not be useful political demagoguery to try to whip the 5 percent or less of our population that produces the food and fiber for this country.

I would like to remind my colleagues that every depression this country has ever found itself in starts first on the farms of this land. I do not purport to be an expert in matters agricultural, but of one thing I am absolutely convinced: This bill, as reported out of the House Appropriations Subcommittee and full committee, is a balanced bill. It will meet the needs of this country for the next fiscal year. This is the wrong time and the wrong place to be accepting any amendments of any kind to the product that is before us, so I intend to vote against this proposed amendment, as well as the other proposed amendment to the committee product.

Mr. STEIGER of Arizona. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, I thank the gentleman from San Francisco, from California, for his urban view of this problem that I do not think we have heard before. I would like to dwell for just a minute on the broken faith matter. I do not think there is any question in anybody's mind that we are breaking faith with the farmer with the mere introduction of this bill. I think we all recognize that.

But let us look at the faith that is being broken with the constituents at home when the gentleman from Massachusetts informs his people he is going to lower the prices of their foodstuffs by the introduction of this mercurial and attention-grabbing amendment. I will tell the gentleman there is the greatest action of broken faith, because the gentleman well knows that there will not be one dime removed from the consumer's cost for foodstuffs he consumes as a result of this amendment. As a matter of fact, the jeopardy to the consumer is very real. All the demagogic statements about the farmer who summers in Florida and about the huge corporations gobbling up the little farmer are just as meaningless to the consumer as they are to the gentleman who uttered them. I tell the Members of the House when they vote for this, and then go home and tell their consumers they are saving the consumers' money, they are flat lying to the consumers. While a Member may not have any farmer in his district who will be upset by this breaking of faith, I have to believe there are consumers who will be upset by the breach of faith against them.

Mr. FOLEY. Mr. Chairman, I rise in opposition to the amendment, and I move to strike the requisite number of words.

Mr. Chairman, I know the committee has heard the argument now for some time, and I assume it is ready to vote, so I will not take very much time or impose upon the committee's patience. I think it is interesting that some aspersions were made against the distinguished chairman of the Committee on Appropriations, the gentleman from Texas (Mr. MAHON) because he comes from a district where there are a significant number of agricultural payments in excess of $20,000. This point was made by the gentleman from Massachusetts (Mr. CONTE) in a dialog with the gentleman from Iowa (Mr. MAYNE) who interestingly enough told the committee he does not have any farmers in his district to speak of who will get payments in excess of $20,000. His support for the amendment would seem very convenient then.

It is always convenient to support payment limitations if they are $5,000 or $10,000 above what any of one's constituents happen to receive. But I suggest if a payment limitation of $5,000, or even $10,000 was the subject of an amendment on the floor, the gentleman from Iowa (Mr. MAYNE) might have a different view. That would not be convenient for him because it would not be convenient for the family farmer of Iowa.

Mr. MAYNE was a little concerned when the 1971 corn crop was a billion bushels more than the 1970 corn crop, and it was worth much less, because the production controls were completely out of hand.

It is a fraud to say the small or the family farmers have no interest in the balance in our agricultural programs. Indeed, if we accept these kinds of amendments and drive every commercial farmer, including the family commercial farmer, out of this program, we are go-

ing to make the program worthless to the small farmers of the country. We are going to have to demand they have less production and even less income in order to compensate for the tremendous lack of any supply management on the part of the larger producers.

Mr. ALBERT. The gentleman has made a very fine statement.

There are two issues, as I see it, which are involved. One is the objective of the Congress when it enacted the basic legislation. The other is that we cannot have a farm program unless everybody is under it. Otherwise we are going to have excess production on the excess acreage.

I am going along with the gentleman on this issue, and I am going to vote against every amendment that will take anything away from anybody under this bill.

Mr. FOLEY. I thank the distinguished Speaker very much. Among so many other issues he masters the Speaker has always understood the need for a balanced agriculture program.

To put my own record before the committee, the vast majority of the farmers of my district do not receive payments in excess of $20,000, but they know that the broad participation is essential to any kind of effective farm program.

I served on the Committee on Agriculture, along with the gentleman from Iowa (Mr. MAYNE) and others, and for 2 years we attempted to write a bill that would be effective and equitable at least for the vast majority of our farmers in reaching supply management goods for the basic commodities. That bill expires next year.

It will be the first order of business before the Committee on Agriculture, next year to have hearings and to report a new farm bill to this floor. It will not be up to the distinguished chairman (Mr. POAGE) as to whether he wants to bring a bill out or not. He must bring a bill out if we are to have any farm program after December 31, 1973. When the new farm bill is reported, hopefully early next year, then the gentleman from Massachusetts, the gentleman from Iowa and the gentleman from Illinois will have an opportunity to prepare comprehensive amendments more effective and appropriate to their purposes than are permitted here today and they can be considered and voted on by the House.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. FOLEY. I yield to the gentleman from Michigan.

Mr. O'HARA. I have heard a lot of talk about the rate at which the small farmers are going out of business. All I can say is that they are going to be going out of business a lot faster than ever before if we all of a sudden allow the big producers to produce as much as they want as fast as they can and flood the market with it. This will cause the price to be destroyed, and the ones who will be hurt are the marginal producers, not the big producers.

Mr. FOLEY. The gentleman is absolutely correct.

I have one final word, Mr. Chairman. I have been a Member of Congress for a relatively few years, for only about 8 years. I do not have the great experience of others but it seems to me we should give greater respect and consideration to the work of our basic legislative committees. These legislative committees which conduct long hours of hearings, hear hundreds of witnesses and deliberate for many days on complex and difficult legislation, perhaps deserve better than to have their basic recommendations written in authorization laws as public policy only to be totally altered by amendments to appropriation bills on a few minutes debate and less deliberation.

If this practice continues to grow the legislative committees might as well be abolished.

This amendment has been held to be technically in order but it is flagrantly legislation in an appropriation bill and worse ill considered and undesirable legislation as well.

I hope the amendment is rejected.

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

I hope we can have a vote on this soon. However, there are several facts which I believe should be called to the attention of the Members.

We are using a monetary figure in this debate. The monetary figure is related to the amount of acreage included in the program.

What is sought to be done here is to force out of the program those with the biggest acreage.

We point out on page 12 of our report that 8 percent of our farms produce over half of our agricultural production, and nearly 90 percent of our production comes from just over one-third of our farms.

The points made by the gentleman from Michigan and the gentleman from Washington are very well stated. If we force out of the farm program those who have the greatest amounts of acreage—and that is what is involved here—when we reduce the payment, we must increase the amount of acreage taken out of those small farmers who remain in the program.

I hope the Members will vote down this amendment. I am sure the gentleman from Texas and the other members of the Committee on Agriculture will face up to this problem. I do not know what they will do, but I hope they will be able to come up with a more sound program.

Certainly, with the program we now have, we need to keep in the man with the big acreage, or else it will wreck the economy.

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

Mr. WHITTEN. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Is it not a fair statement to make in summary that if we really want a whole program which covers the whole problem of the entire farm economy we should vote against this amendment?

Mr. WHITTEN. I should think so.

The farming is done on a relatively small part of the acres. The farm people are only 5 percent of the population, which lets the other 95 percent of us live in other places.

If we do not have the acreage in the program we will not have any program of value. The amendment is directed toward leaving the big acreage out, which would wreck the whole business.

I want to point out further that this amendment will not save any money but it will complicate the administration and bookkeeping, for as was pointed out in the report of this bill:

FUND AVAILABLE FOR CCC COMMITMENTS

The committee notes subsection 3: "reestablish farmers purchasing power by making payments in connection with the normal production of any agricultural commodity for domestic consumption." Thus it is clear to the committee that section 32 funds are available up to the total amount provided for administrative expenses necessary to carry out the obligations imposed by the charter of the Commodity Credit Corporation or by substantive law, including formulation of farm programs, as provided by existing law, including payments should such use become necessary.

I therefore hope that this amendment will be defeated.

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

Mr. Chairman, I think I have a duty to be honest with myself. Politically it is suicide for me to vote against this amendment, but I will tell you what I really feel.

I have read where in the underdeveloped nations—and I can mention a number of them—in Africa they have doubled their production of suit material, dress material and fabrics. My counties stand to lose 6,000 jobs if we destroy the farm policy of the United States. In our industrial sector and in my district one out of every three jobs depends on exports and imports. I know some of our best firms will close down if our Government does not regulate this balance. Our firms can buy cotton in the foreign markets from underdeveloped nations for 10 cents a pound less than the American farmer can make it. The machinery will follow the raw materials. Our chemical plants making competitive synthetic resins will close. I think we ought to protect American industry and our textile jobs and the policies of the Government.

Let us vote this amendment down.

Mr. WHITTEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment be closed and that we vote.

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

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. CONTE).

The question was taken, and the Chairman announced that the noes appeared to have it.

TELLER VOTE WITH CLERKS

Mr. CONTE. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. CONTE. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman appointed as tellers Messrs. CONTE, SMITH of Iowa, WHITTEN, and MAYNE.

The Committee divided, and the tellers reported that there were—ayes 189, noes

193, answered "present" 1, not voting 50 as follows:

[Roll No. 246]

[Recorded Teller Vote]

AYES—189

Abzug	Griffiths	Peyser
Adams	Gross	Pike
Anderson, Calif.	Grover	Podell
	Gude	Poff
Anderson, Ill.	Haley	Powell
Annunzio	Hall	Price, Ill.
Archer	Halpern	Quie
Ashbrook	Hamilton	Randall
Ashley	Hanley	Reid
Aspin	Hanna	Reuss
Badillo	Harrington	Riegle
Barrett	Harsha	Rodino
Begich	Harvey	Roe
Bennett	Hechler, W. Va.	Rogers
Biester	Heckler, Mass.	Roncalio
Bingham	Heinz	Rooney, Pa.
Boland	Helstoski	Rosenthal
Brademas	Hicks, Mass.	Rostenkowski
Brotzman	Hogan	Roush
Brown, Mich.	Hosmer	Rousselot
Buchanan	Howard	Ryan
Burke, Mass.	Hunt	St Germain
Byrne, Pa.	Hutchinson	Sandman
Byron	Ichord	Sarbanes
Carey, N.Y.	Jarman	Saylor
Celler	Johnson, Pa.	Schmitz
Chamberlain	Kastenmeier	Schneebeli
Clancy	Keating	Schwengel
Cleveland	Keith	Scott
Conable	Kemp	Seiberling
Conover	King	Smith, N.Y.
Conte	Koch	Snyder
Conyers	Kyros	Springer
Corman	Latta	Stanton,
Cotter	Lent	J. William
Coughlin	Long, Md.	Steele
Crane	Lujan	Stratton
Culver	McCloskey	Teague, Calif.
Daniels, N.J.	McCulloch	Thomson, Wis.
Davis, Wis.	McEwen	Thone
Delaney	McKevitt	Tiernan
Dellenback	Macdonald,	Van Deerlin
Dellums	Mass.	Vander Jagt
Dennis	Madden	Vanik
Derwinski	Mailliard	Waldie
Devine	Mallary	Ware
Diggs	Mayne	Whalen
Dingell	Mazzoli	Whalley
Donohue	Mikva	Whitehurst
Dow	Miller, Ohio	Widnall
Drinan	Minish	Williams
Dulski	Minshall	Wilson,
du Pont	Mitchell	Charles H.
Edwards, Calif.	Mollohan	Wolff
Esch	Monagan	Wydler
Eshleman	Moorhead	Wylie
Fascell	Morgan	Wyman
Findley	Murphy, Ill.	Yates
Fish	Nedzi	Yatron
Forsythe	Nelsen	Young, Fla.
Frelinghuysen	Nix	Zablocki
Frenzel	Obey	Zion
Frey	O'Konski	Zwach
Gaydos	Pelly	
Grasso	Pepper	

NOES—193

Abbitt	Camp	Flowers
Abourezk	Carlson	Flynt
Albert	Carney	Foley
Alexander	Carter	Fountain
Andrews, Ala.	Casey, Tex.	Fraser
Andrews,	Cederberg	Fuqua
N. Dak.	Chappell	Galifianakis
Arends	Clark	Garmatz
Aspinall	Clausen,	Gettys
Baker	Don H.	Gibbons
Belcher	Collier	Goldwater
Bergland	Collins, Ill.	Gonzalez
Bevill	Collins, Tex.	Goodling
Biaggi	Colmer	Green, Oreg.
Blackburn	Curlin	Griffin
Blanton	Daniel, Va.	Gubser
Blatnik	Danielson	Hagan
Bolling	Davis, Ga.	Hammer-
Bow	de la Garza	schmidt
Brasco	Denholm	Hansen, Idaho
Bray	Dickinson	Hansen, Wash.
Brinkley	Dorn	Hathaway
Brooks	Downing	Hawkins
Brown, Ohio	Duncan	Hays
Broyhill, N.C.	Edmondson	Henderson
Burleson, Tex.	Edwards, Ala.	Hicks, Wash.
Burlison, Mo.	Eilberg	Hillis
Burton	Evans, Colo.	Holifield
Byrnes, Wis.	Evins, Tenn.	Horton
Cabell	Fisher	Hull
Hungate	Mills, Md.	Sisk
Johnson, Calif.	Mizell	Smith, Calif.
Jonas	Montgomery	Smith, Iowa
Jones, Ala.	Myers	Spence
Jones, N.C.	Natcher	Staggers
Jones, Tenn.	Nichols	Stanton,
Kazen	O'Hara	James V.
Kluczynski	O'Neill	Steed
Kuykendall	Passman	Steiger, Ariz.
Kyl	Patman	Steiger, Wis.
Landgrebe	Patten	Stephens
Landrum	Perkins	Stokes
Leggett	Pettis	Stubblefield
Lennon	Pickle	Stuckey
Link	Poage	Sullivan
Lloyd	Preyer, N.C.	Symington
Long, La.	Price, Tex.	Talcott
McClory	Pryor, Ark.	Taylor
McClure	Purcell	Teague, Tex.
McCollister	Quillen	Thompson, Ga.
McCormack	Rangel	Thompson, N.J.
McFall	Rarick	Udall
McKay	Rees	Ullman
McMillan	Rhodes	Veysey
Mahon	Roberts	Vigorito
Mann	Robinson, Va.	Waggonner
Martin	Rooney, N.Y.	Wampler
Mathias, Calif.	Roy	White
Mathis, Ga.	Roybal	Whitten
Matsunaga	Runnels	Wiggins
Meeds	Ruth	Wilson, Bob
Melcher	Satterfield	Winn
Metcalfe	Scherle	Wright
Michel	Scheuer	Wyatt
Miller, Calif.	Sebelius	Young, Tex.
Mills, Ark.	Shriver	

ANSWERED "PRESENT"—1

Jacobs

NOT VOTING—50

Abernethy	Dwyer	McKinney
Addabbo	Eckhardt	Mink
Anderson,	Erlenborn	Mosher
Tenn.	Flood	Moss
Baring	Ford, Gerald R.	Murphy, N.Y.
Bell	Ford,	Pirnie
Betts	William D.	Pucinski
Boggs	Fulton	Railsback
Broomfield	Gallagher	Robison, N.Y.
Broyhill, Va.	Giaimo	Ruppe
Burke, Fla.	Gray	Shipley
Caffery	Green, Pa.	Shoup
Chisholm	Hastings	Sikes
Clawson, Del	Hébert	Skubitz
Clay	Karth	Slack
Davis, S.C.	Kee	Terry
Dent	McDade	
Dowdy	McDonald,	
	Mich.	

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DAIRY AND BEEKEEPER INDEMNITY PROGRAMS

For necessary expenses involved in making payments to dairy farmers and manufacturers of dairy product who have been directed to remove their milk or milk products from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government, and to beekeepers who through no fault of their own have suffered losses as a result of the use of economic poisons which had been registered and approved for use by the Federal Government, $3,500,000, to remain available until expended: *Provided*, That none of the funds contained in this Act shall be used to make indemnity payments to any farmer whose milk was removed from commercial markets as a result of his willful failure to follow procedures prescribed by the Federal Government.

AMENDMENT OFFERED BY MR. CONTE

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

The Clerk read as follows:

Amendment offered by Mr. CONTE: On page 20 strike lines 5 through 19.

Mr. CONTE. Mr. Chairman, I am offering an amendment to strike the $3.5 million provided in the bill for the beekeeper indemnity program.

This morning, as I was driving in to Capitol Hill, I heard a popular song on the radio, called Rip-Off. It occurred to me that this could be the theme song for this ridiculous giveaway program operated by the Department of Agriculture.

As I said when we passed the second supplemental appropriations bill, the beekeeper indemnity program is a real honey of a grab bag.

The Department of Agriculture continues to sweeten the pot for those beekeepers who claim to be losing millions of bees from federally approved pesticide control activity.

Earlier this year, I raised serious questions about the administration of that program. Among other considerations, I noted that not enough has been done to determine the cause of death for these literally tons of dead bees.

One apiary owner claims to have lost a minimum of 12,937 hives from pesticide activity each year for the past 5 years. That evidence would seem to indicate that someone's being pretty careless with pesticides—if that was indeed the cause of this massacre. If so, I cannot understand why the Agriculture Stabilization and Conservation Service is planning no action against these careless pesticide applicators.

All these questions were raised during the hearings on the second supplemental appropriations bill. ASCS Administrator, and my old sparring partner on the farm subsidy issue, Kenneth Frick, was unable to give us adequate answers to those questions.

He did, however, promise to "strengthen the record the next time we come up." The only evidence of this strengthening that I have been able to find is one page of testimony and a one-page insert for the record—and most of that deals with the milk indemnity program. I would hate to see Mr. Frick's idea of a weak record.

In my mind, then, there still has been no adequate justification presented for this ludicrous bonanza for enterprising beekeepers.

Just think for a moment of how silly it is to hand out $14.5 million dollars for dead bees.

We have already put $11 million in the beekeepers indemnity program and, with this appropriation, we would be adding an additional $3.5 million.

To that, I say, not one more dime should be appropriated for this program until the Department of Agriculture levels with the Congress and answers all the questions we keep on raising and the Department keeps on ignoring.

I, for one, am tired of being stung. We need to protect live bees, by going after careless pesticide applicators. We need to improve the guidelines and procedures under which claims are awarded, instead of doling out payments for corpses. Our program should be designed to promote and expand our beekeeping operators, rather than merely awarding funeral benefits.

Another little omission by Mr. Frick deserves mention. He stated that a survey showed that $3.5 million would be needed to meet the needs for payments in 1973. No one in the Appropriations Committee saw hide nor hair—or should I say wing nor stinger—of that survey.

This cannot be allowed to continue. The taxpayers ought to be buzzing mad about this program. It is irresponsible for us to continue to support a program which has been so inadequately justified, and which rests upon such a shaky basic premise.

There is an old Scottish song called, "I Got a Bee In Ma Bonnet and Ma Honey On Ma Mind." Too many beekeepers are running around these days humming, "I Got Dead Bees in Ma Bonnet and Federal Money On Ma Mind."

I urge my colleagues to vote for my amendment.

Mr. FINDLEY. Mr. Chairman, I rise in support of the amendment. I congratulate my colleague from Massachusetts and I urge support of the amendment.

Mr. Chairman, the $20,000 payment limit, unfortunately just rejected, is as popular in farm areas as in the cities. Prairie Farmer magazine took a survey in April exclusively among farmers on the question:

Several Congressmen are urging that ASCS payments be limited to $20,000 per crop per farm instead of $55,000 as at present. How do you feel about this?

The answers: 18.0 percent say leave the upper limit at $55,000; 44.1 percent say drop the limit to $20,000; 19.2 percent say drop the limit to $10,000 or less; 11.2 say eliminate payments altogether; and 7.5 percent gave no answer.

This means that 74.5 percent want a limit of $20,000 or less. Even more important, 30.4 percent want the limit lowered to $10,000 or less.

Bear in mind, these answers are from farmers.

On a broader topic, Mr. Chairman, this is the 10th appropriation bill considered so far by this body for fiscal 1973. While it is under the budget request for Agriculture-Environmental and Consumer Protection, it nevertheless contains a considerable amount of red ink.

This is so because the aggregate budget requests for fiscal 1973 for the Federal Government exceed revenue forecasts by $25 billion. The budget requests involve that much red ink.

The budget request for this appropriation was $12,952,177,400. The committee recommendation was slightly less and was $12,897,010,900. This was a cut of 0.4 percent or $55,166,500.

To bring the appropriation bill in line with anticipated revenue for fiscal 1973 would have required a 14-percent cut below the budget request, or a cut of $1,813,304,836. Making adjustment for the 0.4 percent cut actually made by the subcommittee, the red ink still in the bill amounts to 13.6 percent or $1,758,138,336.

Assuming that the House eventually approves this bill without amendment, as I assume it will, the House will have approved spending for the fiscal year 1973 in the amount of $87,907,175,714. The budget request for the same purposes totalled $87,400,400,504.

In effect, we are piece by piece building a Federal deficit for fiscal year 1973 considerably in excess of $25 billion.

Every appropriation bill approved by the House this year has contained a substantial amount of red ink even though most of them have been below the budget request.

The amounts I have referred to are summarized in a table which I insert at this point under permission which will be granted when the committee rises.

The matter referred to is as follows:

Appropriation bill	Budget request	Balanced budget 14 percent cut	Amount approved by House	"Red Ink" approved by House
Legislative	$433,627,004	$372,919,224	$427,604,764	$54,685,540
State, Justice, Commerce, Judiciary, related agencies	4,687,988,600	4,031,670,196	4,587,104,350	555,434,154
HUD, Space, Science, Veterans, independent agencies	20,173,185,000	17,343,939,100	19,718,490,000	2,369,550,900
Transportation and related agencies	8,426,792,000	7,247,041,120	8,316,950,000	1,069,908,880
District of Columbia	343,306,000	295,243,160	332,306,000	37,062,840
Interior and related agencies	2,520,340,000	2,167,492,400	2,529,558,200	362,065,800
Labor, HEW, and related agencies	27,327,323,500	23,501,498,210	28,603,179,500	5,101,681,290
Treasury, Postal Service, and General Government	$5,066,603,000	$4,357,278,580	$5,057,145,000	$699,866,420
Public Works and Atomic Energy Commission	5,489,058,000	4,720,589,880	5,437,727,000	717,137,120
Total	74,448,223,104		75,010,164,814	10,967,392,944
Agriculture, Environmental and Consumer Protection	12,952,177,400	11,138,872,564	[1] 12,897,010,900	[2] 1,758,138,336
Total	87,400,400,504		87,907,175,714	12,725,531,280

[1] Recommended by committee.

[2] If committee recommendation approved.

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

Mr. Chairman, I appreciate the comments of my colleague from Massachusetts. He raised the very questions I have raised about this program; and I raised them seriously; and we on the committee have taken appropriate action.

May I say here that I hope the Members will vote against this amendment. One of the problems of urbanization is the fact that so few know and realize just how our food gets here.

I have here a list of crops—and there are many others—dependent upon bees for pollenization: Almond, apple, apricot, avocado, blackberry, blueberry, chestnut, the whole list of berries, peach, pear, and plum.

Then we have carrots, celery, parsley, asparagus, buckwheat, and safflower.

Then we go through just about every agricultural commodity we can name.

The reason that our 5 percent have been able to feed the rest of us is that they have had the benefit of chemicals and insecticides, and they have had a tremendous amount of study in advance of their use.

Some of these bees were killed, as I understand it, because they were using substitutes required by the Government, because what they normally use had been ruled out.

Let me tell the Members something else. I have asked the General Accounting Office to look into this. We in our committee have done this because of the size of some of the claims.

But we must remember the amount is tied to the bees lost, just like the payments to agricultural producers were tied to the acreage taken out.

This is what was done in our committee, and at my instance. I wrote the language:

The Agriculture Act of 1970 provided for indemnities to beekeepers who, through no fault of their own, suffered losses of honey bees after January 1, 1967, as a result of the use of poisons registered and approved by the Federal Government near or adjacent to the property on which the hives are located.

The budget request includes an additional $3,500,000 to be added to the fund for indemnification of beekeepers. In approving this amount, the Committee again directs the Department to carefully review this program to assure that program regulations require substantial proof of loss and that such regulations encourage sound apiary practice. Where there are repetitive claims, action to correct conditions which result in such losses should be taken immediately. The Committee again points out the need to examine the qualifications of those on whose statements claims are made.

I repeat that the report says that he has to offer substantial proof to have any claim at all.

I respectfully submit that every consumer in the country is dependent upon bees for his living.

We, in turn, have an obligation to make the payment, because there is an obligation. We passed the law. Congress passed the law and the President signed it.

I respectfully submit that for this Congress to prohibit the payment, after the sum is due, or by its action to eliminate that which is required by law, is just completely irresponsible.

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

Mr. WHITTEN. I yield to the gentleman from Massachusetts.

Mr. CONTE. As shown in the hearings this year, in 1973, the gentleman was upset as much as I am about the department.

Mr. WHITTEN. I am.

Mr. CONTE. I read from the hearings, on page 252:

Mr. WHITTEN. Water will kill them if you put enough on them. A good many things will do it. The question is, has anybody gone into the field to check the accuracy of these claims? I am not questioning the fact it may.

On page 253:

Mr. WHITTEN. What you think? I want to know what is. Have you made a check?

Mr. IVERSON. No, I have not. Neither have our people made checks for this purpose.

And these people could have decided on a number of things.

Mr. WHITTEN. May I interrupt my friend?

I hope the Members of Congress have confidence in me, but in case they do not, what the gentleman has read should show them I try to do what is right, and we tried to do it in this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. CONTE).

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

COMMODITY CREDIT CORPORATION

REIMBURSEMENT FOR NET REALIZED LOSSES

To reimburse the Commodity Credit Corporation for net realized losses sustained in prior years but not previously reimbursed, pursuant to the Act of August 17, 1961 (15 U.S.C. 713a–11, 713a–12), $3,832,952,000: *Provided*, That no funds appropriated by this Act shall be used to formulate or administer programs for the sale of agricultural commodities pursuant to title I of Public Law 480, 83d Congress, as amended, to any nation which sells or furnishes or which permits ships or aircraft under its registry to transport to North Vietnam any equipment, materials, or commodities, so long as North Vietnam is governed by a Communist regime.

Mr. VANIK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask a question. I take this time to ask the distinguished chairman of the subcommittee, the distinguished gentleman from Mississippi (Mr. WHITTEN), about the regular school year funding under title XIII of the feeding program. I wonder if the gentleman could tell me whether there is adequate funding for the regular school year under this program.

Mr. WHITTEN. Will the gentleman yield?

Mr. VANIK. I am glad to yield to the distinguished chairman.

Mr. WHITTEN. May I say to my colleague, the committee, after using the best available figures, feels that $74 million will adequately take care of the present program as contemplated. I would say that the committee has been continuously of the opinion that we should do whatever is required. I know we will look kindly on any amount that would be required to carry out the requirements of the present National School Lunch Act. I realize it changes year by year with the number of students, but certainly the committee has proved itself to be sympathetic in the past, and it will be that way again.

Mr. VANIK. I thank the chairman. I hope that the committee will continue its support for the program.

Later today, the House will be able to consider H.R. 14896, an amendment to the National School Lunch Act. This bill would provide for vitally needed improvements in the section 13 program and authorize "such sums as are necessary" for each of the next 3 fiscal years to meet the needs of our Nation's low-income children.

If the new provisions of the law require additional funds to meet the needs of additional applicants, I hope that the committee will be able to consider these needs in upcoming supplementals.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

FOOD STAMP PROGRAM

For necessary expenses of the food stamp program pursuant to the Food Stamp Act of 1964, as amended, $2,341,146,000.

AMENDMENT OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Iowa: On page 43, line 9, strike the figure "$2,341,146,000.", and insert in lieu thereof "$2,616,146,000."

Mr. SMITH of Iowa. Mr. Chairman, this is a very simple amendment. Last year the committee appropriated $2.2 billion. The Department's latest estimate is that they will use $1.930 billion of that amount, or about $270 million or $275 million less than was appropriated. At the time they started preparing their plans for this year's appropriation—and that would have been last October—they would not have known they were not going to use all this money. So my contention is that we should appropriate for fiscal year 1973 in addition to the amount requested, which the committee put in the bill, the amount that they did not spend in this fiscal year.

Now this requires an increase in the appropriation for the fiscal year 1973 to the extent of $270 million or $275 million, and that is all this amendment does.

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

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. GROSS. For what purpose would the additional funds be used?

Mr. SMITH of Iowa. It would be used for two purposes, one to the extent needed to increase the food stamp allowances in those instances where it is needed. The other one would be to include some counties that want to come in under the program but are not yet in the program.

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

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. FOLEY. Mr. Chairman, I will ask the gentleman—is it not true that when the food stamp authorization was passed by the House and Senate it contained in both bills, a provision that any funds appropriated in any fiscal year should remain available until expended?

Mr. SMITH of Iowa. The gentleman is making a good point. I should have mentioned that somehow contrary to the rules of the House, the provision was dropped in the authorization bill even though it was in both the Senate bill and the House bill.

If it had been left in the bill, this would not have been necessary because the money would automatically be carried over.

Mr. FOLEY. Will not the gentleman agree that under both the Senate rules and under Cannon's Precedents of this House that the carryover provision should have been included in the conference report; that it was an oversight by the conference committee which eliminated it; and that a point of order might have been made against the conference report by reason of this oversight?

Mr. SMITH of Iowa. That is quite correct. This is, as I understand it, the only way that it can be remedied at this time.

Mr. FOLEY. So, all we are doing here is really acceding to the previous intention of the Congress in passing your amendment.

Mr. SMITH of Iowa. And to comply with the intent as expressed in the original authorization legislation.

Mr. FOLEY. I thank the gentleman.

Mr. WHITTEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I intended to use those words. Mr. Chairman, I do not know if I am in a position to speak for the committee, but I feel that lots of things need to be done with regard to the food stamp program.

One of the things we need, as pointed out in the report, is to have the certification and the handling of stamps by one and the same agency. One now is handled by the Department of Welfare as to the certification. The Department of Agriculture is saddled with the distribution. However, throughout this bill we have in numerous cases carried over funds. Sometimes these funds would have automatically gone over and I would point out that particularly in the area of rural development we have been treating the funds carried over on sewer and water grants and REA loans in this way.

In this instance, I am of the opinion that the $2.2 billion, the amount in the bill, is ample to meet the needs under existing law if they will tighten up the handling of these matters. I hope they can bring about some changes.

I have checked on the matter and I do find that both the House and Senate bill made authorization for carryover funds. But whether our subcommittee would have adjusted their recommendation to the House, I am not in a position to say because at that time we did not discuss it and I was unaware of it.

So I am just merely relating the facts to the House for whatever action it may decide to take. We feel the amount in the bill is ample to meet the program needs.

I do agree that the authorizing legislation of both the House and Senate would have provided for a carryover of these funds. However, this carryover was not provided in the final bill.

Mr. FOLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I regret to disagree with the distinguished chairman of the Subcommittee on Appropriations, but I think this is an issue on which the committee should accede to the amendment of the gentleman from Iowa (Mr. SMITH).

In the Food Stamp Act passed by both the House and the Senate, these words appear:

Sums appropriated under this section shall,

notwithstanding the provisions of any other law, continue to remain available for the purposes of this Act until expended.

That is the House language.

The Senate language is:

Sums appropriated under this section shall, notwithstanding the provisions of any other law, continue to remain available for the purposes of this Act until expended.

Now it is only by a mischance of the conference committee's deliberation that somehow the language of both the House and Senate, the deliberate intent of both bodies was deleted from the conference report.

Now it may be that funds in this bill are adequate for the food stamp program. But we have had a whole series of national disasters this year—the floods—in which food stamps have to be used to take care of people who otherwise would not be in the program.

We have counties whose applications for certification have not been approved. Yet the intention of Congress was to allow all counties to participate. Appropriated funds are not necessarily spent or allocated. As is clear from this colloquy, about $300 million or so were not spent by the Department of Agriculture. We are not committing these unless they are needed, but it was the clear intention of Congress to make these funds available until expended as I believe they will be. What we are talking about is feeding hungry people and providing nutrition for children. We should not take chances on inadequate funding occurring in so important an area.

I think we should comply with the original intent of both the House and Senate, and I support the gentleman from Iowa's amendment.

Mr. SMITH of Iowa. Mr. Chairman, another point that perhaps should be made is that local counties and those that distribute welfare and food stamps do not particularly lend to our fiscal year limitations. They are in the middle of their year ordinarily, and to require them to have a cut-off date of any certain time promotes inefficiency and waste.

Mr. FOLEY. I thank the gentleman. I am opposed to using the Appropriation Committee bill to confound the intentions of the legislative committee in the earlier actions of the Congress. As I just said a few minutes ago, this amendment, on the contrary, underscores and supports the intention of both bodies.

Mrs. ABZUG. Mr. Chairman, I rise in support of the pending amendment, which would carry over into fiscal year 1973 the $375 million for food stamp assistance which the Nixon administration has impounded during fiscal 1972.

During the term of Mr. Nixon's administration, the story of the food stamp program has been one of struggle and grief. Every time we have turned around, the Department of Agriculture seems to be placing additional limitations upon the use of food stamps for poor and hungry families.

Most recently, they promulgated regulations which greatly increase the purchase requirement for those near the income ceiling of the stamp program.

On another occasion, they changed the purchase system to a monthly, rather than a biweekly one. The difficulty with this—as the Department and the administration were well aware—is the fact that public assistance recipients receive their benefits biweekly, and cannot afford to commit a month's worth of food money out of a 2-week check.

They have attempted to deny food stamps to drug addicts, apparently on the theory that these people do not need to eat.

They have reduced the amount of purchasing power of participants in the program. New York participants who formerly derived a $10 benefit per stamp period now get only a $4 benefit.

And now, on top of all of this, the Department of Agriculture proudly makes the assertion that it has done such a good job in administering the program that it is returning $375 million unspent to the Treasury at the close of the fiscal year.

This amendment would not add a dime to the food stamp program—though many millions more dollars are needed. All that it would do would be to make the "excess" $375 million available for the new fiscal year which begins tomorrow night. I urge its adoption by the House.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am going to oppose making additional money available for the food stamp program until the abuses of that program have been eliminated.

The hearings before the Appropriations Committee, when the administrator of the program testified this year, show that he admits to a million dollars of fraud and deceit—call it whatever you wish—in the food stamp program in a 6-month period, and I am sure many more millions of dollars went down the drain through fraud, deceit, and deception in this food stamp program.

I read with interest recently an article in the Virginia Farm Bureau News. Let me read it to you:

You're a taxpayer, so swallow this if you can.

A hippie who hangs around Berkeley, whose principal source of income seems to come from peddling copies of an underground newspaper once a week, is eligible for food stamps.

He boasts that for 50 cents he buys $28 worth of food stamps. (The food stamp department at the Wells Fargo Bank confirms this price and adds that it's a common practice.)

Each week the hippie uses the stamps to buy exactly $27.51 worth of groceries and gets 49 cents back in cash as change—the maximum amount of change he can get on a purchase. Then he adds one penny to make the 50 cents to get his $28 worth of stamps the next week.

The fourth week of the month he sells his food stamps to friends for $15 cash. Thus in a month he's paid out 53 cents for $112 worth of stamps for which he gets $83.53 worth of food and $14.47 net profit in cash.

A food store saleswoman says: "Can you imagine how this adds up when there are 15 hippie kids living in a commune, and all doing the same thing? No wonder they laugh at the Establishment!"

And I say, no wonder welfare programs are in trouble. Let us vote down this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. SMITH).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FOLEY. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. MICHEL

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

The Clerk read as follows:

Amendment offered by Mr. MICHEL: On page 43, line 9, delete the period after the figure "$2,341,146,000" and insert the following: ": *Provided*, That no part of the funds appropriated by this Act shall be used during the fiscal year ending June 30, 1973 to make food stamps available for the duration of a strike to a household which needs assistance solely because any member of such household is a participant in such strike."

Mrs. SULLIVAN. Mr. Chairman, I make a point of order against the amendment as constituting legislation on an appropriation bill. May I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentlewoman.

Mrs. SULLIVAN. Mr. Chairman, this amendment does more than impose a limitation on the use of funds provided in this bill; it amends the Food Stamp Acts of 1964 and 1971 in several particulars.

Title 7 United States Code, section 2014—Eligibility standards—Income and other financial resources of households as substantial limiting factors—states as follows:

(a) Except for the temporary participation of households that are victims of a disaster as provided in subsection (b) of this section, participation in the food stamp program shall be limited to those households whose income and other financial resources are determined to be substantial limiting factors in permitting them to purchase a nutritionally adequate diet. This amendment would add the proviso "Except for those participating in a strike."

Subsection (c) of the same section, requires eligible able-bodied individuals to register for work, but adds:

Refusal to work at a plant or site subject to a strike or a lockout for the duration of such strike or lockout shall not be deemed to be a refusal to accept employment.

This amendment repeals that proviso.

Section 2019(c) of the Food Stamp Act further provides that any household which is receiving public assistance shall be certified for eligibility solely by execution of an affidavit, thus becoming automatically eligible for food stamps if on public assistance of any form. This amendment repeals such eligibility spelled out in the act.

Mr. Chairman, this amendment would thus amend the basic Food Stamp Act to (1) set further limitations on eligibility not contemplated in the act itself, thus setting aside the eligibility criteria laid down in section 2014 and 2019; (2) it would require an applicant who is on strike, to work at a plant or site, subject to a strike or lockout, despite the prohibition contained in section 2014 (c); and (3) it would abrogate, in any jurisdiction where strikers are granted public

assistance, the provision of section 2019 (c) that anyone on public assistance be automatically eligible for food stamps.

Therefore, Mr. Chairman, I submit that this amendment amends the Food Stamp Acts of 1964 and 1971 in three particulars, changing the thrust of the act for which funds are contained in this bill, and constitutes legislation on an appropriation bill.

Furthermore, Mr. Chairman, I recall attention to the provisions of clause 2 of rule 21 that an amendment of this nature, in order to be in order, would have to reduce the number and salary of Government employees, reduce the compensation of anyone else paid out of the Treasury, or reduce the amounts of money covered by the bill. This amendment does not comply in any respect—it would not reduce Federal employment or salaries; it would not reduce compensation of anyone else paid out of the Treasury; and it would not reduce the amounts of money covered by the bill—for any money which might be saved by refusing food stamps to strikers would be used for adding new areas to the food stamp program or increasing the food allotments for those already participating, or for other expenditures. The amendment does not reduce the appropriation by a single cent.

My last point is, that this amendment in the form of legislation on an appropriation bill is not based upon a report from the Committee on Agriculture, or of any joint commission authorized by law, or by House Members of any such commission having jurisdiction of the subject matter of such amendment. For all of these reasons, I respectfully ask that the amendment be ruled out of order.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard on the point of order?

Mr. MICHEL. Yes, Mr. Chairman.

As I read the preamble to the Food Stamp Act it says:

> To strengthen the agricultural economy; to help to achieve a fuller and more effective use of food abundances; to provide for improved levels of nutrition among low-income households through a cooperative Federal-State program of food assistance to be operated through normal channels of trade; and for other purposes.

On July 31, 1969, Chairman HOLIFIELD held in order as a valid limitation an amendment providing that no part of the funds carried in the pending bill might be used for financing assistance to students who have engaged in force or have used the threat of force to prevent other students from carrying out their duties or studies.

In another case, on June 9, 1941, Chairman Lanham held in order an amendment denying payment to any person, concern or corporation who employs any person who is a member of any union which encourages a strike, or who employs any person who participates in a strike or any person who seeks to impede the operation of any industry engaged in the national defense.

In those instances the determinations, if any, which executive officials were called upon to make were held not to destroy the nature of a limitation in the amendment.

Then of course last year, in offering this precise same language, with the same gentleman presiding in the chair, my amendment was considered to be in order as purely a limitation on an appropriation bill, negative on its face and qualifying under the Holman rule and providing for no additional duties to be imposed administratively.

I submit, Mr. Chairman, that the point of order should not lie.

The CHAIRMAN. Does the gentlewoman from Missouri desire to be heard further on the point of order?

Mrs. SULLIVAN. Mr. Chairman, I will only wish to say that my argument is to section 2014 and section 2019. I believe that these arguments are different from those that were used last year.

The CHAIRMAN. (Mr. WRIGHT). The Chair is prepared to rule.

The gentleman from Illinois has offered an amendment to which the gentlewoman from Missouri raises a point of order. As pointed out by the gentleman from Illinois, this amendment, except for the applicable date, is identical with the amendment offered by him to the bill last year.

At that time a point of order was raised by the gentleman from Michigan (Mr. O'HARA) on a different ground from that cited by the gentlewoman from Missouri, to wit, that it constituted legislation on an appropriation bill, in that it would place burdens not contemplated in other law upon the administrator of the act.

At that time, as the gentleman from Illinois correctly points out, the Chair cited precedents of similar instances in which it was held that an affirmative determination of this type, ruling upon the eligibility of a beneficiary or recipient of Federal funds, did not constitute a sufcient burden to remove the quality of the amendment as a limitation on an appropriation bill.

This year the gentlewoman from Missouri raises a different point and argues that this amendment, if adopted, would constitute a repeal of certain provisions of the Food Stamp Act.

The Chair has carefully examined the amendment, and the Chair is of the opinion that this amendment would not repeal or amend any existing act. It is only an amendment to the bill before us. It would only restrict appropriations for this year which would be available to carry out the purposes of such act.

The gentlewoman may be correct in asserting that the amendment, if adopted, would in some cases result in a different distribution than that enunciated in the Food Stamp Act, but it would not permanently repeal or amend that act.

It is a well-established principle that the Congress is empowered to appropriate or not appropriate moneys for carrying out programs previously authorized. It may also restrict appropriations.

The Chair is of the opinion that the point of order does not lie. This amendment does not repeal or amend the Food Stamp Act but does constitute a limitation on the appropriation bill presently pending.

For those reasons the Chair is constrained to overrule the point of order.

The gentleman from Illinois is recognized for 5 minutes in support of his amendment.

Mr. MICHEL. Mr. Chairman, the onrushing events of our generation are putting an excessive strain upon the democratic processes which may well determine the survival of our system of government. At every point we seem to be veering away from traditionally accepted procedures, heading in a new direction that disregards the base upon which democracy can exist.

Our means of governing ourselves is totally dependent upon retaining not only the checks and balances prescribed by the Constitution, but equally by the laws and regulations we develop hopefully to meet changing requirements of economic and social progress.

We have been forced in recent years to resort to vast deficit spending, largely to maintain an acceptable level of employment and production in this country. Inflation has made it nearly impossible for our industry to compete with foreign manufacturers, or with agricultural production from other lands. We have exported our know-how and our billions upon billions of dollars to lift other countries to a higher plane of living. Now, we are faced with trade balance deficits unheard of in history.

We have seen American investors pouring billions of dollars into other countries for new factories and farming operations. In this way they have been able to retain some degree of competitiveness with foreign suppliers. But, the effect has been to automatically displace more of our own workers. At the same time, domestic industry is faced with even higher taxes—local, State, and national.

This situation becomes a vicious circle as cost of domestic production is forced ever upward, and employees themselves have had to seek increasing wages thus compounding the problem.

The question arises, obviously, how can we slow down inflation and thereby save more jobs?

Here is where decisions must be reached on the various contributing factors in our current dilemma.

One of these is in the vital area of collective bargaining. Congress has seen fit to distort the relationship between management and labor, giving added weight to employees through authorizing food stamps and other welfare benefits to strikers. Thus the normal American process has been destroyed, making a farce of our industrial bargaining system.

The position of the Federal Government in supplying strikers with Treasury handouts is an untenable one. On the one hand, we have the Federal Government desperately trying to control the upward drive of consumer prices and hold down the skyrocketing balance-of-trade deficits. On the other hand, the same Government takes away the balance of collective bargaining from domestic industry and assures more unemployment because each undue forced wage increase imports more foreign products and exports more jobs.

Food stamps were intended to assist the unfortunate families whose breadwinners have been unwillingly unem-

ployed. It is not bargaining legislation and we have no right to use food stamps for this purpose. If we are going to assure that employees must have more bargaining strength then financial aid should be made by a direct approach of law, rather than by under-the-table tactics which totally disrupt any pretense at fair bargaining.

I cannot help but speculate on what the general public would think if we appropriated $75 or $100 a week to aid strikers. I am sure we would hear protests unequalled by any other piece of legislation.

Labor unions use strikes as a means of winning labor disputes. This has long been recognized as their right under the law. To provide food stamps to strikers increases the union's ability to "hold out" and by doing this, Government automatically places business at a disadvantage in the negotiating process. Taxpayers are being forced to subsidize the strikers who choose not to work, helping them win their negotiations with business for wage increases. Taxpayers then must help pay for these wage increases because of price increases that result from them.

Government has, indeed, become a partner in labor-management disputes, assisting labor unions to prolong strikes and eliminating pressure upon the union leadership from the rank and file to accept settlements.

In 1970, 6 years after the passage of the Food Stamp Act of 1964, the number of work stoppages hit a new all-time high of 5,716 strikes. The number of strikes from 1956–60 was 18,233—from 1961–65 there were 17,961 strikes, and from 1966–70, there were 25,460. The number of strikes lasting 90 days or more jumped from 200 in 1960 to 334 in 1970. Although the figures are not compiled yet, the Bureau of Labor Statistics estimates that the 1971 figure for lengthy strikes will be close to 275, an 11-percent increase over 1970.

SEVENTY-THREE CONTRACT EXPIRATIONS

The present situation developed because while the American taxpayer was asleep, the unions were working hard in the welfare area. Back in the World War II days, the unions set up a community service department and worked to get a union man on every community service board throughout the country. He is now the liaison man the union contacts before the strike starts. Consequently, today, when a strike occurs, welfare people are ready with food stamps, aid to dependent children, public welfare, and other benefits. The union makes sure the strikers know of all the various welfare benefits they can collect and procedures are streamlined to make it easy for them to obtain these benefits.

Yet, in a drive to kill the Burke-Hartke foreign trade bill, George Meany was quoted in the AFL–CIO News—May 6, 1972—as follows:

> American workers do not want a handout from the government, paid for by their taxes as a substitute for jobs shipped abroad by giant firms for the stockholders' advantage. The United States is in trouble. Taxpayers are fed up. The AFL–CIO is against the use of tax money to support private greed at public expense.

Now I would like to address myself to some of the arguments that have been raised against my amendment. In the first place, I have heard from some Members who are in full accord with what we were attempting to do here, but say that they do not want to legislate on an appropriations bill.

May I point out to these Members that time and time again amendments are ruled out of order because they are considered legislation on an appropriations bill. But my amendment has been ruled in order and definitely qualifies under the Holman rule as a limitation on an appropriations bill.

The effect of my amendment does not in any way alter the original intent and purpose of the Food Stamp Act, which was—

> To provide for improved levels of nutrition among low-income households through a cooperative Federal-State program of food assistance to be operated through normal channels of trade.

Now, some Members have inquired as to what the effect of my amendment has in case of a "lockout" by an employer, and it has no effect whatsoever, for we limit our amendment to workers on strike and it has been long established that those who are victims of a lockout are by no means considered to be striking workers.

As for the argument that the new work requirement added last year to the basic authorizing legislation—Public Law 91–671—makes the amendment unnecessary, may I say that while in theory this new work requirement could prevent abuse of the program by strikers, a close examination of the regulations promulgated by the Department of Agriculture reveals that it will have virtually no practical effect.

Specifically, the final regulations published by the Department in the Federal Register of July 21, 1971, provide that the following shall not be considered "suitable" employment:

First, a job which would require a registrant to join a labor organization as a condition of employment;

Second, employment outside a registrant's "major field of experience," unless after a "reasonable" period of time it becomes apparent that job opportunities in such field are not likely to be offered;

Third, the distance of the job from the registrant's residence is "unreasonable", and which would in no case require travel time amounting to more than 1 hour from residence to workplace.

In addition, failure to take a job which is deemed by the local employment agency to meet these requirements may not lead to a termination of food stamp benefits unless:

First, 15-day notice is given to the recipient; and

Second, the registrant is given opportunity for a "fair hearing" not more than 60 days after a request has been filed.

The practical implications of these requirements are quite obvious. First, it is not likely that employment in a striker's "major field" of experience will be available because most industries in which large-scale strikes and use of food stamps occur are almost entirely unionized. For instance, almost 100 percent of transportation workers are unionized, as are 90 percent of auto and truck industry workers, 75 percent of food, basic metals, and apparel industry employees, and generally 50 percent or more in most other manufacturing industries. In these cases the entire industry in an area is likely to be shut down, and thus no "suitable" employment would be initially available. Moreover, a striker could not be compelled to take a job in a plant organized by another union due to the regulation mentioned above, and it is extremely unlikely that a nonunion employer would hire someone who would, in most instances, return to his original job once the stoppage had ended.

Second, though a striker might be required to take a job outside his major field after a reasonable period of time, the Manpower Administration has issued guidelines—Training and Employment Service Letter 2667—interpreting this phrase to mean 3 months.

Third, even if a striker were referred to a job outside of his field after 3 months, he could not lose eligibility for benefits for another 2½ months because of the notice and fair hearing provisions I have referred to. Thus, at a minimum it would be 5½ months before a striker would be required to take employment.

Now another argument is that those on strike have so-called right to food stamps because they are taxpayers when they are working. The assertion is made that those on strike have a right to welfare in general or food stamps in particular, quite apart from actual need.

If this argument was carried to its logical conclusion by every taxpayer, then childless payers of school taxes could rightfully complain about the lack of return to them individually from their tax dollars. Or, those who do not own automobiles could rightfully complain that they get no return to them individually from taxes used to build streets. These examples demonstrate the fact that there is no relationship between payment of taxes and the right to individual benefits therefrom. This is especially true in the case of those on strike and food stamps because Congress never intended the program to serve them. If the opposition to this amendment insists upon this so-called right, all taxpayers would be justified in cashing in on the food stamp program.

Another argument is that need should be the sole criterion in the food stamp program, regardless of how that need was caused. But anyone, by their own actions, can cause his own distress, and can remain in control of whether that distress is continued or is relieved. Such is the case with those on strike. States have widely varying laws, but need has never been the sole criterion of whether Federal assistance should be forthcoming. The cause of the need is an important factor. A person must often demonstrate his good faith efforts to obtain work, or to remain at work when he has it. When the sole cause of the need for food stamps is a strike, there is no validity to claims for food stamps, particularly when the other effects of reliance on

them—such as inflation and prolongation of work stoppages—are so harmful.

Still another argument is that tax-supported payments to those on strike—such as food stamps—reduce the peril of violence. In answer, I would ask whether labor relations have reached the point in this country when those on strike have to be bribed by their government to follow the path of law and order. There is no evidence that, when such "bribes" have been paid, that the result has been industrial peace.

Finally, the advocates of food stamps for strikers make emotional appeals based on the specter of starving wives and children. This argument becomes increasingly hard to accept as the general level of affluence in the labor force increases. Furthermore, the timing of most strikes is well known in advance, allowing any thoughtful person to take the necessary provident steps. The unions have their own strike funds, and many States provide welfare assistance to those on strike. What is being debated here is food stamps for those on strike, and from any view, it serves only to prolong work stoppages; to make it attractive to strike; and to inject the Federal Government unfairly into the collective bargaining process. We are not talking about starvation, for other assistance is available should that threat occur. Rather, we are talking about the subversion of a charitable program; a subversion that is costly to all taxpayers—workers included.

I fully support the right to strike, but that right does not mean that those on strike have a right to public subsidies such as food stamps. The bad effects of a policy of food stamps for strikers have been amply documented, and I hope a majority of this House will this day agree and support my amendment.

I include the following:

1973 CONTRACT EXPIRATIONS, MAJOR INDUSTRIES

Month, year, and industry	Union(s)	Employees covered
January 1973:		
Honeywell	Teamsters	13,000
Airlines (6 carriers)	IAM and others	53,000
Garment Association (Popular Price Contractors Association, New York City).	ILGWU	55,000
March 1973:		
Consolidated Edison of New York	Utility workers	16,850
Employers Negotiating Committee, Evansville, Ind.	Laborers (AFL-CIO)	12,000
Chicago downtown hotels	Hotel employees (AFL-CIO)	11,000
Joint area cartage agreement, East North Central (Ohio, Indiana, Michigan, Wisconsin, and Illinois).	Teamsters	14,000
Local cartage agreement (Illinois)	Chicago truckdrivers (independent).	12,000
Nevada Resort Association	Hotel employees	13,000
Painting, Decorating, Contractor's Association, (Illinois).	Painters union	10,000
April 1973:		
General Building Contractors Association, (Pennsylvania).	Laborers	10,000
Firestone	Rubber workers	19,000
Goodrich	do	11,450
Goodyear	do	23,000
Uniroyal	do	17,000
Reality Advisory Board on Labor Relations (New York building maintenance).	Service employees (AFL-CIO)	12,000
May 1973:		
Associated general contractors and other associations of Oregon.	Various building trades	12,150
General Electric national agreement	UE	17,000
	IUE	90,000
Hotel Association of New York City	Various hotel trades	30,000
International Paper Co. (Southern Craft Division).	Various (AFL-CIO)	10,700
Shirt & Sportswear Association, Association of New York City.	ILGWU	11,550
New York Coat & Suit Association	ILGWU	40,000
San Francisco Employers Council	Teamsters	25,000
June 1973:		
Associated General Contractors and other associations of southern California.	Carpenters	45,000
California processors (canning)	Teamsters	56,550
Central States local cartage	do	120,000
Central States over the road agreement	do	40,000
New York and New Jersey area general trucking agreement.	do	38,000
New York State Teamsters Joint Council freight agreement.	do	12,000
Western States local cartage agreement	do	18,000
Western States over the road agreement	do	12,000
Illinois Food Retailers Association and others.	Retail clerks	23,000
Motor transport-labor relations over the road and local cartage agreements (Pennsylvania and surrounding areas).	Teamsters	23,000
Pacific Gas & Electric (operations, maintenance, and construction).	IBEW	14,500
Stuffed Toy Manufacturers Association	Toy workers	10,000
Westinghouse	IUE	36,000
	Independent union (salaried)	15,000
July 1973:		
Western Union Telegraph	Commercial telegraphers, CWA.	16,000
Water transportation	Longshoremen's & Warehousemen's Union (west coast).	16,000
Post Office	Postal workers	646,700
Railroad	Various	500,000
August 1973: National master automobile transporters agreement.	Teamsters	20,000
September 1973:		
Caterpillar Tractor (Ford Motor subsidiary)	UAW	17,000
Chrysler	do	110,200
Deere & Co. (Illinois and Iowa)	do	21,000
Ford	do	165,000
General Motors	do	395,000
General Motors Manufacturing	IUE	33,000
International Harvester	UAW	34,950
September to December 1973: Meatpacking	Meatcutters (AFL-CIO)	100,000
December 1973:		
Budd Co. (national agreement—Pennsylvania, etc.).	UAW	10,000
Food store contract (Alameda, Calif.)	Retail clerks	40,000
RCA, national agreement	IBEW	19,200
Total		3,145,800

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

(On request of Mr. ABBITT, and by unanimous consent, Mr. MICHEL was allowed to proceed for 3 additional minutes.)

Mrs. GRIFFITHS. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. Mr. Chairman, I will first yield to the gentleman from Virginia (Mr. ABBITT) who was so kind to provide me with this additional time.

Mr. ABBITT. Mr. Chairman, I thank the gentleman for yielding, and I commend the gentleman warmly for presenting this all-important amendment. I think it is a very vital amendment because it was never intended at the time the basic law was passed that this would apply to strikers. So, Mr. Chairman, I join in the gentleman's efforts, and I hope that a vast majority of the Members of this House will approve his amendment.

Mr. Chairman, I wholeheartedly support the proposed amendment which would prohibit the use of food stamps to subsidize households which need assistance solely because a member is participating in a strike. I feel that it is completely inconsistent with the purpose of the Food Stamp Act to put the Government in the position of supporting strikes by subsidizing striking workers.

The purpose and intent of the amendment is clear—to provide that none of the funds appropriated by this act shall be used to make food stamps available during a strike to a household which needs assistance solely because any member of such household is a participant in a strike. In December 1970, when the bill to extend and amend the Food Stamp Act was before the House, I sponsored an amendment with substantially the same purpose as the one now before us. My amendment was approved by a three-vote margin in the Committee of the Whole, only to be subsequently defeated on a rollcall vote.

Since that time, there has been growing public sentiment in favor of some limit on the distribution of food stamps to the strikers. It is felt—and with considerable justification—that the combination of food stamps and other welfare benefits made available to strikers has a direct effect upon bargaining negotiations and the lengthening of labor disputes. Many Americans are frankly very much disturbed to find that the Government has been making food stamps available to strikers, and there has been no complete account of the extent to which food stamps have been used in this way. As a member of the House Agriculture Committee in 1964 when this program was started, I for one, had no idea that food stamps would be used to subsidize strikers. I was shocked when the Department of Agriculture in 1965 made a determination that strikers could get food stamp aid, and I supported the committee's subsequent efforts to reverse this policy as well as the House position in passing a ban on food stamps to strikers.

I feel that the food stamp program was never meant to be used in this way, and the unlimited utilization of food

stamps to support strike actions undermines the public confidence in the entire program.

The Food Stamp Act of 1964 was enacted in order to utilize surpluses to provide improved nutrition among poor and low-income households. The program has encountered many problems but, in general, it can be said that public acceptance has been very good. It is, however, a contradiction to have food stamps going to strikers who voluntarily stop work as a tool for improving their pay or general employment benefits. When food stamps and other welfare benefits are used to subsidize strikers, it provides a direct increase in the union's ability to hold its ground in bargaining negotiations.

Several studies have been made which show convincingly that the utilization of food stamps in this manner has had a direct bearing upon the increase in the strike. For instance, there were 200 strikes in 1960 which lasted more than 90 days—while in 1971 there were more than 375 strikes. The Wharton School of Finance study on welfare and strikes revealed that strikers will probably receive $238 million in food stamps during 1973. This is a close significant figure and one which should cause alarm to all American taxpayers. We should not be in the position of subsidizing major strikes through the food stamp program and if this is allowed to continue unchecked, the entire program may eventually be in jeopardy.

Frankly, I was shocked in reading the Wharton study and other surveys that have been made as to the extent of the involvement of striking workers among recipients of food stamps. I do not see how any logical administration of the program can be carried out with the full knowledge that many of the stamps are going to persons who would not need them other than because they are participating in strike actions. I call upon the House to rectify this atrocious situation by adopting clear and unmistakable language to prohibit the use of food stamps in this connection. We cannot say that the evidence is insufficient to take this action—on the other hand, the evidence is abundant and convincing. We need to seriously consider the facts and, on this basis, I do not see why we can come to any conclusion other than a clear-cut prohibition.

I urge support of this amendment.

Mr. Chairman, a case history[1] of the 1970 Teamsters' strike in Chicago provides dramatic evidence of how supplying food stamps to those on strike has imposed a heavy burden on taxpayers, interfered with collective bargaining, fueled the fires of inflation, and prolonged work stoppage.

In early April 1970, the Teamsters International concluded a contract with Trucking Employers, Inc., calling for $1.10-an-hour increase over a 2-year period which was considered by the Teamsters the best national contract they ever obtained. However, the Chicago Teamsters demanded an increase of $1.65 an hour and they held out when Teamsters in other parts of the country went back to work.

The plan of the Chicago Teamsters was to get food stamps and other public assistance and hold ground until Chicago employers begged them to return. The industry capitulated to the demands of the Chicago locals for a 40-percent increase over 1970 wages. The international union then renegotiated its agreement to reflect the tremendous wage gains forced by Chicago members.

In Cook County—Chicago—alone, the total number of food stamp recipients rose from 4,779 in April to 67,053 in June during the height of the strike. The statewide increase was from 32,865 to 103,493 during the same period. In late 1971, Gov. Richard B. Ogilvie of Illinois revealed that some $230,000 in food stamps had been obtained by striking Teamsters "by fraud or otherwise." He stated that an additional $121,000 in stamps were obtained "under questionable circumstances." The Department of Agriculture uncovered the fraud and accused the Cook County Department of Public Aid of "gross negligence in its administration of the food stamp program."

Mr. Chairman, this case history is not atypical.

I support this amendment.

Mr. MICHEL. Mr. Chairman, I now yield to the gentlewoman from Michigan (Mrs. GRIFFITHS).

Mrs. GRIFFITHS. Mr. Chairman, I thank the gentleman for yielding, and I would like to ask the gentleman if a father who is on strike was absent from the home, could the mother and children draw food stamps?

Mr. MICHEL. If she has been normally drawing them under the AFDC program, and she would continue to draw those payments.

Mrs. GRIFFITHS. That is the only thing that is wrong with the gentleman's amendment. I think the effect of it will be that the fathers whose children really need food stamps will either absent themselves from their homes or say that they are absent, so in reality you are not going to cut down very much.

In Detroit there were 321,000.

In November there were 420,000.

But in February when the strike was over for 2 months there was still 389,000—which was an increase of almost 70,000 from September.

So I think in reality we are corrupting the whole system. I think the welfare system is a mess, a complete mess. I think we are corrupting the whole system and we are corrupting families.

This is the danger that I see in your amendment. We will force families apart.

Mr. MICHEL. I am quite well aware of the problem to which the gentlewoman addresses herself to. She has been doing a yeoman's service investigating in this area where we really need a lot of improvement.

I submit, however, if you take the country as a whole, there are just not going to be that many strikers in that category. I like to think that the vast majority of them, are responsible people who because they are on strike are not going to leave their family as the gentlewoman says many may be inclined to do in some areas.

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

Mr. MICHEL. I yield to the gentleman.

Mr. PELLY. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, since the House last voted to allow food stamps to strikers, I have learned the extent to which the Federal Government intervenes in this way in labor disputes. Indeed, I am sure the result of public aid subsidies to strikers actually prolongs a strike and thereby the public interest is not served.

According to a study by Armand J. Thiebolt and Ronald Cowin on the use of public funds to support strikers, the average of such monthly government benefits is $98 for food stamps, $240 for aid to dependent children, and a total of $150 for general assistance and other supplementary benefits. This adds up to an average Federal subsidy of $488 a month and the annual cost exceeds $353 million. Also, I assume the strikers receive benefits from their unions so the economic struggle between management and labor is minimized, and the only real pressure to return to work is public opinion from those who suffer indirectly by a shutdown of an industry. After all, it is the public that is hurt the most in many strikes by always ending up paying increased prices in the extra wages gained by a striker.

So, on the basis of the Government's experience in allowing food stamps to strikers, I have decided the program encourages and extends strikes which is not in the public interest and so I intend to vote for the amendment which has been offered to make a household ineligible for food stamps if it qualifies solely because the head of the household is on strike.

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

Mr. MICHEL. I yield to the gentleman.

Mr. TEAGUE of California. Mr. Chairman, I believe I was the originator of this idea several years ago when the House passed a similar amendment which was rejected by the Senate and rejected in conference. I still support the amendment.

Mr. Chairman, the adoption of this amendment will serve the national interest in several respects, but two stand out above the others.

First, we can strike a blow against inflation, which everyone now recognizes as one of our most pressing problems. If this amendment had much to recommend it in this respect last year, it has even more now. The intervening months since last year's vote have seen the battle against inflation intensify to the point where our Government has found it necessary to impose wage and price controls and to call upon every citizen to join in that battle. The continuation of the practice of giving food stamps to strikers means, as I shall demonstrate, that the Federal Government will be underwriting expensive strikes to obtain wage increases which are inflationary, which are not in the national interest, and which, in the long run, are not in the interest of organized labor.

To understand the impact food stamps

[1] "Food Stamps for Strikers", Report of the National Labor-Management Foundation, p. 6.

for strikers have had on inflation, look for example at one case from Los Angeles County, Calif., during the 1970 auto strike. "Food Stamps for Strikers," report of the National Labor-Management Foundation, page 5. Before the strike a typical worker earned $2.75 per hour, with a weekly gross of $110. Average weekly deductions totaled $18.65, leaving a net pay of $91.35.

What happened to this typical worker after he went on strike is most amazing Nontaxable UAW strike benefits paid $40 weekly. This would buy $106 worth of food stamps for $42 per month—a nontaxable subsidy of $16 per week.

The California Welfare Department paid him $282 per month in emergency relief, or $70 per week. This gave the striker $34.65 more per week in disposable income than he earned before calling the strike. He would have needed a raise of about $.90 per hour—an increase of almost 33 percent—just to stay even with his strike income.

It is obvious that the food stamp program played a major role in destroying this worker's incentive to return to work without exorbitant wage increases of a kind which brought the country to the brink of economic disaster in the summer of 1971. Negative incentives to workers such as the food stamp program make it easy to understand why this country's relative productivity is lagging—in this case, we—the taxpayers of the Nation and of California—pay a man more not to produce than he gets for working.

This one case history, which could probably be duplicated the country over, offers convincing proof that Federal subsidies to strikers, such as the food stamp program, are a device for encouraging inflation and sap the strength of the national economy. Congress had no such intention when the food stamp program was established in 1964. This program was inaugurated to give needed assistance to the involuntary poor. We need this amendment now to reconfirm that legitimate intention.

Now, for what I consider to be the second major benefit which would result from adoption of this amendment: It will help preserve the fundamental principle of collective bargaining, which over the years has meant so much to the national welfare and to the harmonization of labor and management interests. The integrity of the collective bargaining principle is threatened by the continuation of Federal subsidizing of strikers, which in reality is what food stamps for strikers means.

The collective bargaining process, while admittedly an imperfect device, has served the country well over many, many years. In this process, government has served often as an arbitrator and a medium for conciliation, a role it cannot perform if it enlists in the ranks of one side as an ally. But that is precisely what the Federal Government has done by making food stamps available to strikers. It has, in effect, been underwriting strikes and making it possible—indeed making it attractive—for strikers to stay on strike. It has allied government with the strikers with complete disregard for the justification of either side. This is not collective bargaining; it is choosing up sides to play the part of the big bully.

A recent study by the Industrial Research Unit of the Wharton School of Finance and Commerce at the University of Pennsylvania shows clearly the effects of using public funds to support strikers. In one of its main conclusions, this study states—

> We may look at tax support of strikers as a new dimension which has the theoretical potential of undermining the role of the strike by providing one party to a dispute economic leverage far beyond its own economic power. The amounts of funds and the duration of payments could even be so great as to raise the fundamental question of whether the strike can continue to serve a useful role in the future.

I submit there is ample evidence the danger is more than theoretical. A vote for this amendment is not a vote against organized labor. Instead, it is a vote against inflation, which is in the interest of every American. And it is a vote to preserve the collective bargaining system and the Federal Government's role as an impartial arbiter. I urge its adoption.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman.

Mr. ANDERSON of Illinois. Mr. Chairman, I should like briefly to address myself to the very important point just raised by the gentlewoman from Michigan (Mrs. GRIFFITHS) because I have the exact figures before me as to the number of those who applied for and were given food stamps.

I have the exact figures of the number of those who were actually made eligible for food stamps during the General Motors strike in Michigan.

The figures show before the strike in 1970—107,209.

In November that number had risen to 431,122. Of course, that was during the very height of the strike.

In January of the following year, after the strike had been concluded, the number was 163,657.

So I think that ought to answer the concern expressed by the gentlewoman from Michigan.

Mr. MICHEL. I thank the gentleman for his very worthwhile response.

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

Mr. Chairman, Woodrow Wilson wrote, and his statement has often been repeated, that the work of the Congress is done in committee. And that statement is on the mark.

To some extent, in recent times we have been moving away from that. And to that extent, we are moving in the wrong direction.

A major part of the work of the Congress is done in committee. This is inevitable because only the committees have the machinery to study in great depth, word by word, and line by line, legislation which is proposed.

The 55-member Committee on Appropriations which I head has had no hearings on this particular subject. The subject matter belongs within the jurisdiction of another committee, the House Committee on Agriculture. I say that advisedly. The pending amendment heavily involves a major policy question. The Committee on Agriculture is the policy committee of the House that has jurisdiction of food stamp legislation.

It has been said that this amendment is not legislation on an appropriation bill. It is not, in a technical parliamentary sense—according to the decision of the Chair. But that does not mean that it does not involve a major legislative policy issue. On the contrary, it does involve a major policy question. The amendment would require changes in the rules and regulations with respect to those who now get food stamps. Therefore, it is fundamentally legislative in character. It should, therefore, remain within the realm of the legislative committee.

Mr. Chairman, I am getting more and more sensitive on this matter of committees usurping the authority of other committees. You will recall that when the ill-advised revenue-sharing bill was before us recently, I fought with all my might against it for several reasons, one of which was that the Committee on Ways and Means was taking over the authority, not only of the Committee on Appropriations, but of other committees to authorize legislation along with the responsibility of the Appropriations Committee to appropriate. That committee took over the authorizing and appropriating jurisdiction to the tune of $30 billion. I did not like it. I repeat, I did not like it.

I did not think it was in the public interest.

But the rule made it possible for this to be done; otherwise it could not have been done.

Mr. Chairman, I am against food stamps for strikers and have said so many times. I voted for the amendment barring food stamps for strikers when the basic legislation on food stamps was before us. I voted for the amendment on the basic legislative measure on two occasions. I am aware of the fact that the people I represent are opposed to food stamps for striking workers. Indeed, I am convinced that the great majority of the American people feel likewise. In my opinion, the appropriate legislative committee of the House should present to the House appropriate legislation to deal with this highly important subject matter designed to correct abuses and bar food stamps to striking workers.

But I do not think it is logical for me, for example, to oppose the rule on the revenue-sharing bill, which was loaded with fundamental legislation not within the jurisdiction of the committee sponsoring the bill, and then be party to a fundamental policy amendment on an appropriation bill that so heavily involves legislation under the jurisdiction of the Committee on Agriculture.

So, from the standpoint of the integrity of the legislative processes—and maintaining that integrity is essential to orderly legislation—I believe I am on sound ground in the action which I am taking here. I do not want to move toward tearing down the committee structure of the House which is a major bulwark of strength under our legislative system.

I know the U.S. Chamber of Commerce has been writing us letters—and they are my friends. I have been en-

couraged by their support from time to time. But I cannot agree that we ought to write this major legislative policy decision in an appropriation bill here on the floor. In my judgment, it simply is an unacceptable time and place to deal with this question.

I feel this is a dramatic time to shock the House into the realization that we are tending to destroy our committees. We must not destroy them.

This is a very attractive amendment and I would support it on a legislative bill if accompanied by proper safeguards.

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

(By unanimous consent, Mr. MAHON was allowed to proceed for 3 additional minutes.)

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

Mr. MAHON. I yield to my friend from Iowa, with whom I often agree, and welcome his remarks and his question.

Mr. GROSS. The chairman of the Appropriations Committee well knows that there are very few appropriation bills that come to the House floor from the Appropriations Committee that do not carry some legislation.

Mr. MAHON. The gentleman in that statement is absolutely correct. We do carry a number of provisions which are, in a parliamentary sense, technically legislative in character on a general appropriation bill. But I would add here that the vast majority of them are technical or administratively facilitating in nature rather than of a major substantive nature. And they have been carried for years, and no one has objected to them.

Mr. GROSS. So it is just a question of what you want or do not want; is it not?

Mr. MAHON. Well, I do not think it is a question of what we want or do not want. If we do not watch our step, we are going to destroy these legislative committees, and this is a good time to have a test on whether or not on a popular vote we are willing to stand up and preserve the integrity of the long-established committee system.

It does not seem right that we should undertake to legislate here on this appropriation bill in this case on such a major policy question. That is my basic point.

Mr. GROSS. If the gentleman will yield further, the Chair has already ruled that this amendment is in order. There are many appropriation bills that come directly from the Appropriations Committee with legislative provisions that are not in order and are ruled out.

Mr. MAHON. It is true that individual provisions in appropriation bills are at times ruled out of order on technical grounds.

But on the pending matter, there are certain regulations and limitations already in the basic law. So, reluctantly, I am compelled to oppose this amendment because it does not belong here, and because adequate hearings have not been held, and it is not properly before the House.

Mr. ANDERSON of Illinois. Mr. Chairman, I rise in support of the amendment, and I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by my distinguished friend, the gentleman from Illinois (Mr. MICHEL). I must confess I am somewhat less sanguine about the prospects of this amendment because of what seems to be the sudden emergence in this Chamber of a new urban-rural coalition. It was created just a few moments ago in support of the subsidies for corporate farmers. Apparently the thesis is that we are supposed to support cooperate subsidies or subsidies for corporate farmers and in exchange for that we will have support for this subsidy amounting to $238 million a year for striking workers.

I listened with great interest to the distinguished chairman of the Committee on Appropriations. There is no man in this Chamber whom I respect more highly and who has, of course, higher esteem and prestige, and yet when he spoke of his concern about erosion of the authority of the Appropriations Committee, he linked that not to mere personal pride but to the impact, the adverse impact, it would have upon the taxpayers of this country. I wonder why the gentleman is not similarly concerned that the defeat of this amendment is going to mean an additional cost of $238 million a year to the taxpayers of the United States of America.

It is regrettable that there are going to be those who suggest that a vote on this issue must inevitably reflect either a pro-labor or a pro-management bias. I admit to neither. Rather, I approach this issue with a very deep and abiding reverence for the institution of free collective bargaining.

I have sat in this Chamber year after year and heard the friends of labor decry from this very podium whenever we have emergency strike legislation that it is unwarranted Government interference. They say, "Give us free unfettered collective bargaining. We do not want the hand of Government at the bargaining table."

I would suggest, where is the consistency of the principles when they want to accept subsidies from the Public Treasury to the tune of $238 million.

I suggest to those who are friends of labor that they are traveling down a very, very dangerous road, and that the day is going to come when they are going to regret this dependence on this kind of governmental support. They are going to lose their right to free collective bargaining in this country, because they will have become dependent on Government subsidies.

I was persuaded to this position, and I will admit freely to this House that in times past I have had ambivalent feelings on it, because I have listened to the arguments about starving children and how can we be so inhumane as to deny to the children of strikers food stamps and the funds that are available? Let me say this. I was persuaded to my position when I read the study published earlier this year by Messrs. Thiebolt and Cowin of the Wharton School of Finance, wherein they pointed out the extent to which these subsidies have grown; they now total more than one-third of a billion dollars a year.

As my friend, the gentleman from Illinois, has pointed out, the effect they have had is a prolongation of industrial conflict and disputes in this country. Even George Meany, president of the AFL–CIO, has said that strikes in this country have become an anachronism. We ought to find a better way than engaging in industrial warfare to the detriment of the families and children of the striking workers. But what are we going to do if we continue the practice that is contained in this legislation as presently written? We are really going to continue to prolong those disputes, and I put the figures in the RECORD earlier this week, showing that in 1961 to 1963 we lost an average of 17 million man days a year because of strikes and 6 million man days a year in strikes of 60 days or more. Those figures had grown to 66 million man days in 1970 and 30 million man days of that was in strikes of more than 60 days. In other words, it went up from one-third to more than 45 percent.

This bears out and proves absolutely the point I am trying to make. We are not contributing to industrial peace and harmony. I read not only, Mr. MAHON, the letter from the Chamber of Commerce, but also some letters from some of our distinguished labor leaders who are opposing this amendment.

They urge opposition because they say it would starve workers into abject submission and leave a legacy of hatred that would poison the process of labor-management relations.

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

(By unanimous consent, Mr. ANDERSON of Illinois was allowed to proceed for 5 additional minutes.)

Mr. ANDERSON of Illinois. Mr. Chairman, I wonder if any Member of this Chamber this afternoon honestly believes that he is contributing to industrial peace and harmony in this country when we make it possible for these strikes to go on for 60 or 90 days at a time. I would suggest we are accomplishing the very opposite result.

I repeat, this is not a vote against labor. This is an appeal to reason. This is an appeal to the Members to remove one of the hindrances to the operation of the market system that ought to determine wages, prices, and resource allocation in our country.

We are in a control program today, ladies and gentlemen. We are in a control program that many in labor do not like. I do not like many aspects of it myself. I should like to see phase II terminated as quickly as possible, and see us return to a market system of free collective bargaining so far as wages are concerned.

But let me tell the Members this: Anyone who has analyzed the evidence of this most recent postwar recession—I am talking about the recession of 1969–70—as compared to the four previous recessions, will find a very interesting thing. He will find when we reached the trough of this last recession, in the last quarter of 1970, that man-hour compensation costs in this country were going up at the rate of 7.3 percent, almost as rapidly as they were at the peak year of expansion of 1968.

What does this mean? It means only

one thing. Dr. Arthur Burns put it pretty well when he said, "The old rules are not working anymore."

What has happened? We have done something to the market system in this country, and I am terribly worried about some of the encumbrances and restraints and shackles we have placed upon the operation of that system.

I suggest to the Members, if they want to give up wage and price controls, as I do, and if they want to get back to free collective bargaining in this country, then the way to do it is to start some real economic reform, not to continue past practices that have brought us to the state we are today.

Let me respond very quickly, in the very little time I have left, to the argument which I suppose is the most worrisome of all to those who have to vote on this issue. I know it takes courage. I know this is an election year. I know that some people, as I said at the beginning, are going to think this is an antilabor vote.

But let me point out that between 1935, when the National Labor Relations Act was first enacted, and 1962, when the AFDC–U and the food stamp program first went into effect, we had 810,545,000 man-hours of time that were lost because of strikes.

Would there not have been a hue and cry throughout the land for the complete abolition of the system of striking in this country if the dire consequences that have been predicted, and I suppose are going to be predicted by those speakers who will follow me in this well, had occurred?

But they missed the point completely. The strikers found ways to provide for their families, through temporary employment, through union strike funds, through drawing on their savings, and in countless other ways.

Of course they had to make some sacrifices while those strikes were going on, but that is the whole point of a system of free collective bargaining. Each side is supposed to be free, free to weigh the comparative costs and advantages against losses that they will suffer, to calculate the short-term costs against the future gains that they may be able to make, and then decide either to strike or to settle on the basis of those calculations.

When we remove the element of sacrifice, when we remove the element of risk and inconvenience and short-term cost, then I insist that we are "gutting" the very essence of the system of free collective bargaining that we have always known in this country.

It is because I come before you today as one who believes in collective bargaining, who wants to see it continued, who does not want to see it become dependent upon Government subsidies to the point where we will lose that very precious right to strike, and to withhold labor if we believe we are not getting a fair and just wage, that I would urge the Members in the next few minutes, as they consider this question, to weigh this issue and to weigh it not in the light of emotion and not in the light of the extravagant rhetoric they are going to hear.

Why, Mr. Abel says we feed people in prison and we feed prisoners of war. How can we possibly keep from feeding children of strikers. What a ridiculous thing that is to say. Those people are there because of involuntary servitude. They are there because we had to put them behind bars, and of course they could not work. To try to compare a free American worker who is exercising his God-given right to strike with a POW or somebody in jail, shows, I think, how really desperate the opposition to this kind of an amendment has become.

Mr. Chairman, I would urge on the basis of reason those who are really friends of a free labor movement vote for this amendment.

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

Mr. Chairman, perhaps it would shorten labor disputes if food stamps were not available to strikers, and I suppose it might also aid the economy, and keep government in a neutral position, if depreciation were not granted on equipment that is not being used because of a strike, or not used at its optimum capacity. For example, I am certain many automobile plants could easily produce far more automobiles than they do, and theoretically, they should lower the prices. However, I am certain this industry, like many others, reduces production to prevent a surplus, but continues to take depreciation on its equipment while idle.

At first glance, denying strikers food stamps has considerable appeal, but on close examination, it is a different matter.

The distinguished gentleman from Illinois outlined the differences between people in voluntary and involuntary situations. Of course, the man in an involuntary situation appeals to us greatly. Let me give you an example in the labor field.

Suppose a man goes to work in a factory. The employees vote on whether or not to have a union. He votes against it. However, the majority votes for it. The factory goes union. Then the union calls a strike vote. He again votes no, but the majority vote to strike. Should he and his wife and children be denied food stamps?

Eligibility for food stamps, as I understand it, is determined on the basis of hunger and not on whether the participant is employed, unemployed, striking, or not striking. In fact, as has been indicated earlier in this debate, where the need exists food is provided to families of men in the penitentiary.

I submit it has never been an American tradition to starve those with whom we disagree.

Mr. DENNIS. Will the gentleman yield?

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

Mr. DENNIS. I wanted to ask my good friend from Missouri if it ever occurred to him that maybe the way to reach the case of this man who does not want to strike would be for the amendment of fundamental labor law so he does not have to go out when he does not want to strike.

Mr. HUNGATE. I thank the gentleman. But I would assume such legislation would not come to the floor attached to an appropriations bill.

Mr. ANDERSON of Illinois. Will the gentleman yield?

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

Mr. ANDERSON of Illinois. I appreciate, also, the very valid concern that the gentleman from Missouri has expressed for the so-called involuntary striker, but does it make sense to make it possible for those strikes to be prolonged by 60, 90, or 120 days? That is when the involuntary striker is really suffering. I can show you chapter and verse, in the study I referred to earlier, statements made by labor leaders in connection with a 122-day strike where they admitted that they could not have held out that long, probably, without the food stamps.

If you are concerned about the involuntary striker, you do not help him in this particular way.

Mr. HUNGATE. I thank the gentleman from Illinois. I appreciate his contribution as one of the most resourceful and skillful and effective debaters in this House.

I would not assume that in every labor dispute labor was always wrong; I would assume there could be occasions when management might be in error, and on those occasions I know the gentleman from Illinois would not be anxious to force these people into a bargaining position because they did not have food stamps.

Mr. ANDERSON of Illinois. If the gentleman will yield, I do not imply that labor is always wrong. I did not say that. What I specifically said was that I do not approach this issue from a prolabor, antilabor, promanagement, or antimanagement basis. I am trying to do it on the basis of the serious, objective study that has been made of the cost to the Public Treasury and the impact it has for prolonging industrial disputes.

Mr. HUNGATE. I appreciate the response of the gentleman from Illinois, and the fact that he recognizes that the blame can frequently be equally distributed.

Mr. MELCHER. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment offered by the gentleman from Illinois (Mr. MICHEL).

Mr. Chairman, about 60 years ago nearly everybody in this country had a garden, and each family normally kept a few chickens, and had a milk cow, and they had a balanced diet, but now we have people who are living in asphalt jungles, in urban ghettos, and in urban centers where most Americans live, and there are millions of hungry people in this country. There is a surplus of food in this country, there is a surplus of grains which, after all, is the fuel that when fed to animals produces our protein foods, but we will still continue to have hungry people. And having hungry people, one of the methods that we have devised is the food stamp program. The program can be improved, particularly for the elderly where inflation is cruelly denying them in the autumn days of their lives much of their normal protein diet. We also could have improvement in the program for families with chil-

dren to make sure that they all have a fair shake and a fair chance to develop physically, mentally, and to be alert at school.

We have come a long way, however, even though, we need improvements in distribution and acceptance and, indeed the dignity of food stamps, but the fact remains that food stamps are to end hunger in this country.

This amendment offered by the esteemed gentleman from Illinois does not move in that direction. What is involved is who is eligible for food stamps under the present law, and you would have a hard time telling from the debate this afternoon what the law is.

The law of the 1970 act as passed by the previous Congress, with regulations issued in 1971 by the Department of Agriculture and finally now is beginning to be implemented by the States, a few States implemented the regulations in the fall of 1971, but almost all of the States have only implemented the new law in the past 6 months. The new law says that anyone applying for food stamps first cannot have more than $1,500 in liquid assets—$1,500 in liquid assets for a family; and second, that any able-bodied person in that family must register for employment, must accept employment if it is available at the minimum wage, or whatever the prevailing Federal or State or prevailing agreement for wages are in a particular area.

Notwithstanding the studies and the figures that have been cited by the proponents of this amendment, these are pretty tough regulations, and they are just coming into effect.

The gentleman from Iowa, our good friend (Mr. GROSS), mentioned communes, mentioned something that he had read concerning this in the State of California. Communes are not allowed to have food stamps under the law now, under the law that we passed here in 1970. The regulations in California were adopted to implement this new law in January of this year, and not even all of the counties in California had adopted the new regulations until April of this year. Enforcement of the new law prevents food stamps for communes.

The figures cited about GM and how many people were on strike who were drawing food stamps during that period have no bearing on the new law. That strike was long before the new law became effective. And, indeed, there has been no major strike since this law has been promulgated, because the regulations have just been adopted in almost all of the States this year.

The gentlemen from Illinois may be aware, but in case they are not, I will inform them that the new regulations for Illinois were adopted in April of this year, less than 3 months ago, and there is no way to accommodate their figures on what might happen in less than the 90 days since the new regulations were put into effect to determine that any but hungry families needing adequate nutrition would be eligible for food stamps. It is certainly impossible to relate past conditions to the new law which has just now become effective in the States.

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

Mr. MELCHER. I yield to the distinguished Speaker of the House, the gentleman from Oklahoma.

Mr. ALBERT. The Food Stamp Act and regulations describe certain conditions under which food stamps are available to Americans.

Are we to single out one group and say—"If you are in that class, no matter what other qualifications you have—you are out"?

Is that not what the amendment would do?

Mr. MELCHER. The distinguished speaker is entirely correct. His remarks demonstrates the narrowing down of availability of food stamps even when the need is evident and the family is eligible.

In marking down where food stamps are available—what about strikers? Even disregarding the fact that not all strikers voted for a strike and that not all strikers are willing to have a strike let us review their position; irregardless of whether they are for or against the strike the amendment says no matter how desperate their needs they cannot be recognized as eligible.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MELCHER. I am delighted to yield to the gentleman.

Mr. ANDERSON of Illinois. I just want to point out that the gentleman mentioned correctly that the requirements under the law are that you must have only $1,500 of assets in order to qualify.

I am sure the gentleman also realizes that refers merely to liquid assets. It does not include your house, it does not include your car, it does not include other tangible property which might have great monetary value. It includes only liquid assets. I think it is important that we have those facts brought out here in the debate.

Mr. MELCHER. The gentleman is absolutely correct.

The $1,500 limitation does refer to liquid assets. It does not refer to his home. It does not refer to his automobile. But it does refer to his check account, savings, bonds and anything else that he can sell and it does refer to real estate that is not his home and to property that is not involved in his household. This is a rigid requirement. It is a tough requirement. If a striker is going to qualify under the law as it is being promulgated under the new law, just this spring, they are going to qualify because they are hungry and because they are desperate and because their families need that food.

It is much too soon—much too soon to tell what the new law is going to do since the States that have promulgated the regulations, most of the industrial States, just within the last 60 or 80 days.

No matter how we cut the cake here, food stamps are for people who are hungry and if a striker's family qualifies because he does not have any assets and he has practically no financial worth, less than $1,500—and if he has registered for work and cannot get it and if he has met this requirement of the law and he still needs food and his family needs food—he ought to have it and we do not need the amendment. The law is already rigid enough.

Mr. SAYLOR. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have taken this time to direct attention to the gentleman who offered this amendment.

I have read his amendment very carefully and I would like to ask the gentleman from Illinois (Mr. MICHEL), if a striker qualifies for food stamps while he is on strike and he meets every other requirement; can he get food stamps?

In other words, if he qualifies under the rules and regulations that exist at the present time, even though he is on strike, can he get food stamps.

Mr. MICHEL. I am not sure I heard the question stated precisely, but let me say that if a family qualifies for food stamps before the advent of any strike in which a member of the family is involved, the family will continue to receive food stamps to which they are entitled. That is why the amendment reads:

Solely because any member of such household is a participant in such strike.

It is only if he falls within those guidelines of eligibility solely because of participating in a strike that we deny him the food stamps. I think that answers the gentleman's question.

Mr. SAYLOR. The gentleman from Illinois (Mr. MICHEL) in the revision of his remarks has changed facts related in the colloquoy. His answer during the colloquoy was "yes, absolutely."

The answer given in his revision of his remarks clearly indicates to me that the Chair erred in its ruling on the point of order made against the amendment.

The gentleman's interpretation of his amendment now is such that it adds another requirement of eligibility for food stamps and is clearly legislating on an appropriation bill.

The language of the gentleman's amendment is that a striker is not eligible for food stamps solely because he is on strike. The interpretation he now attempts to put on his amendment is that if a worker is on strike and meets all the other qualifications of the law he is still not eligible for food stamps. This is not what his amendment states and any attempt to hide behind that construction of the language of his amendment is totally in error.

The original answer given verbally by the gentleman from Illinois (Mr. MICHEL) is essentially correct—that is, if a striker qualifies for food stamps while on strike, he can get food stamps. His revised remarks delivered to my office completely change the answer actually given to me on the floor of the House.

Mrs. SULLIVAN. Mr. Chairman. I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, I am delighted that the gentleman from Pennsylvania was recognized just ahead of me. He was the one on the opposite side of the aisle who from they very first voted for food stamps, because he, as I, felt that those who were in need of nutrition should be helped.

Mr. Chairman, I hope the Members will accord me the right to speak with

some authority on the subject of food stamps, because, as most of my colleagues recall, the program originated in legislation which I first introduced in 1954 which was enacted in 1959, leading to the pilot programs of 1961–64, and was expanded into a national program under bills I sponsored in 1964, 1967, 1968, and 1969. The 1971 act, which I did not sponsor and which I have been trying ever since to repeal, attempted to inject unrealistic and utterly contradictory standards of welfare reform into what is intended to be a program to accomplish only one objective: that is, to assure that no poor people are forced by their financial situation to go hungry in a nation which spends billions of taxpayers' dollars each year, to support the price of agricultural commodities and to remove the resulting surpluses from the market.

Reason lost out in 1970 when we were debating the latest food stamp act, which was signed into law January 11, 1971. Reason lost out, to a combination of forces hostile to the food stamp program, on the one hand, and of those who wanted to love it to death—to make it into a vehicle to solve all of the problems of the poor. We had a case of the long-time opponents of food stamps, and those who wanted to "reform" it into a mass handout program, joining legislative forces to give us a law which convinced both sides their eventual legislative compromise had good features from their respective standpoints. We have in it such contradictions, as forced labor at $1.30 an hour and a requirement that eligibility standards and benefits, be exactly the same for people in the very poorest States, as for those in New York, California or other highly industrialized areas.

Instead of helping the poor, as it was supposed to do, this has caused removal of countless families elsewhere in the country whose incomes, by, let us say, Arkansas income standards, would be considered too high to qualify for assistance. To set the standards high enough to assist low-income families in California would make half the working people in some other areas eligible for food stamps.

The January 1971, amendments should be repealed, so that we go back to the basic 1964 act. But that is not the issue here today. The issue here is whether we place in an appropriation bill a provision which changes the eligibility standards for one class of individuals only—those on strike.

Mr. Chairman, I wrote yesterday to Mr. I. W. Abel, president of the United Steelworkers of America, who had sent a letter to every Member of the House, on this issue of food stamps for strikers, in his capacity as president of the Industrial Union Department of the AFL–CIO. I would like to read some excerpts from that letter, because I think it states the cause of some of the misunderstanding about this issue. Here, in part, is what I wrote to Mr. Abel:

In opposing an anti-striker amendment, I intend to point out to the House and to labor, too, that much of the sentiment for refusing food stamps to strikers, regardless of need, is the result of widespread resentment among the public over a mistaken idea that strikers are automatically eligible for food stamps—which is, of course, not the case. But the unions themselves have often contributed heavily to the misunderstanding on which this resentment is based, by organizing mass applications of all strikers for food stamps, in something of a festival atmosphere, as if this is one of the regular and normal benefits available to any union member going on strike.

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

(On request of Mr. ALBERT, and by unanimous consent, Mrs. SULLIVAN was allowed to proceed for 5 additional minutes.)

Mrs. SULLIVAN. I thank the distinguished Speaker. I continue:

Food stamps should be available to any family which is unable to afford an adequate diet for health. The program is not supposed to be a substitute for adequate welfare programs; it applies only to nutritional needs. It should not be used to punish a child because the father is a drunkard, or in jail, or is in the hospital after having been improvident in not obtaining hospitalization insurance, or is on strike or has been locked out.

A ban on food stamps for all persons out of work because of the existence of a labor dispute would affect equally those who voted against going on strike and those who were locked out of their jobs, as well as those who voluntarily went on strike. As you well know, the National Labor Relations Board from time to time has held that management in some disputes was guilty of causing or prolonging a strike illegally, and has ordered retroactive wage payments to the workers years later. But how do you feed a hungry family retroactively three years after a strike begins?

The test of eligibility for food stamps should be proven need of the family for this help, based on standards which apply equally to all applicants in a state, regardless of the cause of their financial situation. The idea that workers would voluntarily go on strike in order to qualify for food stamps is nonsense.

Undoubtedly, the availability of food stamps for those strikers who qualify for them makes them less included to agree to settle a dispute for less than they feel is a fair settlement, but certainly food is not the only factor in a striker's willingness or ability to remain on strike.

I will, as I said, oppose any antistriker amendment on food stamps, but I hope that organized labor will impress upon union leaders, particularly at the level of the local unions, that they must exercise restraint in waving the "food stamp banner" when a strike begins. Holding food stamps aloft for the television cameras along with bravado shouts of "they can't starve us out now" may be good for workers' morale when what may turn out to be a long strike begins, but leads to the misconception by the public that the taxpayers are financing the strike. This is no more the case than feeding the children of a convicted felon with food stamps represents an instance of the taxpayers financing of crime. The test is and should be in either instance: Would the family or the children go hungry without food stamps?

Mr. Chairman, for the sake of the millions of families of workers in this country who may be forced at some time or other, for one reason or another, to go out on strike, or who may be locked out of their jobs, do not make the children—their hunger—a hostage to labor-management strife. This amendment should be defeated in the name of common decency. This is not a strike-discouraging or strike-breaking amendment; it is an amendment to punish children because their parent belongs to a union.

Mr. CRANE. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, first I would like to congratulate my colleague, the gentleman from Illinois, for having introduced this amendment. I think it touches upon a most vital issue in a most vital area of abuse of taxpayers on the one hand, and the overwhelming majority of workers on the other.

Mr. Chairman, it has often been said that the role of Government in economic affairs is to remain neutral. Labor and management were to come to their own agreements with regard to wages, hours, and other contractual terms through the system of collective bargaining. When agreement could not be reached, labor unions possessed the right to strike.

For some time it has been true that Government has not been neutral. While businesses are subject to stringent antitrust legislation, for example, labor unions are not. Thus, while it is illegal for several automobile manufacturers to set an industrywide price for new automobiles, it remains perfectly legal for one labor union, the United Auto Workers, to set industrywide wage rates.

Government partisanship has, however, reached a new height of unfairness in the case of providing welfare payments to workers engaged in a strike.

In a recent editorial the Indianapolis Star points out that:

Anyone concerned about the increasing costs of welfare and the effect of these costs on their own pocketbooks would do well to read a revealing new book, "Welfare And Strikes."

It is published by the Industrial Research Unit, Wharton School, University of Pennsylvania, as the sixth in a series on labor relations and public policy. The authors are Dr. Armand J. Thiebolt Jr. of the College of Business Administration, University of Maryland, and Ronald M. Cowin of the Industrial Research Council.

The book makes the important point that some labor unions are using tax-supported public funds to maintain strikes without paying out a cent of their own funds to support striking members.

In the 151-day strike beginning last August of the 5,132 members of the United Electrical, Radio and Machine Workers of America, Local 107, against the Westinghouse Electric Corporation's Steam Division at Lester, Pa., $2.5 million in public funds in the form of various welfare benefits was paid to strikers. The book says the union contributed a load of coal to the truly destitute and a free meal at the union hall for those on picket duty, but nothing in strike benefits as such.

The book alleges that the practice of using welfare benefits for strikers has become so prevalent that some unions now regard welfare as a powerful new weapon for use in the collective bargaining system.

In the 71-day strike of the United Automobile Workers against General Motors in 1970, an estimated $30 million was spent in public welfare benefits to strikers, nearly $16 million of it by Michigan alone. With the food stamp program and other forms of public aid, combined with union strike benefits,

some workers lived as well as or even better than when working full-time, the book charges.

The book's authors propose, as one possible solution, that Congress simply declare strikers ineligible for tax-supported benefits. In any case it is certain that action must be taken at both the state and Federal levels to halt abuses that take food out of the mouths of those who continue to pay taxes so that someone else who is on strike of his own volition can be supported.

Where is the manifestation by this body of concern for the truly needy when it supports a continuation of so outrageous an abuse as public support of strikers? Where is the manifestation by this body of concern for our over-burdened taxpayers when it supports a continuation of so outrageous an abuse of tax dollar spending as exists when a majority of working peoples' tax dollars underwrite the minority of able-bodied who have voluntarily left well-paying jobs?

I urge Members to support this amendment in the name of equity, justice, and humanitarian concern for those who truly depend upon the generosity of those better off than themselves.

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

As one who has been involved in the food stamp controversy for many years, it becomes a little difficult to hear Members come into the well and say that we should deny benefits of food stamps to certain families in the interests of humanitarianism.

If we want to accept the argument made by the proponents of this amendment: that the way to stop strikes is to make it impossible for union families to be fed; for their children to have adequate nutrition: that this will do a great public service by guaranteeing uninterrupted economic growth, purhaps the amendment should be adopted. But are we going far enough? Should we not deny funds under the medicare program for anybody who is a member or a striker's family, or deny his child a federally subsidized school lunch? Would that not bring more pressure to stop the strike.

Underlying all of this discussion is, I believe, the hidden implication that strikes are something to be condemned out of hand, that strikers are always wrong, that the companies are always right. Most proponents pay lipservice to the workers' right to strike, but suggest that any action that breaks a strike on managements' terms is in the public interest.

By the way, when we are talking about Government objectivity and Government fairness, I do not hear the U.S. Chamber of Commerce coming to the Congress and saying, "Companies are getting Government contracts during work stoppages; that is unfair." "Companies are getting Government payments during work stoppages; they should not have that advantage." "Companies are able to deduct strike losses from their corporate income taxes, that is not evenhanded and objective."

When it comes to that sort of Government help for the company, we do not hear those arguments made by the gentleman from Illinois or any of his colleagues.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

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

Mr. ANDERSON of Illinois. How can a company possibly perform a Government contract during a work stoppage?

Mr. FOLEY. I am saying that during the time of the work stoppage, there is no law that says the company cannot negotiate and be awarded a contract for future performance. There is no ruling of the Internal Revenue Service that denies continued depreciation on plant or equipment. The company can deduct its losses from a strike to soften the economic sacrifice. Economic discipline might be just as useful for the management side but we have not heard a word about that subject from the proponents of this amendment.

I think we should be fair about this. As long as we are talking about evenhandedness in labor disputes why do we not set about to amend the Internal Revenue Code. There are generous depreciation allowances that continue during a strike. A company is not denied these. If we must deny the worker's family the ordinary, regular benefits of the food stamp law why should we not deny the company the ordinary benefits of the IRS Code. We could thus hit both sides in the dispute where they are most sensitive—the worker in his family's wealth, the company in its balance sheet. The objective study that the gentleman from Illinois talks about was done by the Wharton School of Finance through a grant provided and funded by four industrial foundations and 13 individual companies. I suggest that if we produced a study financed by the AFL–CIO on this subject we might hear a few critical remarks about its objectivity from the sponsors of this amendment. No such doubts are expressed about a study financed by industrial corporations and foundations. No, no. That is objective. What other purpose than scholarship could they have had in mind?

However, taking this "study" at its face value, what does the study show? Among other things, it shows that in the General Motors strike of 1970 only 37 percent of the workers received food stamps. Why, if this is such a bonanza, did only 37 percent receive it? Because they had to meet qualifications. And the law was not as rigid then as it is now.

And in the United Paper workers strike in March of 1970 and in 1971 the study shows that only 31 percent of the workers received food stamps.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. FOLEY was allowed to proceed for 3 additional minutes.)

Mr. FOLEY. And in the Oil, Chemical, and Atomic Workers Union strike against the Atlas Chemical Co. in 1971 that same study shows there were only 22 percent of the workers who received food stamps. Only 1 in 5 were able to meet the conditions of the then existing requirements in this act.

Since that time, as the gentleman from Montana has pointed out, States are finally implementing the laws Congress passed in 1970. The food stamp amendment of 1970 was reported by the Committee on Agriculture, which is not a committee famous in this body for its fuzzy-headed, self-hearted liberalism. The distinguished chairman of that committee, the gentleman from Texas (Mr. POAGE) offered an amendment which requires every striker, if he is to be eligible for food stamps, to register for work and accept employment just like anybody else. The only exception is he cannot be sent to a struck plant or site. That amendment was adopted and is part of the food stamp law and departmental regulations.

That is what the Congress has determined should be the ground rules for participation in the food stamp program. But, no, the argument for this amendment is that no striker should have any opportunity to get food stamps for his children, even if he did not vote for the strike, even if he was opposed to it, even if he does not have any liquid assets and meets all of the conditions of the law, even if he is trying to find other work, and even if his children are starving. It does not make any difference, what his intentions or circumstances may be because the economic system is going to be benefited if he is driven back to work as fast as possible. Of course despite these arguments the proponents insist that they "respect" the "right" to strike.

I think it is relevant, despite what my good friend from Illinois says—and I have great admiration for the distinguished gentleman from Illinois—despite his categorization of the argument as ridiculous, that a convict in prison has a right to have his family fed with food stamps, that somebody in jail can have food stamps for his family, but a law abiding American worker may not.

Mr. ANDERSON of Illinois. Will the gentleman yield on that?

Mr. FOLEY. Yes, I yield.

Mr. ANDERSON of Illinois. Do you not see a distinction at all between someone in jail, there because he lost his freedom involuntarily? He is not there because he wants to be there. Somebody put him in there. All I am saying is the striker is on strike because he is exercising his right as a free man.

Mr. FOLEY. All I am saying is that if the family of a worker on strike for whom the gentleman claims the greatest respect and admiration does not have a right to participate in the food stamp program and must go hungry but the family of the rapist, and the murderer, the robber, and the burglar are eligible as they now are—something is wrong with our values. If the gentleman sees some equity or wise public policy in treating the family of striking workers more harshly than the family of criminals—I do not. All this talk about this food stamp bill never intending to cover strikers is nonsense.

The gentleman from California (Mr. TEAGUE) correctly said that when the basic amendments were passed in 1968 this bill came back with a food stamp antistriker amendment removed by the conference committee. I might say as a member of the conference committee one of the strongest, if not the strongest, advocates of providing food stamp bene-

fits under normal conditions, for strikers as well as others, was the distinguished member of the gentleman's party in the other body who insisted that a strike in his State which his workers had not supported but in which they were involved convinced him that these antistriker amendments were unfair and it was just not equitable to write so all-encompassing a prohibition. Since the Landrum-Griffin Act requires a secret ballot on strike votes there is no way to separate strike supporters and strike opponents.

Subsequently we have had several votes in this House attempting to pressure this punitive and pernicious amendment. They have all failed as I trust this latest effort will fail.

Nobody likes a strike. But this is not the time, the place, or the issue on which to fight out old arguments between labor and management. The principal supporter of this amendment is the U.S. Chamber of Commerce. Its principal opponent is organized labor. I do not have to tell any Member of this House that that is true. But the Food Stamp Act was not passed to be an instrument of either labor or management. It was not passed to be a tool for or against strikes. Ironically both organized labor and the U.S. Chamber supported the passage of the act. The act was passed to feed hungry families. It was passed out of a compassionate concern of this Congress and of this country that families and especially children who are without means themselves should not go hungry in the richest country in this world.

Mr. Chairman, let us defeat this amendment today as we have in the past.

Mr. WINN. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I speak in support of the amendment offered by my good friend and colleague, Mr. MICHEL. You will recall that I, along with 33 of our colleagues, introduced H.R. 4274, H.R. 7867, and H.R. 8520 that would accomplish the same goal as Mr. MICHEL'S amendment.

To understand why I support this amendment, one must examine the fundamental purposes of a strike in the free market system. A strike forces the modification of extreme positions of management and labor as a result of the economic effects it has on both parties.

If a strike has unequal economic effects or no economic effects on one or both parties, then it becomes ineffective because the economic importance of forcing modification of extreme positions decreases. Thus, strikes become more frequent or are of longer duration. Unfortunately, several programs have been created by us that impede settlement of strikes by creating imbalance in the economic effects of strikes. One of these we are hoping to eliminate today by making strikers ineligible for food stamps.

It has been estimated that the total direct and indirect public assistance payments to strikers exceeds $329 million per year—almost $1 million per day and, as has been mentioned, the Wharton School of Finance and Commerce estimated that of that amount a whopping $238,826,000 in food-stamp payments will be made to strikers during 1973.

I think that the effect of this can clearly be seen when we examine the increased duration of strikes over the last decade, and only the sponsors of this amendment have made this point in the last hour and a half. In 1960, there were 200 strikes that lasted more than 90 days. In 1971, 7 years later, after food stamps became widespread, the number of strikes that lasted longer than 90 days increased to 375—almost double the 1960 figure.

The idea that a union member has the right to collect welfare when he is on strike because he pays taxes when he is working is wrong. No taxpayer has the right to automatically expect specific services from the Government—I repeat, the Government—for each program it operates merely because he pays taxes.

For example, none of us in Congress receives any specific returns from the taxes we pay to support various welfare programs. By the same token, the childless taxpayer would be happy to attest to lack of specific return he gets for taxes he pays to support our public schools.

Payment of food stamps to strikers is an imposition on the public treasury. Certainly, labor unions' bargaining power was of great influence before food stamps. In my opinion, $239 million in direct payments that food stamps provide strikers is greatly upsetting the relatively balanced bargaining power between management and labor.

I believe this is in itself cause for great damage to the public welfare in the long run. I hope you will join with me in support of this amendment offered by the distinguished gentleman from Illinois.

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

Mr. WINN. I yield to the gentleman.

Mr. FISHER. In this very sensitive area of collective bargaining, when a labor-industrial dispute is pending, does the gentleman agree with me that it is axiomatic that the government at all levels remains totally neutral and show no favoritism to either side?

Mr. WINN. I think that is exactly right.

Mr. FISHER. When negotiations break down and a strike actually occurs—after that happens, then traditionally the business side draws upon their reserves while they are making no profit or making little profit to sustain them during the period of continued negotiations.

Traditionally, likewise, the unions draw upon their union funds for the same purpose to sustain their members and their families during that period of time; is that not correct?

Mr. WINN. The gentleman is correct.

Mr. FISHER. I sent out a questionnaire to my constituents not long ago, to every registered voter in my district, and I asked the question whether food stamps should be given to those who are on strike; 90.6 percent answered that they should not.

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

Mr. FISHER. During a strike the Government should do nothing to improve the economic status of the business involved; nor should it do anything to bolster the other party to the dispute—the union. We are about to vote on giving special favoritism to the union.

Mr. WHITTEN. Mr. Chairman, I wonder if we could not have some agreement as to time for debate. There are several other measures coming up, and I am sure Members would like to complete the legislative business.

Mr. Chairman, I ask unanimous consent that debate on the pending amendment close in 10 minutes and that the last 3 minutes be reserved for the committee.

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

There was no objection.

The CHAIRMAN. The Chairman has observed the Members standing at the time of the limitation of debate.

Under the unanimous consent agreement, the committee is to have the last 3 minutes, and therefore, the other Members will be entitled to 1 minute each.

The Chair recognizes the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Chairman, every time this issue comes before us, it causes me some problems. In previous years, while not confident I was right, I voted against the Michel amendment. I have deep concern for the individual who voted against a strike, but since he was in the minority, found himself in dire economic straits when the strike continued on for several weeks. Also, I felt concern for the child of a family where the bread winner was not frugal enough to prepare for the strike with some savings. So, on balance, I opposed amendments to flatly deny any food stamps for strikers.

As the issue comes up this year, I find I know a great deal more about food stamps for strikers than I did in previous years. A book entitled, "Welfare and Strikes—The Use of Public Funds to Support Strikers" by Armand J. Thieblot, Jr., and Ronald M. Cowin, at the University of Pennsylvania, the Wharton School of Finance and Commerce, Industrial Research Unit, lays out in more detail the use of public assistance during a strike.

I believe most of us would agree that the Government ought to be neutral when unions and employers square off in a dispute which is their legal right. I would like to quote a few sentences from the study:

> It is evident from a review of the Lester Plant strike that public subsidies played a key role in the union's strike assistance program. As a consequence, the union now plans to rely on public financial support during a strike.
>
> The availability of public resources for strikers during the Westinghouse strike provided support both to the local and international union. Welfare benefits reduced the strikers' economic pain, providing union officials and the union bargaining committee with greater flexibility in contract negotiations. In addition, public dollars to strikers relieved the local and international union of the financial pressure connected with giving aid to needy strikers. Although there were some strikers who expressed dissatisfaction with the UE for not providing a strike benefits program, welfare eliminated much of the demand for union financial help. The union could rely on the welfare department

to care for strikers who experienced economic hardships. The union and the striker, therefore, were relieved of much of their financial responsibility in preparing for and supporting the strike. The public assumed this responsibility.

The family man with a large number of debts, little savings, and a low income prior to the strike may be certified for public support shortly after a walkout occurs, while the older worker who may have a few debts, owns his own home, and has accumulated sizable liquid savings may not become eligible for public aid during a long strike. Accordingly, in a strike situation, the individual who has prepared for the strike by saving and by being thrifty will be discriminated against by the welfare department.

As one union official said, "Many union members did not feel right by having to request welfare assistance. They were raised in families where welfare was looked at as something to be used only in dire need."

But these attitudes are changing. By applying for help through the union along with other strikers, seeking aid becomes a part of the union strike assistance program. Public funds become a union "war chest" and as one union official described the situation:

Now, many are stating that they want their share, for it is owed them

That ends my quotes.

As the gentleman from Illinois (Mr. MICHEL) has stated, there would be no limitation on strikers qualifying for food stamps in the case of a lockout meaning that none of the employees voluntarily left the job, and a person who otherwise would qualify for food stamps still could qualify.

It should also be pointed out from the Thieblot-Cowin study that AFDC and general relief have been used substantially by strikers and, therefore, would continue to be available for anyone who falls into severe economic straits due to a strike.

The question before us is whether persons who voluntarily and collectively choose not to work should be able to secure public benefits. Even with this amendment, they can, but it would limit somewhat the amount that would be available to them.

I considered reducing the limitation of the Michel amendment by offering an amendment to it which would have made any family eligible for food stamps if they were eligible for aid to families with dependent children. I chose not to do so because of one failure of AFDC. In 27 States, AFDC is available only if there is no male head of the household. What this has done is to encourage the breakup of families. If we added food stamps with the substantial benefits to AFDC, it would be an even greater incentive to breakup the family which is certainly an unwise social move.

It is for these reasons that I think the balance now falls in support of the Michel amendment which is the way I shall vote.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Chairman, I am going to be very much interested to see the outcome of the vote on this by comparison with the vote on the previous amendment offered by the gentleman from Massachusetts (Mr. CONTE).

I will be very much interested to see how this new coalition headed, apparently, by the distinguished gentleman from Texas (Mr. MAHON) works out.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa (Mr. SCHERLE).

Mr. SCHERLE. Mr. Chairman, I rise in support of the amendment.

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

Mr. SCHERLE. I yield to the gentleman.

Mr. MICHEL. Mr. Chairman, I know there has been an unholy alliance forged here this afternoon. When my chairman rose in opposition to my amendment, my first inclination was to say some things which I might later be sorry for.

I will not say publicly what I feel except to reaffirm here what I have always told my children and the young people around the country who have asked me what I thought the most important thing was in our Members relationship with one another. I told them that it was "our word," and so help me, not withstanding all these shenanigans here today, my word is still going to be my bond in this House and elsewhere.

Mr. Chairman, I make this last appeal to those of you who have talked about the importance of one's word with one another to disregard this unholy alliance, if you did not have any part in making it—and vote your conscience on this the way you want to and then we will win the amendment, if you do just that.

Mr. DENNIS. Mr. Chairman, I think it is important to understand what this amendment does. If you are already drawing food stamps, you do not lose them because you go on strike under this amendment. The only thing is that you do not get economically qualified for them just because you go on strike.

I support the amendment, and any time I have left I yield to the gentleman from Illinois.

Mr. MICHEL. We will put in the RECORD the precise votes last year on the Conte amendment and on mine, and then we will compare how Members are voting today on the same two amendments. We may then pose the question as to what makes the difference between 1971 and 1972—is it because of the election year?

From CONGRESSIONAL RECORD, volume 117, part 16, page 21640, on limiting subsidies to farmers to $20,000.

Passed 214 to 198.

Today: defeated 189 to 192.

From CONGRESSIONAL RECORD, volume 117, part 16, page 21676, on prohibiting food stamps to strikers.

Defeated 172 to 225.

Today: defeated: 180 to 199.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. KOCH).

Mr. KOCH. Mr. Chairman, I opposed the amendment. I believe that it is wrong for the Congress to bar the poor, including those on strike, who are otherwise qualified, from receiving food stamps. In considering this matter it is important to note that strikers applying for food stamps must register for employment and take employment if a suitable job is found by the State unemployment agency, except of course at a strike plant. Furthermore, these strikers must meet the tests of economic need and lack of savings and assets, just like any other applicant.

The Federal Government does not suspend a corporation's depreciation allowance nor prorate its investment credit, while the company's equipment lays idle during the strike. Why then should the Federal Government be any harder on the striking employees by prohibiting them from participating in the food stamp program? Those seeking to pass this amendment are simply opposed to strikes, whether justified or not, and hope to assist the employer in breaking a strike with this cruel amendment. It will not pass.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia.

Mr. BLACKBURN. I must admit I have been fascinated by the various argument I have heard in opposition to the amendment, but to me one of the most persuasive developments was a poll run in my district, in which this issue was raised, and my poll showed that 90 percent of the people in my district are opposed to the use of food stamps for strikers. I think that is a good persuasive argument to support the Michel amendment.

One justification for provision of food stamps and other welfare benefits to striking workers advanced by opponents of the Michel amendment is that we provide tax benefits and contract payments to businesses during strikes, so why not balance the situation by aiding workers as well.

Let me suggest that this argument is simply erroneous from beginning to end. First take the matter of tax benefits. I would challenge any one opposing this amendment to come to the well and explain to this body how any business gets significant tax benefits as a result of a strike.

When you talk about a $50 million loss during an extended strike, for instance, what are you talking about?

Well, for one you are talking about orders and markets that are lost because a company has no products to deliver. Could some one explain how they would propose to tax nonexistent sales or income? Or how not taxing nonexistent income constitutes a tax break? Indeed, to suggest that this is a tax benefit to the struck company is equivalent to saying that the striking workers are being subsidized because they pay no taxes on the wages they do not earn during the course of the strike.

That $50 million also includes ongoing costs that are incurred for, say, property taxes, utility bills, managerial salaries, advertising, maintenance of plant and equipment, and the like, which are not off-set by sales revenues. It is my understanding that we have a net income rather than a net loss tax. Would someone here propose to explain how a com-

pany can be said to get tax benefits when it has no net income to tax?

The only legitimate loss that I know of which can be written off are penalty payments or charges for late delivery that may result from a strike. But even here I would remind my colleagues that $100,000 in penalty payments is an amount that would otherwise be profit were it not for the late delivery caused by the strike. And though a company may write off $100,000, for example from its taxable income, and thereby save $50,000 in taxes, the point is it has already lost double that—$100,000—in profit. In either case, the company is losing substantial amounts of money. How this can be considered a positive tax benefit is not at all clear to me.

The same point can be made concerning contract payments. The simple and indisputable fact is that under our procurement laws and regulations companies ordinarily, do not receive payments unless the goods and services contracted for are actually delivered. Failure to do so leads either to termination of the contract or fines and penalties for breach of contract.

Of course if a company can draw on inventories during the strike, payments may be made as the goods are delivered just as in nonstrike situations. But does anybody here seriously believe we should make it illegal for a company to draw on its inventories during a strike? Is not the company's inventory the counterpart of the union strike fund and the savings and outside earnings of striking workers? Would not basic equity require that if you ban one you must ban the other?

Moreover, most companies outside the defense sector simply do not do a significant portion of their business with Government contracting agencies. Therefore would you limit food stamps subsidies just to strikers who are employed by large Government contractors? Obviously the argument reduces to absurdity simply because the premise is equally illogical.

I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Chairman, I, too, support the amendment of the gentleman from Illinois (Mr. MICHEL). But I go home with a rather heavy heart tonight because of what has happened this afternoon, relating to the agreement reached by some who support the $55,000 limitation of payments and the many who opposed the Michel amendment to prohibit issuance of food stamps to strikers.

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

Mr. BLACKBURN. I yield to the gentleman from Utah.

Mr. LLOYD. Mr. Chairman, in December of 1970, I opposed the amendment which would prevent distribution of food stamps to the families of strikers and made my explanation which was published in the CONGRESSIONAL RECORD, volume 116, part 31, page 42027. The statement expressed my belief that there are greater objectives in the field of labor-management relations which we should pursue in order to discharge our responsibility to the public. Foremost among these larger objectives is finding a responsible solution for crippling nationwide strikes.

I also stated my belief that depriving families of strikers of their eligibility to receive food stamps while other welfare families remain eligible was a discrimination and that it was sufficient that we required that the strikers register for jobs and accept jobs which would become available. Moreover, it is not generally understood that only strikers with limited assets are eligible.

I have not departed from the belief expressed on that day. However, it is obvious that the overwhelming majority of my constituents feel otherwise. Since December 16, 1970, until today, I have not had one communication from my district in support of the position I took at that time, nor have I had my first communication from the district in opposition to this amendment. On the other hand, I have had 93 individual written communications from my constituents in addition to telephone calls and oral communication from many more, all of whom are unanimous in the view that it is improper for the Federal Government to subsidize one side of a labor dispute by the distribution of food stamps when there is no similar subsidy to the other side of the dispute. This view is that the Federal Government becomes a party to the negotiation by subsidizing one of the parties and that such action constitutes improper use of Government influence and encourages and and prolongs strikes.

I am often asked by student groups what I would do if my personal views conflict with the views of my constituents. I reply that it is an extremely rare occasion when the majority view of my constituents is obvious and overwhelming, but that when that majority is clear and explicit, then I consider it my responsibility to reflect that overwhelming view. That is the situation in the amendment before us. I have checked out my correspondence by many personal calls and in every case I have found a deep, personal conviction. Also, for the record, may I say that of all of the communications I have had on this subject, only six are from individuals who have made contributions to my political campaigns in the past and none of these have been in excess of $200. Therefore, my vote today is certainly not the result of influence of special interests but a valid expression of overriding opinions on a subject which was brought to the attention of most of these individuals by the U.S. Chamber of Commerce, another organization from which I have received no political contribution of any kind but rather has created a considerable problem for me as a result of widely reprinted and distributed views contrary to mine on H.R. 1 and other issues.

I cast my vote in favor of this amendment as a recognition of the overwhelming personal views of my constituency.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi.

Mr. WHITTEN. Mr. Chairman, I hope I may have the attention of the membership.

Mr. Chairman, as I have listened to the debate, it has made me realize how very, very little I know about labor relations, about strikes, and about industry. I know very little, and the debate has been very, very good on both sides. If we had before us legislation having to do with strikes and with the eligibility for food stamps, I think the amendment would be most appropriate. I have no problem in this connection, Mr. Chairman.

I am going to vote this year as I voted last year on a similar amendment to the appropriation last year. Two years ago, we had legislation up in the Congress determining who was eligible for food stamps, and this issue was up, and it was decided that those on strike were eligible, and their families were eligible, for food stamps. Many folks voted against that provision, but they lost. Now, this year, without any presentation before our subcommittee—and we are not experts in this field—without any hearing, without any motion in the subcommittee or any motion in the full committee, we are asked to withhold money from folks who are as much in the law as anybody else. That makes the issue very simple for me.

I do not believe that as a responsible Member of Congress I have the right, after I or my friends have lost the fight on legislation, to take it upon myself to withhold money from a particular group that is just as much in the law as anybody else. It is very easy for me. I am going to vote that way, and I trust that those of you who think it through will realize you should not use your power of veto to withhold funds from folks who are included in the law just like anybody else.

Mr. MICHEL. Mr. Chairman, the gentleman from Kansas (Mr. SKUBITZ) who is unavoidably absent today due to a prior commitment to be in Kansas, has asked me to present the following statement for inclusion in the RECORD in connection with the vote on the amendment proposing to deny the issuance of food stamps to persons on strike.

STATEMENT OF MR. SKUBITZ

I regret that an existing commitment in my schedule compels me to be absent from the Floor today. If the program of the House of Representatives is followed a vote will occur on an amendment proposed by my colleague, the gentleman from Illinois (Mr. MICHEL), to the bill making appropriations for the Fiscal Year 1973 for the Department of Agriculture, that would prohibit issuance of food stamps to persons engaged in a strike during the period of the strike.

If present and able to vote, I would vote for the amendment. I do not regard this as an anti-labor vote or an anti-union vote since I approve of unions and organized collective bargaining. But since unions oppose compulsory arbitration or any other governmental interference in behalf of the employer, I feel that in equity government should not involve itself in behalf of the other party in a labor dispute. The issuance of food stamps to strikers during a labor dispute cannot be construed as other than Federal Government action in behalf of one of the parties. In my judgment, collective bargaining is a process that is best left to the parties directly concerned; the Federal Government has no place in the controversy in behalf of either party.

Mr. CONOVER. Mr. Chairman, as the new Member of Congress, but one who has most recently run in a general election, I bring you a message from the voters—at least those of southwestern Pennsylvania. They are tired—

Tired of fat Government spending;

Tired of billions spent in foreign aid for countries that laugh in our face;

Tired of welfare cheats; and

Tired of Government subsidizing in areas of private concern and private negotiation.

This amendment is not a case of being pro business or pro labor. It is a case of being for the people. Management and labor must always have the right to debate and negotiate their differences. But they do not have the right to ask the public to pick up part of the tab if they cannot resolve their differences. The people are not part of the private negotiations; why should the people be asked to pay for food stamps?

I would suggest to my colleagues that a vote against this amendment will be the same as saying "the public be damned." I urge your support of this amendment.

Mrs. ABZUG. Mr. Chairman, I rise in opposition to the pending amendment. By making food stamps unavailable to a family which has become destitute due to the breadwinner's participation in a strike, it would go a long way toward destroying the right to bargain collectively—a right for which American working people have fought and won after a long and hard battle.

The worker who goes on strike after collective bargaining has failed is exercising the only weapon which he has to render his bargaining power equal to that of his employer. In effect, this individual is saying "I am willing to have my family and myself suffer some hardship for the moment so that we may enjoy a better life in the future."

What the pending amendment says, however, is "It is not enough for you to suffer now to gain a better life in the future. You must starve now in order to gain a better life for the future."

The amendment constitutes an attempt to discourage working people from exercising their hard-won rights. It is an attempt to stack the deck for employers by starving out strikers and their families, and I urge its defeat.

Mr. HORTON. Mr. Chairman, I rise in opposition to the amendment offered by Mr. MICHEL to prohibit the distribution of food stamps to strikers. This proposal has been before us on several occasions. I have consistently opposed it, as have the majority of my colleagues.

What must be recognized is that an individual on strike does not automatically become eligible for food stamps. He must meet stringent income and asset limitations. Available resources, including savings accounts, negotiable securities, and certain property must not exceed $1,500 per household in order for the striker to qualify for food stamps. In addition, the striker must adhere to established work registration requirements.

These standards are designed to insure that strikers, their wives, children, and other dependents, become eligible for food stamps only because they are in real need of assistance. These are the same standards required of any other American citizen for participation in the food stamp program.

I strongly urge my colleagues to reject the pending amendment. We cannot, in good conscience, deny one group the help we afford every other member of our society who meets the same economic eligibility standards.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Illinois (Mr. MICHEL).

The question was taken; and the Chairman announced that the noes appeared to have it.

TELLER VOTE WITH CLERKS

Mr. MICHEL. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. MICHEL. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman appointed as tellers Mr. MICHEL, Mrs. SULLIVAN, Mr. ANDERSON of Illinois, and Mr. WHITTEN.

The Committee divided, and the tellers reported that there were—ayes 180, noes 199, not voting 54, as follows:

[Roll No. 247]

[Recorded Teller Vote]

AYES—180

Abbitt	Fuqua	O'Konski
Anderson, Ill.	Galifianakis	Patman
Andrews, Ala.	Gettys	Pelly
Archer	Gibbons	Pettis
Arends	Goldwater	Poff
Ashbrook	Goodling	Powell
Aspinall	Griffin	Preyer, N.C.
Baker	Gross	Price, Tex.
Belcher	Grover	Quie
Blackburn	Gubser	Quillen
Bow	Hagan	Rhodes
Brinkley	Haley	Roberts
Brotzman	Hall	Robinson, Va.
Brown, Mich.	Hammer-schmidt	Robison, N.Y.
Brown, Ohio	Harsha	Rogers
Broyhill, N.C.	Harvey	Rousselot
Broyhill, Va.	Hastings	Roy
Buchanan	Henderson	Runnels
Burleson, Tex.	Hosmer	Ruth
Byrnes, Wis.	Hull	Sandman
Byron	Hutchinson	Satterfield
Camp	Ichord	Scherle
Carlson	Jarman	Schmitz
Carter	Johnson, Pa.	Schneebeli
Cederberg	Jonas	Schwengel
Chamberlain	Jones, N.C.	Scott
Chappell	Jones, Tenn.	Sebelius
Clancy	Keating	Shriver
Clausen, Don H.	Keith	Smith, Calif.
Collier	Kemp	Smith, N.Y.
Collins, Tex.	King	Snyder
Colmer	Kuykendall	Spence
Conable	Kyl	Springer
Conover	Landgrebe	Steiger, Ariz.
Conte	Landrum	Steiger, Wis.
Coughlin	Latta	Stephens
Crane	Lennon	Stubblefield
Curlin	Lloyd	Stuckey
Daniel, Va.	McClory	Talcott
Davis, Wis.	McClure	Taylor
Dennis	McCollister	Teague, Calif.
Derwinski	McCulloch	Thompson, Ga.
Devine	McEwen	Thomson, Wis.
Dickinson	McKevitt	Thone
Dorn	McMillan	Vander Jagt
Downing	Mallary	Veysey
Duncan	Mann	Waggonner
du Pont	Martin	Ware
Edwards, Ala.	Mathias, Calif.	Whalley
Esch	Mathis, Ga.	White
Eshleman	Mayne	Whitehurst
Evins, Tenn.	Michel	Widnall
Findley	Miller, Ohio	Wiggins
Fisher	Mills, Md.	Williams
Flowers	Minshall	Wilson, Bob
Flynt	Mizell	Winn
Forsythe	Montgomery	Wylie
Fountain	Myers	Wyman
Frenzel	Natcher	Young, Fla.
Frey	Nelsen	Zion

NOES—199

Abourezk	Andrews, N. Dak.	Bennett
Abzug	Annunzio	Bergland
Adams	Ashley	Bevill
Addabbo	Aspin	Biaggi
Albert	Badillo	Biester
Alexander	Barrett	Bingham
Anderson, Calif.	Begich	Blatnik
Bolling	Hays	Poage
Brademas	Hechler, W. Va.	Podell
Brasco	Heckler, Mass.	Price, Ill.
Brooks	Heinz	Pryor, Ark.
Burke, Mass.	Helstoski	Purcell
Burlison, Mo.	Hicks, Mass.	Rangel
Burton	Hicks, Wash.	Rarick
Byrne, Pa.	Hillis	Rees
Cabell	Hogan	Reid
Carey, N.Y.	Holifield	Reuss
Carney	Horton	Riegle
Casey, Tex.	Howard	Rodino
Celler	Hungate	Roe
Clark	Jacobs	Roncalio
Cleveland	Johnson, Calif.	Rooney, N.Y.
Collins, Ill.	Jones, Ala.	Rooney, Pa.
Conyers	Kastenmeier	Rosenthal
Corman	Kazen	Rostenkowski
Cotter	Kluczynski	Roush
Culver	Koch	Roybal
Daniels, N.J.	Kyros	Ryan
Danielson	Leggett	St Germain
Davis, Ga.	Link	Sarbanes
de la Garza	Long, La.	Saylor
Delaney	Long, Md.	Scheuer
Dellenback	McCloskey	Seiberling
Dellums	McCormack	Sisk
Denholm	McFall	Smith, Iowa
Diggs	McKay	Stanton, J. William
Dingell	Macdonald, Mass.	Stanton, James V.
Donohue	Madden	Steed
Dow	Mahon	Steele
Drinan	Mailliard	Stokes
Dulski	Matsunaga	Stratton
Edwards, Calif.	Mazzoli	Sullivan
Eilberg	Meeds	Symington
Evans, Colo.	Melcher	Terry
Fascell	Metcalfe	Thompson, N.J.
Fish	Mikva	Tiernan
Flood	Miller, Calif.	Udall
Foley	Mills, Ark.	Ullman
Fraser	Minish	Van Deerlin
Fulton	Mink	Vanik
Garmatz	Mitchell	Vigorito
Gaydos	Mollohan	Waldie
Giaimo	Monagan	Whalen
Gonzalez	Moorhead	Whitten
Grasso	Morgan	Wilson, Charles H.
Gray	Murphy, Ill.	Wolff
Green, Oreg.	Nedzi	Wright
Griffiths	Nix	Wyatt
Gude	Obey	Yates
Halpern	O'Hara	Yatron
Hamilton	O'Neill	Young, Tex.
Hanley	Passman	Zablocki
Hanna	Patten	Zwach
Hansen, Idaho	Pepper	
Hansen, Wash.	Perkins	
Harrington	Pickle	
Hathaway	Pike	
Hawkins		

NOT VOTING—54

Abernethy	Eckhardt	Mosher
Anderson, Tenn.	Edmondson	Moss
Baring	Erlenborn	Murphy, N.Y.
Bell	Ford, Gerald R.	Nichols
Betts	Ford, William D.	Peyser
Blanton	Frelinghuysen	Pirnie
Boggs	Gallagher	Pucinski
Bray	Green, Pa.	Railsback
Broomfield	Hébert	Randall
Burke, Fla.	Hunt	Ruppe
Caffery	Karth	Shipley
Chisholm	Kee	Shoup
Clawson, Del	Lent	Sikes
Clay	Lujan	Skubitz
Davis, S.C.	McDade	Slack
Dent	McDonald, Mich.	Staggers
Dowdy	McKinney	Teague, Tex.
Dwyer		Wampler
		Wydler

So the amendment was rejected.

AMENDMENT OFFERED BY MR. BROWN OF MICHIGAN

Mr. BROWN of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Michigan: On page 43, line 9, delete the period after the figure "$2,341,146,000" and insert the following: "Provided that no part of the funds appropriated by this Act shall be used during the fiscal year ending June 30, 1973 to make food stamps available to a household where the necessity and eligibility of such household for assistance stems solely from the unemployment of a member of such household who is a member of an employee unit which has voluntarily terminated em-

ployment due to a labor dispute or controversy, except that such limitation shall not apply to a household eligible for general assistance directly payable by such household's local unit of government."

POINT OF ORDER

Mr. WHITTEN. Mr. Chairman, I make a point of order against the amendment. It is legislation on an appropriation bill and, for all practical purposes, it is a perfecting amendment and identical to the one we have already voted on.

The CHAIRMAN. Does the gentleman from Michigan (Mr. BROWN) desire to be heard on the point of order?

Mr. BROWN of Michigan. I do, Mr. Chairman, but I did not fully hear the point of order, and I would like to have the gentleman from Mississippi repeat his point of order.

Mr. WHITTEN. Mr. Chairman, I will repeat the point of order. I first say and contend that the amendment is legislation on an appropriation bill, but in addition, thereto, it is, for all practical purposes, perfecting the same amendment we have already voted on.

The CHAIRMAN. Does the gentleman from Michigan desire to be heard on the point of order?

Mr. BROWN of Michigan. I do, Mr. Chairman.

In the first place, it is not legislation on an appropriation bill because it only further limits the thrust of the appropriation, and establishes a further standard, that standard to be applied for the eligibility, to be determined by the State and local agencies, and under various appropriations to the food stamp program, eligibility standards which are determined by these State and local agencies.

Second, it is not the same amendment as the Michel amendment because it is not an absolute prohibition on food stamps to strikers, so called. It says that eligibility for food stamps shall be based upon eligibility for general assistance, not the food stamp program itself.

Mr. WHITTEN. Mr. Chairman, in view of the statement made by the gentleman from Michigan, and having seen the amendment and having read it and understood it, I state that it calls for new duties to determine new regulations for eligibility, therefore it is definitely legislation on an appropriation bill.

The CHAIRMAN (Mr. WRIGHT). The Chair is ready to rule.

The Chair has carefully read the amendment.

In the first place, it is not identical to the amendment previously offered, nor is it subject to the interpretation that it would simply do exactly the same thing as the amendment previously offered and rejected. It is clearly distinguishable in its provisions.

As to the second question, that of its being rendered out of order because it supposedly requires affirmative actions on the part of an administrator, the Chair believes that the latter part of the amendment—to which the gentleman from Mississippi has referred—simply provides an exception to the application of the limitation imposed by the first part of the amendment. It does not impose additional duties. The Chair holds that the amendment offered by the gentleman from Michigan (Mr. BROWN), is in order and overrules the point of order.

The gentleman from Michigan (Mr. BROWN) is recognized for 5 minutes in support of his amendment.

The Chair recognizes the gentleman from Michigan (Mr. BROWN).

Mr. BROWN of Michigan. Mr. Chairman and my colleagues, I shall not belabor this question further, except to say that I think the amendment I have offered puts the whole question of the use of food stamps by participants in a strike in the proper context.

In philosophy it is correct, because it is not an absolute prohibition. It says that food stamps may be given to strikers. It says that food stamps may be given to strikers if there would be direct relief, general assistance available to that family; if their economic situation is such as to justify direct assistance or general assistance, and then food stamps could be used.

I think this is the proper posture for this Congress to be in because I have regularly in the past, as many of you know, opposed the so-called Michel amendment or a complete prohibition of food stamps to strikers.

Furthermore, my amendment does not terminate food stamps to those employees who are eligible, even while working. If they were eligible for food stamps while working and are on strike, they would continue to be eligible for food stamps and there would be no question about that. If their economic situation justifies food stamps while they are employed, it would continue to justify them when they are not employed.

Mr. Chairman, a further point in my amendment is that it makes households eligible for food stamps—and this is the most significant aspect of the amendment—it makes households eligible for food stamps even though the unemployment of the member of the family is voluntary and he has refused to accept employment or registration therefor.

In this respect, it differs from the general eligibility requirements of the present food stamp program and the program for aid to dependent children or some other programs where work registration or a work requirement mandate is included. All of these require some showing of availability for and willingness to accept other employment.

Probably in that feature, it is most significantly different from the others.

Yet, it says that food stamps will not be available to someone who is voluntarily unemployed—voluntarily—because he is on strike—unless his economic condition meets the eligibility standards of general assistance rather than the eligibility standards of the food stamp program, the ADC program, or some other similar program.

I think with this test we set the proper determination of eligibility for food stamps in those cases where the economic situation of a family is dependent upon the fact that the breadwinner of the family is on strike.

Mrs. SULLIVAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I will not take the 5 minutes but I want to bring out certain points.

Mr. Chairman, this amendment discriminates not so much against strikers—but among the strikers, or people who are out of work because of a labor dispute.

Let us look at what the amendment would do.

In 27 States it would require striking fathers to abandon and desert their families in order to make the children eligible for food stamps.

Is this what the gentleman from Michigan wants to do and this is what he wants to accomplish with his amendment?

In a family where there are no young children, there may be grandparents or elderly brothers and sisters and under this amendment no food stamps could be made available because the family could not qualify regardless of the need, because they would not fit into the category of aid to dependent children. Elderly people can get hungry too—so why punish them?

Mr. Chairman, I feel there is a great deal of misunderstanding on the part of the public about the eligibility of striking workers for food stamps. Most people seem to think that anyone who goes on strike is immediately eligible for food stamps—and that is not true.

The family must be in need, not only by reason of low income, but also of low liquid or nonliquid assets. It must qualify financially in the same way any needy family qualifies. But many people have the idea that strikers get special privileges in obtaining food stamps. That is not true.

Mr. BROWN of Michigan. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I yield to the gentleman from Michigan.

Mr. BROWN of Michigan. I believe the gentlewoman from Missouri has missed my point. It is not the ADC program that is the judge; it is not that family aid program. It is the program of general assistance provided by the States that determines the eligibility requirements and generally these provide assistance irrespective of any technical details of eligibility. If the family is in such an economic situation that it would be entitled to direct relief, the family would be eligible for food stamps.

Mrs. SULLIVAN. I thoroughly understand what the gentleman said. In 27 States they would not qualify under what the gentleman is trying to do.

Mr. BROWN of Michigan. I think the gentlewoman is wrong.

Mr. WHITTEN. Mr. Chairman, for all practical purposes, this is the same amendment as the previous amendment, except that it carries new duties and new changes in eligibility requirements, which is the point I raised earlier. But for all practical purposes it is directed to the same end. I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. BROWN).

The question was taken; and on a division (demanded by Mr. BROWN of Michigan) there were—ayes 56, noes 108.

So the amendment was rejected.

Mr. CHAMBERLAIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have taken this time

so that I might direct a question to the chairman of the subcommittee or to the ranking minority Member or to others familiar with this legislation as to what is provided in this bill for research on the cereal leaf beetle.

As background information for those not familiar with this pest, the cereal leaf beetle accidentally came into our country in 1962, and it was first detected in my home State of Michigan. The beetle has been tremendously destructive over the years, and I am concerned that it has now moved into 12 States and threatens to spread over the breadbasket of our country. As this insect builds up, there is a direct economic loss to grain producers, to the States, and to the people.

Up until the time when there was an emphasis put on researching for a nonchemical means of controlling the pest, the only way to stop the beetle from destroying tons of grain was through the use of hard chemicals. The real cost to society is unmeasurable in terms of the environmental damage that occurs when any chemical is spread on millions of acres of land.

That is why it is so necessary to find an alternate means of dealing with the pest, and this takes money for research.

I am strongly in favor of finding ways to stop using chemicals. I also am aware that there is just not enough money in the Federal budget to meet all the needs of what everybody says they would like to have done.

We have come a long way since an appropriate amount of funds were specifically earmarked for cereal leaf beetle research as a part of the agriculture appropriations bill.

Back in 1964, in the southern part of Michigan, the beetle was attacking the tender young shoots of oats, wheat, and corn. My colleague (Mr. HUTCHINSON) and I explained the importance of cereal leaf beetle research to the other Members of the House. The emphasis then was on how to control the pest. I remember that he remarked:

> We do not even know how to trap this bug. All we can do is go out in the fields with a net and hope that we can capture some.

Today the emphasis is on how to control the pest without the use of chemicals. For the past several years, considerable research has been conducted on the beetle at Michigan State University at East Lansing. Much has been accomplished through research and we are thankful for the work being done to alleviate this problem.

Michigan State University clearly has taken the role of international leadership in the design and implementation of a management program for the cereal leaf beetle. MSU's rearing program for the Tetrasticus julis, the principal larval parasite of the cereal leaf beetle in the United States, has provided material for release of the parasite in surrounding States. Last year over 400,000 parasites were moved to new locations throughout the infested region. It is imperative that this number be exceeded by several hundred thousand this year. But, this cannot be done without funds.

I have been told by those associated with the research project that a conservative estimate of the cost to collect or rear the parasite used to control the cereal leaf beetle under cnventional methods would be 50 cents each. At this rate, MSU has produced in 2 years over $500,000 worth of parasites. However, the university received last year $40,000 of the Federal appropriation of $150,000 for cereal leaf beetle research. I congratulate those people who are involved in the research program at MSU for their dollar-saving accomplishments.

At the present time, four States and the Province of Ontario are submitting samples and data to Michigan State University for analysis and interpretataion.

Confronted with the problem of how to control insect pests that damage our food grains without spreading chemicals that are damaging to our people and animals, MSU research has progressed rapidly in the area of environmental interaction. In addition, the university provides leadership in the much larger research area of environmental management and design. In fact, entomologists are now finding immediate application through cereal leaf beetle research to other insects like the alfalfa weevil and fruit insect pests. The same approach will most probably work well with numerous other pest complexes.

In addition to these implications, the Michigan program has provided some very specific and large dollar savings to the U.S. Department of Agriculture programs. However, as we all know, the resources of both the Michigan State University and the USDA are spread especially thin over a broad area of investigations.

Scientists are studying grain plant-insect interactions, insect population-parasite interaction and soil-grain plant relationships to provide pest control recommendations for the United States. I might mention here that the cereal leaf beetle program is one of the best examples of cooperation between Federal, State, and foreign research scientists, agriculture extension, plant quarantine personnel, and farmers.

We must remember, however, that the cereal leaf beetle still continues to be one of this country's principal threats to the economic production of small grains. I feel we must consider the need for additional funds to support the present modest funding of this program.

Mr. Chairman, I would like to direct a question to the chairman of the committee or to the ranking member with respect to provisions contained in the bill to provide funds for research to meet the problem of the cereal leaf beetle, which has become so acute in the Midwestern section of our country. Could the chairman advise me of the provisions in the bill for the continuation of this important research?

Mr. WHITTEN. I know the gentleman from Michigan has had a long-time interest in the cereal leaf beetle problem. I know in the subcommittee it was treated as a serious problem.

In answer to the gentleman's question, I might say that in 1972 the committee recommended and the Congress provided $612,300, of which approximately $28,900 were frozen. For the coming fiscal year we have provided $634,400 to carry on this extensive program.

Mr. CHAMBERLAIN. Mr. Chairman, is this total sum directed toward the cereal leaf beetle?

Mr. WHITTEN. Yes, Mr. Chairman, the additional funds provided last year began some important new work. At East Lansing, Mich., we have a cooperative agreement which involves the identification, evaluation, and utilization of germ plasm resistant to the cereal leaf beetle. That is going on at East Lansing, Mich., and the gentleman is familiar with that.

Then we have a program going on at Lafayette, Ind., where research on developing wheat and other cereals resistant to the cereal leaf beetle has been expanded.

At Moorestown, N.J., we have a large quantity of parasites collected in Europe and shipped to the ARS Parasite Introduction Laboratory at Moorestown, and research in that phase is going on there. So we are carrying on research in these three different locations in an effort to find the answer and alleviate the problem.

Mr. CHAMBERLAIN. Mr. Chairman, is it true that last year the funds appropriated by the Congress were not all made available to continue this research?

Mr. WHITTEN. It was $28,900, according to my information, that was frozen.

Mr. CHAMBERLAIN. Of what amount?

Mr. WHITTEN. Particularly out of the $150,000 addition for work on nonchemical alternatives to control this pest. The total work is $612,300 for 1972.

Mr. CHAMBERLAIN. I would like to say to the distinguished chairman of this committee that if the same $600,000 was available, that this does not square with information I have had. I have been told only $150,000 was available for this research.

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

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

Mr. MICHEL. Mr. Chairman, I think the record will show that for the nonchemical portion of the cereal leaf beetle program the gentleman is correct. It is that amount.

It disturbs us, and it is disturbing to a Member like this gentleman from Illinois, because where the cereal leaf beetle once used to be confined only to a small portion of the State of Michigan, it is spread now to the breadbasket of the country, to Ohio and Illinois and other States.

If we cannot do anything else through this colloquy, perhaps we can stir up the people downtown and convince them it is an urgent problem. Specifically, we talk in terms of millions of dollars for the fire ant, which we have in this bill, and for which we have been appropriating millions year after year and we ought to be able to get more action on the cereal leaf beetle. The gentleman does a service in bringing it up each year, but he would like to have some action, as would the gentleman from Illinois.

Mr. WHITTEN. Mr. Chairman, if the gentleman will yield, we appropriated last year $150,000 for nonchemical con-

trol; $28,900 was frozen. In this bill we reappropriated that amount.

I do not know what the answer to the gentleman's problem is.

May I say that as far as financing is concerned, the Office of Management and Budget has exercised a lack of judgment. Funds have been frozen repeatedly. We ought to strike "management" out of the Office of Management and Budget. That is what the problem is, and that is what my problem is. If the gentleman can tell us how to handle it, I will appreciate it.

Mr. MICHEL. Mr. Chairman, if the gentleman will yield, with the chemical control programs that could be used, we have a problem. We have moved toward trying to find a kind of parasite which would feed on the cereal leaf beetle.

Mr. CHAMBERLAIN. This is precisely the point. No longer are we able to use the hard chemicals we have. We have this beetle spreading in the breadbasket of America, and we are only appropriating $150,000 for research to meet this blight.

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

Mr. CHAMBERLAIN. I yield to the gentleman from Michigan (Mr. HUTCHINSON).

Mr. HUTCHINSON. Mr. Chairman, it is an unfortunate fact in history that this pest first appeared in the United States in the southwest corner of Michigan. I recall how hopeful we were at the outset that we could stop the spread of the cereal leaf beetle at its very inception, and that perhaps we could confine it to only one or two or three counties in Michigan, but that did not come about. Perhaps it was not only a matter of funding. Maybe it was a matter of technology and research. But I was distressed in the early years at the slowness with which there seemed to be any progress made. I only hope that this pest can be stamped out before it covers the whole country.

Mr. CHAMBERLAIN. I thank the gentleman.

I would say to my colleagues, that I talked this morning with the director of agriculture of the State of Ohio. He told me that one-third of the counties of that State were infested with this pest.

Mr. WHITTEN. Mr. Chairman, if the gentleman will yield further, this committee has been advised of this problem many times, and we are in sympathy as to trying to correct it.

In trying to meet that problem, some time ago it was my suggestion that we provide $2 million in here for research. That fund is available to meet extra needs.

The Department has testified that the funds we have in this bill are the funds they can use. If there is a chance that they can use more advantageously, they do have a $2 million fund they can use.

Mr. CHAMBERLAIN. I thank the chairman. We appreciate his cooperation and his assurances.

The CHAIRMAN. The Clerk will read.

The Clerk concluded the reading of the bill.

AMENDMENT OFFERED BY MR. BADILLO

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

The Clerk read as follows:

Amendment offered by Mr. BADILLO: Page 47, immediately after line 11, insert the following new section:

"SEC. 509. No part of the funds appropriated under this Act shall be expended for the National Agricultural Research Advisory Committee or the Agricultural Research Policy Advisory Committee as presently structured."

Mr. BADILLO. Mr. Chairman, every year countless thousands of small farmers, farmworkers, and their families are forced to leave the land and search for employment opportunities and some form of economic security elsewhere. Tragically, these are elusive goals and these displaced people are pouring into the cities, exacerbating already very difficult urban problems and further contributing to our urban crisis. Generally unaccustomed to city life, these victims of what some consider as agricultural progress do not have skills which can be effectively utilized in urban America, most centers of which are already plagued by serious unemployment crises.

One of the primary causes of this current state of affairs is the fact that there has been a serious failure in the rural sector and this failure can be directly attributed to the misdirected priorities and ill-conceived policies of giant agribusiness concerns and many land-grant institutions. Instead of taking affirmative action to cope with growing agricultural unemployment and the failure of small farms, the land-grant complex and agribusiness interests are more concerned with developing new strains of grasses for golf courses and athletic fields or with the production of fruits and vegetables which can be harvested by machines, thereby further displacing farmworkers.

This situation has been very well documented in an important study conducted by the agribusiness accountability project. In its report this group clearly shows that agribusiness and large agriculture and technical universities are primarily responsible for the difficulties in rural areas which, in turn, have generated major problems in our cities.

As this report, "Hard Tomatoes, Hard Times," has very aptly observed:

Rural people, including the vast majority of farmers, farm workers, small town businessmen and residents, and the rural poor, either are ignored or directly abused by the land grant effort.

It continues by stating that those people—estimated to be about a million each year—who annually pour out of rural America into the cities are the "waste products of an agricultural revolution designed within the land-grant complex."

Today we are appropriating hundreds of millions of dollars for various agricultural research programs to be conducted by the USDA itself, State agricultural experiment stations, land-grant colleges, and private organizations. I imagine a certain percentage of this research will prove to be worthwhile and productive. On the other hand, however, I wonder how many more Americans will be confronted with the harsh facts of a lost farm or unemployment in 1 year, 5 years, or 10 years as the result of some new discovery to further reduce the need for farmworkers or to enable narrow agricultural interests to increase their profits at the expense of the small farmer and rural poor?

The sad fact is that, bowing to the financial enticements of gigantic agribusiness firms, the land-grant complex has seriously deviated from its basic foundation and has clearly abandoned its historic mission to serve rural people and American consumers. Land-grant institutions' research has focused on projects which primarily aid agribusiness and, in fact, there are numerous instances in which corporations have earmarked contributions to land-grant schools for specific research projects designed to promote or test their own products. Furthermore, there are reports that the consumer is being victimized by this unhealthy relationship. Many crops are being bred primarily for easier harvesting by increased mechanization and little, if any, consideration is given to quality or food value.

What is particularly disturbing, Mr. Chairman, is that the USDA is encouraging this relationship. For example, the basic policymaking body for the research budget is the Agricultural Research Policy Advisory Committee. This is an internal oragnization which reports directly to the Secretary. Members of this committee are taken from the USDA and the land-grant community, and it represents what may be considered the agricultural research establishment. Although this committee is supposed to receive information from the public, as well as from the scientific community and the land-grant USDA research establishment, there is absolutely no representation from consumer organizations; small independent family farmers; farmworkers or labor groups; minorities; or the several other sectors which have a very real interest and an important stake in the decisions made by this committee.

Foremost among the USDA's advisory groups is the National Agricultural Research Advisory Committee. This organization also fails to include any broad community or grassroots representation. Its 11 members presently include spokesmen from such large firms as Del Monte, Crown Zellerbach, Agway, and the Peavey Co. Flour Mills. Also, there are representatives of the Nutrition Foundation, an industry-sponsored organization, and the omnipresent American Farm Bureau Federation. How can these people presume to speak for the Mexican-American or Puerto Rican farmworker, for any consumer or environmental interests, or for the family which is breaking its back to keep its small, independent farm in operation?

This situation is representative of the convenient relationship which exists between agribusiness and the land-grant complex, and demonstrates why initiatives must be taken to correct the present inequity. Clearly those groups and individuals who are directly, and in most instances adversely, affected must have a say as to the nature and direction of agricultral research. New and more realistic priorities must be stablished and narrow, special interests must not be permitted to exert the sole influence on agricultural research policy.

The current imbalance and unrepresentative nature of the Agricultural Research Policy Advisory Committee and the National Agricultural Research Advisory Committee is symptomatic of the urgent need for new priorities in agricultural research and the necessity to return the land-grant complex to those principles upon which it was founded. The amendment I am offering this afternoon provides that neither of these two advisory bodies will receive funds as they are presently structured. It will be incumbent upon the Secretary of Agriculture to restructure their membership to insure that they are truly representative and that all pertinent sectors of American society have an opportunity to participate in determining the type of research to be conducted. Both of these committees should be reconstituted so that a majority of the total membership of each one represents legitimate spokesmen for consumers, environmentalists, independent family farmers, farmworkers, minorities, small town businessmen, rural public officials, and other interested persons who are directly affected by the work of the land-grant complex.

I believe my amendment will pave the way for giving a voice to those who have been silenced for too long and that it will hopefully correct the serious imbalance which presently exists. I believe that with a broader based membership the research priorities of land-grant institutions can be carefully examined and reassessed and that their energies and resources can be redirected. Certainly more emphasis must be placed on the ways in which to aid farm families to remain in their rural homes, to help migrant farmworkers meet their special needs and to work toward improving the overall circumstances of rural Americans. I urge our colleagues to support my amendment and to restore equity to the small, independent farmer, the farmworker, and the American consumer.

I should like to read the list of the present members of the National Agricultural Research Advisory Committee. They are:

APPENDIX G: BIOGRAPHICAL SKETCHES OF MEMBERS OF NATIONAL AGRICULTURAL RESEARCH ADVISORY COMMITTEE

DR. ORVILLE G. BENTLEY, DEAN, COLLEGE OF AGRICULTURE, UNIVERSITY OF ILLINOIS, URBANA, ILL.

Dr. Bentley is Dean of the College of Agriculture at the University of Illinois. He has a B.S. degree from the South Dakota State University at Brookings, South Dakota; M.S. and Ph.D. in biochemistry from the University of Wisconsin. He previously was Dean of Agriculture and Director of the Experiment Station at South Dakota State College. Dr. Bentley is a member of the National Research Coucil, American Chemical Society, Society of Animal Science and the Nutrition Institute. He received the American Feed Manufacturers Association award in 1958. He served as a major in the Chemical Warfare Service from 1942 to 1946.

JOHN GAMMON, JR., ROUTE 1, BOX 252, MARION, ARK.

Mr. Gammon operates a 1,000-acre cotton, rice, swine, and fish farm. He resigned from the Resettlement Administration to return home and take over the 200-acre family farm devoted mostly to cotton in 1936. Mr. Gammon is a graduate of Arkansas A.M. and N. College. He is president of the Negro division of the Arkansas Farm Bureau Federation and manager of the cooperative cotton gin in his county.

DR. CHARLES E. GEISE, DIRECTOR OF AGRICULTURAL RESEARCH, DEL MONTE CORPORATION, SAN LEANDRO, CALIF.

Dr. Geise is Director of Agricultural Research for the Del Monte Corporation, processor of fruits and vegetables. He received a B.S. degree from Purdue University and an M.S. and Ph.D. in horticulture from Iowa State College. He previously was a sweet corn breeder, superintendent of the agricultural research and seed department, and manager of the research division of the California Packing Corporation. Dr. Geise is a member of the Society of Agronomy and the Society of Horticultural Science.

DR. PAUL B. PEARSON, PRESIDENT AND SCIENTIFIC DIRECTOR, THE NUTRITION FOUNDATION, INC., NEW YORK, N.Y.

Dr. Pearson is a graduate of Brigham Young University, Montana State College and the University of Wisconsin. He holds a Ph. D. degree in biochemical nutrition from the latter institution. He was formerly employed as a Research Associate, University of California; Dean of the Graduate School and Head of the Department of Biochemistry and Nutrition, Texas Agricultural and Mechanical College; Chief, Biological Branch, United States Atomic Energy Commission; Professor, Johns Hopkins University and science and engineering program of the Ford Foundation. He has served on several committees of the National Research Council attending many international meetings as U.S. delegate. He is a member of many scientific organizations including the American Association for Advancement of Science, American Chemical Society, American Institute of Nutrition, London Biochemical Society, and American Society of Biological Chemists.

CLARENCE W. RICHEN, VICE PRESIDENT, NORTHWEST TIMBER OPERATIONS, CROWN ZELLERBACH CORPORATION, PORTLAND, OREG.

Mr. Richen was first employed by Crown Zellerbach in 1939 as forestry consultant, while he was on the faculty of the Oregon State University School of Forestry of which he is a graduate. In 1942 he joined the Company's Portland Timber Department, becoming Chief Forester in 1946. He is on the Board of Directors of the Industrial Forestry Association, a trustee and executive committee member of the Western Forestry Association; a member of the Pacific Northwest Forest Experiment Station Research Advisory Committee; member of the Committee on Forestry Research of the Agricultural Board of the National Academy of Sciences, and of the Cooperative Forestry Research Advisory Committee (established under the McIntyre-Stennis Act of 1962).

CECIL H. ROBINSON, ROUTE 1, DELAWARE, OHIO

Mr. Robinson produces, processes, and markets hybrid seed corn, certified wheat, oats, and soybean seed. He also produces about 1000 hogs annually, mainly Yorkshires. He is past president, Ohio Seed Improvement Association; has served on Grain Advisory Committee, Farm Bureau; was Chairman of County Agricultural Extension Committee; and member of the State Committee. In 1962 he served on the People-to-People Mission in Eastern Europe. Mr. Robinson is a graduate of Ohio State University where he majored in agricultural engineering and rural economics.

FRANK SCHUSTER, ROUTE 1, BOX 82, SAN JUAN, TEX.

Mr. Schuster operates a 1400-acre farm in the lower Rio Grande Valley of Texas, of which about 50 percent is devoted to vegetable production. He specializes in spinach, turnip, mustard, kale, and collard greens and broccoli for freezing and canning, with smaller amounts of the same for the fresh market. He also grows about 150 acres of onions annually, with smaller acreages of tomatoes, cukes and peppers—all acreage under irrigation. Mr. Schuster is a strong supporter of research, and participates in the research programs of the Texas Agricultural Experiment Station by furnishing land and other production facilities and services. He is chairman of the Vegetable Subcommittee of the Agricultural Advisory Committee of the Texas A&M University; past president of Hidalgo County Farm Bureau; chairman of the Rio Grande Valley Farm Bureau's Fruit and Vegetable Committee; chairman of the Agricultural Committee of the Rio Grande Valley Chamber of Commerce; has been active in supporting the several marketing agreement and order programs now operating in the Lower Valley; and is a member of the Southern Texas Onion Committee. Mr. Schuster served in the U.S. Armed Forces 1943–1946. He was a member of the Horticultural Crops Research Advisory Committee, USDA.

ELTON R. SMITH, PRESIDENT, MICHIGAN FARM BUREAU, LANSING, MICH.

Mr. Smith farms a 388-acre dairy farm in Kent County, Michigan. He is a prominent Guernsey breeder, president of the Michigan Guernsey Breeders Association, and in 1963 was named Michigan Dairyman of the Year. He received the Michigan State Distinguished Service to Agriculture Award, has been active in a variety of livestock organizations and for ten years has been on his county Soil Conservation District Board. He has been very interested in research on pesticide problems and was helpful in establishing a pesticides research laboratory in Michigan State University. Mr. Smith has been president of Michigan's Farm Bureau since 1964, president of the Michigan Farm Bureau Services, and is a director of the American Farm Bureau Federation.

J. W. STILES, VICE PRESIDENT, DEVELOPMENT, AGWAY, SYRACUSE, N.Y.

Mr. Stiles is Vice President, Development for AGWAY, a cooperative organization serving the Eastern United States. He served for ten years as Director of Research for the Cooperative G.L.F. Exchange. Mr. Stiles is a graduate of Cornell University, a member of the American Society of Agricultural Engineers, American Grassland Council, and the Agricultural Research Institute.

DR. BETTY SULLIVAN, 4825 QUEEN AVENUE, SOUTH, MINNEAPOLIS, MINN.

Dr. Sullivan is a graduate of the University of Minnesota and the University of Paris (France) where she majored in biochemistry. She was employed in 1924 in milling research by Russel Miller and served as Director of Research and Vice President of the Peavey Company Flour Mills. Dr. Sullivan has been President of the American Association of Cereal Chemists, Chairman of the Minnesota Section of the American Chemical Society and is a member of the Council of the American Chemical Society. She is a member of Societie Biologique de France, New York Academy of Science, American Association for the Advancement of Science, and the American Society of Bakery Engineers. She has served as Chairman of the Technical Advisory Committee and is a member of the Flour Standards Committee of the Millers' National Federation.

PEDRO F. TIRADO, GPO BOX 2075, SAN JUAN, P.R.

Mr. Tirado is Agricultural Advisor (Agrarian Reform) to the Agriculture and Rural Development Office (ARDO) of the U.S. Agency for International Development. He previously served in a similar capacity with the U.S. AID Missions to Brazil, Costa Rico, Bolivia, and Guatemala. He also has been employed as Regional Director of Agriculture, Department of Agriculture of Puerto Rico at Ponce, P.R.; as a soil scientist and agronomist with the International Cooperation Administration, U.S. Department of

State; and as acting chief USOM Agricultural Division in Honduas. He was a soil scientist with the Institute of Interamerican Affairs in Asuneion, Paraguay, and a soil conservationist (research) at the Puerto Rico Agricultural Experiment Station at Rio Piedras and Mayaguez.

Mr. Tirado has a B.S. degree in agronomy from the University of Puerto Rico and an M.S. in agronomy from the Texas A&M University. He also attended the USDA Graduate School and the State Department Foreign Service Institute.

Mr. Chairman, I include the membership of the Agricultural Research Policy Advisory Committee and an article from the New York Times:

MEMBERSHIP OF THE AGRICULTURAL RESEARCH POLICY ADVISORY COMMITTEE

COCHAIRMEN

Director of Science and Education, U.S. Department of Agriculture.

A President of a Land Grant College or University, to serve for a four year term.

MEMBERS

Federal

Administrator, Agricultural Research Service, USDA.

Administrator, Cooperative State Research Service, USDA.

Administrator, Economic Research Service, USDA.

Administrator, Farmer Cooperative Service, USDA.

Administrator, Federal Extension Service, USDA.

Deputy Chief for Research, Forest Service, USDA.

Administrator, Statistical Reporting Service, USDA.

State

Member, Division of Agriculture, Executive Committee of the National Association of State Universities and Land Grant Colleges (NASULGC).

Chairman, Experiment Station Committee on Organization and Policy (ESCOP) of NASULGC.

Chairman, Association of State Colleges and University Forestry Research Organizations (ASCUFRO).

One State Agricultural Experiment Station Director from each of the four regions to serve four year staggered terms.

Ex-Officio (not-voting)

USDA and SAES Cochairman, ARPAC Research Program and Facilities Subcommittee.

Director of Agricultural Economics, USDA.

Director, National Agricultural Library, USDA.

Director, Planning Evaluation and Programming Staff, USDA.

A representative from each of the following:

National Agricultural Research Advisory Committee.

Bureau of the Budget.

Office of Science and Technology.

Agricultural Research Institute.

Agricultural Research Board, National Academy of Sciences.

USDA members will be appointed by the Secretary of Agriculture.

State members will be appointed by the President of the National Association of State Universities and Land Grant Colleges.

Ex-officio members will be appointed by the appropriate person in those organizations.

Source: "Agricultural Research Policy Advisory Committee." Secretary's Memorandum No. 1657. June 16, 1969, USDA, pp. 2–3.

[From the New York Times, June 1, 1972]

STUDY FINDS AGRICULTURAL COLLEGES FAIL TO AID CONSUMERS OR RURAL TOWNS

(By William Robbins)

WASHINGTON, May 31.—The big agriculture and technical universities of the United States have strayed so far from their original research mission of aiding consumers and rural communities that they injure the people they were intended to serve, a study by a public-interest research organization has found.

As a result, the group said in a report released today, those institutions have been largely responsible for troubles in rural areas that have generated major problems in the cities.

The group, the Agribusiness Accountability Project, said that the big universities had focused on research that favored big, agriculture-oriented corporations and the biggest producers while neglecting the more numerous small farmers, farm workers and others in rural communities and nearly ignoring the interests of consumers.

A 6-MONTH STUDY

About a million displaced people a year are pouring into the cities as "the waste products of an agricultural revolution designed within the landgrant [college] complex," the report said, adding:

"Today's urban crisis is a consequence of failure in rural America. The land-grant complex cannot shoulder all the blame for that failure, but no single institution—private or public—has played a more crucial role."

At a news conference on the report called today by the research team, Henry Fortmann, northeast regional coordinator for the universities' experiment stations, rose to deplore the study, which he charged derided serious and dedicated researchers. He said, however, that he had not read the report.

Meanwhile, a spokesman for the National Association of State Universities and Land Grant Colleges, which represents the institutions studied, said: "The association believes the report requires careful study and it intends to analyze its contents fully before responding to them in detail." He issued a preliminary statement for the association saying:

"Great agricultural achievements are not accomplished without some side-effects, and the accusation that the land-grant colleges and universities have been taken over by the great food conglomerates and have driven the little farmer out of business tends to overlook the dazzling array of abundant foods this cooperation has made available."

The report, titled "Hard Tomatoes, Hard Times," documents the findings of a six-month study. It will be the basis of a lawsuit planned by the Agribusiness Accountability Project against public and educational officials involved. It will also be the subject of hearings called today by Senator Adlai E. Stevenson 3d, Democrat of Illinois, who is chairman of the Senate Labor Committee's Subcommittee on Migratory Labor.

The study was made by a team of 12 researchers headed by James Hightower, who is the director of the project and the author of the report.

The research group is a Washington-based organization financed by the Field Foundation and sponsored by the Ford Foundation. It is often mistaken for efforts started by Ralph Nader, the consumer advocate, but they are unrelated even though their aims and techniques are similar.

Following are the major charges contained in the report.

The land-grant institutions' research has focused on projects that primarily aid agribusiness and the biggest producers, such as a two-story factory at Cornell that tests manufacturing methods for processers and, elsewhere, the development of big and costly planting and harvesting machinery.

A "cozy" relationship exists between land-grant researchers and big companies like the Chemagro Corporation, which was cited as obtaining a university study of one of its chemical products for a contribution of $500,000. The report said corporate benefits to land-grant personnel such as consultant fees raised serious questions of conflict of interest.

The institutions abuse the consumer by breeding crops primarily for easier harvest by the big machines, with little regard for quality or food value. It cited the "hard" tomato, developed by the University of Florida for mechanical picking.

Many projects, called "research of the absurd," are merely frivolous, such as a mechanical test to calibrate how hard shoppers should squeeze a grapefruit to determine its firmness and texture.

CONSUMER WELFARE CITED

The concept of land grant colleges—schools endowed with public lands or the monetary equivalent and offering an opportunity for an education of the children of 19th-century farm and factory workers—originated in the Morrill Act of 1862. But the major provisions for research were made in the Hatch Act of 1887.

The Hatch Act provided for "researches basic to the problems of agriculture in the broadest aspects, and such investigations as have their purpose the development and improvement of the rural home and rural life and the maximum contribution by agriculture to the welfare of the consumer."

That is where the Land Grant system has failed, the research group charges. "It has abandoned that historic mission," the report said, continuing:

"In fact, consumer interests are considered secondarily, if at all, and in many cases the complex works directly against the consumer. Rural people, including the vast majority of farmers, farm workers, small town businessmen and residents, and the rural poor, are ignored or directly abused by the land-grant effort."

The report acknowledges: "American agriculture is enormously productive, largely due to research conducted through the land grant college complex." But it adds: "The question is whether the achievements outweigh the failures, whether benefits are overwhelmed by costs."

SEVERE JUDGMENTS MADE

The report, though it makes frequent disclaimers of suspicion about the motives of its subjects, often uses harsh terms and makes severe judgments.

There has been little effort to develop machinery that small farmers—the vast majority—could afford to buy and use on limited acreage, it said.

And it reserved a large portion of criticism for the fact that only 5 percent of the institutions' 6,000 man-years of research annually is devoted to "people-oriented" propects, such as plans to improve the quality of rural life.

Citing $750-million-a-year in public funds—Federal, state and county—going to the agricultural divisions of the colleges and to related experiment stations and research facilities, the research group asserted:

"The public has a right to expect that those intellectual and scientific resources be more than a subsidy for corporate agribusiness."

The report urged a new look at the priorities of the land-grant institutions, with a view toward redirecting energies and resources. It said more emphasis should be put on ways to help people stay in their rural homes and to improve their circumstances.

It also urged legislation to prohibit private business from earmarking contributions for projects that would primarily serve their own interests and to prohibit professors and university officials from accepting fees or outside jobs that might create conflicts of interest.

The research team documented its charges with findings from a study of research reports from the universities themselves as well as with the results of interviews and investigations on several campuses.

Among projects that primarily serve big producers, the report cited those designed to mechanize the harvest of 25 food crops, from apples to tomatoes, with efforts often dupli-

cated at several campuses. Five institutions, for example—the Universities if Arkansas and Illinois and Iowa States, Louisiana State and Ohio State—are at work on mechanizing the harvest of strawberries, it said.

Cornell, in addition to building its factory to test methods of production for food processors, studied, in cooperation with the National Association of Food Chains, the profitability of members' operations, the report said.

Similarly, it went on, Ohio State tested plastic-coated cartons for dairy products; Virginia Polytechnic Institute studied factors affecting the shelf life of sweet-potato flakes, and the University of Wisconsin developed a fast process to produce mozarella cheese that was "mild but satisfactory for normal uses."

"To a large extent," the report said, "agribusiness firms bought their way into the [land-grant] community." The researchers cited substantial totals of contributions, such as $227,158 in 1970 by chemical, oil and drug companies for research at the University of Florida's Institute of Food and Agricultural Sciences.

The individual grants found were usually small, but they apparently bought valuable research, such as the Chemagro Corporation test—also at the University of Florida—of "Chemagro 7375," an experimental nematocide or roundworm killer.

CLEANSING DOG'S TEETH

Along with projects like the test for correct methods of squeezing a grapefruit, the report grouped efforts such as attempts at Michigan State University to breed a seedless cucumber and to cross broccoli with the white cauliflower to produce a green cauliflower. It could find little utility in either product.

In the same category it classed a Cornell study, made with a grant from Superior Pet Products, Inc., on the cleaning of dogs' teeth.

And of a number of studies on the development and care of golf course grasses and athletic-field turfs, including two on "the heat-retaining properties of artificial turf," the report said:

"These researchers are playing around with games while rural America falls apart."

Even among projects apparently aimed at aiding rural people, the report found first appearance often illusory. Among rural housing studies, for example, it found such projects as a test at Iowa State on the effect of foot traffic on wood floors. Most such studies, it said, proved on close examination to be a service to agribusiness.

Others, it said, were aimless repetitions of analyses of rural conditions—projects that "tend to irrelevant studies of characteristics," such as a University of Tennessee study to "determine the relationship of education to migration" and a University of Missouri study to "determine the typologies of poverty among rural peoples."

The implications for the rural poor, the report said, are these:

"If they stay in rural America, a rural sociologist will come around every now and then to poke at them with a surgery."

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

Mr. Chairman, when I came to Iowa from Texas there was very little I knew about farming. I utilized the services of Iowa State University for almost 24 years, starting out as a tenant farmer. The unlimited assistance provided to me by that land-grant college is something I have felt eternally indebted to for which I am grateful.

I do not think the land-grant colleges serve primarily conglomerates and huge corporations, because I started out pretty small, and believe me, through the help they provided, I was able to develop a going livestock and grain operation.

The president of Iowa State University, Robert Parks, one of the foremost presidents of a renowned land-grant college, would not even dignify the report described a moment ago with a reply. I would second his decision.

I ask my colleagues in the House to consider their own land-grant colleges in their own States which serve a tremendous purpose in helping all farmers, large and small alike. To say that they are captives of large groups is completely and utterly ridiculous.

I ask that the amendment be voted down.

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

I received the document that the gentleman in the well read, and it is apparently a product of perhaps some brilliant people.

But having worked with this program in Congress for some 20-odd years I can see a total lack of background and understanding in that document. It is on the whole a very superficial report. And may I say that I have not seen the gentleman's amendment. I am advised that in this advisory committee there are not only some poor people but members of different races, and so forth, but be that as it may, whatever may be the membership of the present committee, I am sure that a letter from the gentleman to the present Secretary of Agriculture would certainly receive consideration.

We will not have any advisory committees for another fiscal year unless we defeat his amendment. If the Secretary would change one member of the committee it would void this amendment. The gentleman has sought this means, and properly so, to express his concern about some of the things that might be going on.

But, Mr. Chairman, I respectfully urge the Members to vote the amendment down because this is a matter again that should be gone into on a much more thorough basis. Further, it is only an advisory committee, but we certainly do not need to do without any committee for 12 months.

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

The amendment was rejected.

Mr. WHITTEN. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. WRIGHT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 15690) making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1973, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. WHITTEN. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

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

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

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

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

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 346, nays 33, not voting 53 as follows:

[Roll No. 248]

YEAS—346

Abbitt	Conover	Hagan
Abourezk	Conyers	Haley
Abzug	Cotter	Hamilton
Adams	Coughlin	Hammer-schmidt
Addabbo	Culver	Hanley
Alexander	Curlin	Hanna
Anderson, Ill.	Daniel, Va.	Hansen, Idaho
Andrews, Ala.	Daniels, N.J.	Hansen, Wash.
Andrews, N. Dak.	Danielson	Harrington
Annunzio	Davis, Ga.	Harsha
Arends	Davis, Wis.	Harvey
Ashley	de la Garza	Hastings
Aspin	Delaney	Hathaway
Aspinall	Dellenback	Hawkins
Badillo	Dellums	Hays
Baker	Denholm	Hechler, W. Va.
Barrett	Dennis	Heckler, Mass.
Begich	Dickinson	Heinz
Belcher	Diggs	Helstoski
Bennett	Dingell	Henderson
Bergland	Donohue	Hicks, Mass.
Bevill	Dorn	Hicks, Wash
Biaggi	Dow	Hillis
Biester	Downing	Hogan
Bingham	Drinan	Holifield
Blanton	Dulski	Horton
Blatnik	Duncan	Howard
Boland	du Pont	Hull
Bolling	Edwards, Ala.	Hungate
Bow	Edwards, Calif.	Hutchinson
Brademas	Eilberg	Ichord
Brasco	Esch	Jarman
Brinkley	Evans, Colo.	Johnson, Calif
Brotzman	Evins, Tenn.	Johnson, Pa.
Brown, Mich.	Findley	Jonas
Brown, Ohio	Fish	Jones, Ala.
Broyhill, N.C.	Fisher	Jones, N.C.
Broyhill, Va.	Flood	Jones, Tenn.
Buchanan	Flowers	Kastenmeier
Burke, Mass.	Flynt	Kazen
Burleson, Tex.	Foley	Keating
Burlison, Mo.	Forsythe	Keith
Burton	Fountain	Kemp
Byrne, Pa.	Fraser	King
Byrnes, Wis.	Frenzel	Kluczynski
Cabell	Frey	Koch
Camp	Fulton	Kuykendall
Carey, N.Y.	Fuqua	Kyl
Carlson	Galifianakis	Kyros
Carney	Garmatz	Landgrebe
Carter	Gaydos	Landrum
Casey, Tex.	Gettys	Latta
Cederberg	Giaimo	Leggett
Celler	Gibbons	Lennon
Chamberlain	Goldwater	Link
Chappell	Gonzalez	Lloyd
Clark	Goodling	Long, La.
Clausen, Don H.	Grasso	Long, Md.
Cleveland	Gray	McClory
Collier	Green, Oreg.	McCloskey
Collins, Ill.	Griffin	McClure
Collins, Tex.	Griffiths	McCollister
Colmer	Gross	McCormack
	Gubser	McCulloch
	Gude	

McEwen	Podell	Stanton,
McFall	Poff	J. William
McKay	Powell	Stanton,
McKevitt	Preyer, N.C.	James V.
McKinney	Price, Ill.	Steed
McMillan	Price, Tex.	Steele
Macdonald,	Pryor, Ark.	Steiger, Ariz.
Mass.	Purcell	Steiger, Wis.
Mahon	Quie	Stephens
Mallary	Quillen	Stokes
Mann	Randall	Stratton
Martin	Rangel	Stubblefield
Mathis, Ga.	Rarick	Stuckey
Matsunaga	Rees	Sullivan
Mayne	Reid	Symington
Mazzoli	Reuss	Talcott
Meeds	Rhodes	Taylor
Melcher	Roberts	Teague, Calif.
Metcalfe	Robinson, Va.	Teague, Tex.
Michel	Robison, N.Y.	Terry
Mikva	Rodino	Thompson, Ga.
Miller, Ohio	Roe	Thompson, N.J.
Mills, Ark.	Rogers	Thomson, Wis.
Mills, Md.	Roncalio	Thone
Minish	Rooney, N.Y.	Tiernan
Mink	Rooney, Pa.	Udall
Minshall	Rosenthal	Ullman
Mitchell	Rostenkowski	Vander Jagt
Mizell	Roush	Vanik
Mollohan	Roy	Veysey
Monagan	Roybal	Vigorito
Montgomery	Runnels	Waggonner
Moorhead	Ruth	Ware
Morgan	Ryan	Whalen
Murphy, Ill.	Sandman	Whalley
Myers	Sarbanes	White
Natcher	Satterfield	Whitehurst
Nedzi	Saylor	Whitten
Nelsen	Scherle	Widnall
Nix	Scheuer	Wilson, Bob
Obey	Schwengel	Wilson,
O'Hara	Scott	Charles H.
O'Konski	Sebelius	Winn
O'Neill	Seiberling	Wright
Passman	Shipley	Wylie
Patman	Shriver	Yates
Patten	Sisk	Yatron
Pepper	Smith, Iowa	Young, Fla.
Perkins	Smith, N.Y.	Young, Tex.
Pettis	Snyder	Zablocki
Peyser	Spence	Zion
Pickle	Springer	Zwach
Poage	Staggers	

NAYS—33

Anderson,	Devine	Schmitz
Calif.	Eshleman	Schneebeli
Archer	Fascell	Smith, Calif.
Ashbrook	Grover	Van Deerlin
Blackburn	Hall	Waldie
Byron	Jacobs	Wiggins
Clancy	Mailliard	Williams
Conable	Pelly	Wolff
Conte	Pike	Wyatt
Corman	Riegle	Wyman
Crane	Rousselot	
Derwinski	St Germain	

NOT VOTING—53

Abernethy	Eckhardt	McDonald,
Anderson,	Edmondson	Mich.
Tenn.	Erlenborn	Madden
Baring	Ford, Gerald R.	Mathias, Calif.
Bell	Ford,	Miller, Calif.
Betts	William D.	Mosher
Boggs	Frelinghuysen	Moss
Bray	Gallagher	Murphy, N.Y.
Brooks	Green, Pa.	Nichols
Broomfield	Halpern	Pirnie
Burke, Fla.	Hébert	Pucinski
Caffery	Hosmer	Railsback
Chisholm	Hunt	Ruppe
Clawson, Del	Karth	Shoup
Clay	Kee	Sikes
Davis, S.C.	Lent	Skubitz
Dent	Lujan	Slack
Dowdy	McDade	Wampler
Dwyer		Wydler

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Hosmer against.

Mr. Mathias of California for, with Mr. Lujan against.

Mr. Brooks for, with Mr. Broomfield against.

Mr. Mosher for, with Mr. McDonald of Michigan against.

Mr. Frelinghuysen for, with Mr. Wydler against.

Mr. Shoup for, with Mr. Halpern against.

Until further notice:

Mr. Dent with Mrs. Dwyer.

Mr. Edmondson with Mr. Bray.

Mr. Abernethy with Mr. Betts.

Mr. Pucinski with Mr. Railsback.

Mr. Murphy of New York with Mr. Clay.

Mr. Anderson of Tennessee with Mr. Pirnie.

Mr. Boggs with Mr. Gerald R. Ford.

Mr. Burleson of Texas with Mr. Bell.

Mr. Karth with Mr. Skubitz.

Mr. Moss with Mr. McDade.

Mr. Green of Pennsylvania with Mr. Hunt.

Mr. Miller of California with Mr. Lent.

Mrs. Chisholm with Mr. Gallagher.

Mr. William D. Ford with Mr. Ruppe.

Mr. Nichols with Mr. Wampler.

Mr. Sikes with Mr. Burke of Florida.

Mr. Davis of South Carolina with Mr. Del Clawson.

Mr. Slack with Mr. Erlenborn.

Mr. Madden with Mr. Dowdy.

Mr. Caffery with Mr. Baring.

Mr. Kee with Mr. Eckhardt.

Mr. MACDONALD of Massachusetts and Mr. GUBSER changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

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

H.R. 15587. An act to provide for a 6-month extension of the emergency unemployment compensation program.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1893) entitled "An act to restore the golden eagle program to the Land and Water Conservation Fund Act, provide for an annual camping permit, and for other purposes."

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested bills of the House of the following titles:

H.R. 5065. An act to amend the Natural Gas Pipeline Safety Act of 1968; and

H.R. 6479. An act to provide for the licensing of personnel on certain vessels.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 5065) entitled "An act to amend the Natural Gas Pipeline Safety Act of 1968," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. HARTKE, Mr. CANNON, Mr. STEVENS, and Mr. WEICKER to be the conferees on the part of the Senate.

GENERAL LEAVE

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill just passed and to include extraneous matter.

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

There was no objection.

INCREASING RATES OF COMPENSATION FOR DISABLED VETERANS

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 3338) to amend title 38, United States Code, to increase the rates of compensation for disabled veterans, and for other purposes, with Senate amendments to the House amendment thereto, and concur in the Senate amendments to the House amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendments to the House amendment, as follows:

Page 8, after line 9, of the House engrossed amendment, insert:

SEC. 108. (a) Section 334 of title 38, United States Code, is amended by striking out "equal" and all that follows down through the end thereof and inserting in lieu thereof "that specified in section 314 of this title."

(b) Section 335 of such title is amended by striking out "equal" and all that follows down through the end thereof and inserting in lieu thereof "as provided in section 315 of this title."

(c) Section 336 of such title is hereby repealed.

(d) The table of sections at the beginning of subchapter IV of chapter 11 of title 38, United States Code, is amended by striking out the following:

"336. Conditions under which wartime rates are payable."

Page 8, line 15, of the House engrossed amendment, after " "(3)" insert "(A)".

Page 8, line 23, of the House engrossed amendment, strike out "thereto." " and insert "thereto."

Page 8, after line 23, of the House engrossed amendment, insert:

"(B) The Administrator shall submit an annual report to the Congress on January 1, 1973, and each succeeding year containing a brief summary, including a statement as to the disposition of each case recommended to him for equitable relief under this paragraph."

Page 13, after line 4, of the House engrossed amendment, insert:

(b) Section 108 shall take effect on July 1, 1973.

Page 13, after line 4, of the House engrossed amendment, strike out "(b)" and insert "(c)"

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

Mr. HALL. Mr. Speaker, reserving the right to object, I wonder if the distinguished chairman of the Committee on Veterans' Affairs would give the House a word of explanation as to the content of the added-on Senate amendments over and above the House-passed bill, the objective they will reach and whether or not they are germane, plus the estimate of cost.

Mr. TEAGUE of Texas. The amendments are germane.

Mr. Speaker, between World War I and World War II, Korea and Vietnam, we have created a class of veterans called peacetime veterans, and they get 80 percent of the amount that other veterans get.

In the House bill, we did not recognize this.

In the Senate bill, they eliminated the peacetime veteran and gave them 100 percent, just like everybody else.

This is a matter of $54 million.

I think our committee agreed that you cannot separate the veterans. So their amendment says that this will be delayed for 1 year. Now they get the same increase that everybody else does. Next year and a year from now you put all veterans in the same category, and that is the way it should be done.

Mr. Speaker, the amendments are germane to the bill. With regard to cost, the Senate amendments would not initially add to the cost of the bill as passed by the House; however, I will explain its future cost impact.

At the outset, I should briefly state that the Senate and House versions are identical with respect to two of the major provisions of the bill; namely, a 10-percent increase in the rates of service-connected compensation payable to disabled veterans and a clothing allowance of $150 per year for service-connected disabled veterans who must wear or use certain prosthetic appliances and devices. Further, the Senate has agreed to five other liberalizing provisions of our House bill, four of which were specifically recommended by the VA and one was considered unobjectionable.

The original Senate bill contained a further provision designed to equate peacetime rates of disability compensation with wartime rates. For almost 40 years there has been a differential between the rates and since 1948 the peacetime rate has been set at 80 percent of the wartime rate. The House version did not contain this provision. The only Senate amendment which is substantive in nature would restore this provision to the bill but defer the effective date of such equalized peacetime rates until July 1, 1973. The estimated cost of this provision is approximately $54 million the first year but, as I have indicated, such cost would not have any budgetary impact until fiscal year 1974. Under these circumstances, and in the light of the urgent need to provide compensation increases generally to the over 2 million disabled veterans, I urge the House to concur in the Senate amendments and thus clear the bill for action by the President.

Mr. Speaker, I may say that this provision of the Senate bill received careful consideration by both the subcommittee and the full Committee on Veterans' Affairs. The decision not to include it in our reported House version was based not so much on a decision on the merits but rather a consensus among the members that a double increase, in effect, for the peacetime group of over 37 percent at this time was probably unwarranted. It is because of the deferred effective date of the Senate amendment; namely, July 1, 1973, that I believe we are justified in acquiescing in the restoration of the Senate provision under this condition.

Mr. HALL. I thank the distinguished gentleman for his explanation.

Mr. Speaker, I withdraw my reservation of objection.

Mr. GROSS. Mr. Speaker, further reserving the right to object, I do not believe the gentleman answered the question as to whether the Senate amendments are germane or all the amendments are germane to the bill?

Mr. TEAGUE of Texas. I do not know how I could have been more positive in saying that they are germane. I said that in the beginning.

Mr. GROSS. I thank the gentleman. I did not hear the gentleman.

Mr. TEAGUE of California. Mr. Speaker, further reserving the right to object, I concur in the statement made by the gentleman from Texas. The amendments are germane, and I recommend that we act favorably on this.

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

There was no objection.

The Senate amendments to the House amendment were concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this bill.

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

There was no objection.

ANNUAL REPORT ON NATIONAL HOUSING GOALS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92–319)

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 Banking and Currency and ordered to be printed, with illustrations:

To the Congress of the United States:

I am pleased to transmit herewith the fourth annual report on National Housing Goals, as required by Section 1603 of the Housing and Urban Development Act of 1968.

RICHARD NIXON.

THE WHITE HOUSE, *June 29, 1972.*

ANNUAL REPORT FOR 1971 ON AGRICULTURAL EXPORT ACTIVITIES UNDER PUBLIC LAW 480—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92–318)

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, with illustrations:

To the Congress of the United States:

I am pleased to transmit to the Congress the annual report for 1971 on agricultural export activities carried out under Public Law 480. During the year, this program has continued its notable success both as an instrument of development assistance and as a means of promoting the growth of U.S. agricultural exports.

In more than 60 countries throughout the world, Public Law 480 concessional sales and donations in 1971 helped to meet critical food import requirements while mobilizing local resources in support of fundamental, long-run development efforts. Major recipients included India, Korea, South Vietnam, and Indonesia. In helping such nations to help themselves, the Public Law 480 program contributed significantly to greater economic progress and welfare as reflected in the expanding Green Revolution and rising levels of family income.

This progress was also reflected in the growing commercial demand for a broad range of U.S. agricultural products. With large commercial purchases and total U.S. agricultural exports at a near record of $7.7 billion in calendar year 1971, Public Law 480 shipments represented less than 13 percent of the total—a relative decline, and the lowest percentage since the early years of the program. In addition, Public Law 480 continued to return benefits to the United States through the proceeds generated from the concessional credit sales. Partial payment was taken in foreign currencies in countries where we have immediate use for the funds; and at the same time, the volume of dollar repayments from past credit agreements increased considerably. As a result, overall balance of payments benefits from Public Law 480 rose in fiscal year 1971 to more than $328 million.

As the program moves into its nineteenth year, we are continuing to use it as one of our marketing tools for farmers, contributing to both trade expansion and development assistance in all corners of the globe.

RICHARD NIXON.

THE WHITE HOUSE, *June 29, 1972.*

AMENDMENT OF THE INTERSTATE COMMERCE ACT TO PERMIT MOTOR CARRIERS TO FILE ANNUAL REPORTS ON A 13-PERIOD ACCOUNTING YEAR

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 1074) to amend section 220(b) of the Interstate Commerce Act to permit motor carriers to file annual reports on the basis of a 13-period accounting year, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 10, strike out all after "year," over to and including "prescribe," in line 1 on page 2.

Page 2, line 2, after "year" insert ", subject to such rules and regulations as the Commission may prescribe".

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I only wish to make sure that the amendments to the bill are germane to the bill.

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

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

Mr. STAGGERS. I would say to the gentleman there are no amendments that are not germane to the bill. All the Senate did was to take a sentence in one place and put it in another place. All words are exactly the same.

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

PERSONAL STATEMENT

Mr. STRATTON. Mr. Speaker, on rollcall No. 241 on yesterday, the recorded teller vote on the Casey substitute motion, I am recorded as not having voted. Mr. Speaker, my failure to participate in this vote, so essential to the fight I was waging against the west front extension, resulted from the fact that I had been assigned, as the RECORD shows, to serve as a teller on the "aye" side of the aisle during that vote. In my zeal to carry out my assignment I overlooked the fact that I had not cast my own vote.

Of course, Mr. Speaker, I intended to vote and would have voted "no," in opposition to the Casey substitute to my own preferential motion. Fortunately my vote was not needed in achieving the victory we sought.

I desire that the permanent RECORD include this statement.

CONFERENCE REPORT ON S. 979, HIGH-SPEED GROUND TRANSPORTATION EXTENSION

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (S. 979) to extend the act of September 30, 1965, as amended by the acts of July 24, 1968, and October 13, 1970, relating to high-speed ground transportation, by removing the termination date thereof, and for other purposes.

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

There was no objection.

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of June 28, 1972.)

Mr. STAGGERS (during the reading). Mr. Speaker, I ask unanimous consent that the statement of the managers be considered as read.

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

There was no objection.

Mr. STAGGERS. Mr. Speaker, if I may say say one word in explanation, there is only one change in the entire bill. The Senate had the words "highest priority" and we had "consideration," and we put in the one word, just the word "priority." Otherwise the bill is exactly as it passed the House.

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

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 14163, PREDATOR INDEMNITIES

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules and on behalf of my colleague the gentleman from Texas (Mr. YOUNG) I call up House Resolution 1019 and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14163) to amend the Agricultural Act of 1970, as amended, to indemnify farmers and ranchers whose domestic animals are killed by predatory animals, and all points of order against said bill for failure to comply with the provisions of clause 3, rule XIII are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment recommended by the Committee on Agriculture now printed on page 2, lines 1 through 2 of the bill, and all points of order against said amendment for failure to comply with the provisions of clause 7, rule XVI are hereby waived. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SISK. Mr. Speaker, House Resolution 1019 provides an open rule with 2 hours of general debate for consideration of H.R. 14163, the predator indemnities legislation. All points of order are waived for failure to comply with clause 3 of rule XIII, the Ramseyer rule, and for failure to comply with clause 7, rule XVI, because the committee amendment on page 2 of the bill, lines 1 and 2, would not be germane.

The purpose of H.R. 14163 is to establish an indemnity program in the Department of Agriculture to reimburse farmers and ranchers for losses of domestic animals and fowl killed by predators.

On March 10 of this year, the Environmental Protection Agency placed an immediate ban on the interstate shipment of pesticides to control predatory animals. Since that time the killing of domestic animals by predators has been on the increase.

This legislation authorizes the Secretary of Agriculture to pay to a farmer or rancher fair market value of a slain domestic animal, less any amount paid for the loss by any State having a similar program.

The burden of proof for establishing losses is up to the claimant and the Secretary would establish criteria and procedures and cause investigations to be made.

This is a 5-year program. No specific amounts are authorized; however, it is estimated that the cost will be between $10 million and $50 million annually beginning with fiscal year 1973. In addition, administrative expenses are estimated at $6 million annually.

Mr. Speaker, I urge the adoption of the rule in order that the legislation may be considered.

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

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

Mr. GROSS. Mr. Speaker, can the gentleman tell the House why the committee failed to conform to the Ramseyer rule?

Mr. SISK. I will be glad to yield to the gentleman from Texas, the chairman of the committee, to explain the reason why the Ramseyer rule was not complied with.

Mr. POAGE. Mr. Speaker, I will be glad to explain.

The bill does not change existing law. It simply adds to the existing law.

To have rewritten the entire section, to which we add this, would have cost several hundred dollars. We felt there was no purpose in the world of rewriting it, because we did not change anything in it. We simply add to it, and all the addition is in the report.

Mr. SISK. Mr. Speaker, I will make this comment: I believe there was some question in the minds of members of the Committee on Agriculture as to whether or not actually there was a violation of the Ramseyer rule, in view of the fact that this did not amend any existing law. It does add to existing law. The position taken by the Committee on Agriculture, when the members appeared before us, apparently after consultation with the Parliamentarian, was that possibly it would be a violation, and we waived it on that basis.

Mr. GROSS. Is it not true that the additional language amends existing law?

Mr. POAGE. It does not amend existing law. It simply adds to existing law.

Mr. GROSS. "Adding" changes existing law.

Mr. POAGE. All we could have done, under the Ramseyer rule, would have been to take the entire section of the law to which we added these words, and to reprint it as a section of the law without any change whatsoever in it, at a cost of several hundred dollars to the Government. We felt there was absolutely nothing to be gained by anybody. It gave no additional information.

Mr. GROSS. If the gentleman will yield further, spending for printing is not unusual in the House. I am not going to make an issue on this point with the gentleman, for I, too, am interested in economy, but it is not unusual for printing bills on the part of the Members of

the House to run into hundreds and thousands of dollars.

Mr. POAGE. No; it is not unusual, but the Committee on Agriculture simply does not engage in those kinds of practices.

Mr. GROSS. As to germaneness, there is a waiver in the rule with respect to the germaneness of certain language. The Committee on Appropriations considered a bill this afternoon dealing with agriculture and several points of order were raised as to the germaneness of several amendments.

I would think that the Agriculture Committee, above all, and at this juncture, would feel guilty about asking for waivers of points of order because of ungermaneness.

Mr. SISK. Let me say to my colleague from Iowa that I appreciate his compliment to the Committee on Rules. We are concerned any time we get involved in matters of nongermaneness.

The Committee on Agriculture saw fit to amend the legislation after it was introduced, actually to increase the scope of application in connection with this particular legislation to include language which I will read. It is very brief.

Or on leased land including permits on public lands.

Actually, since they did bring in public lands, and we are talking here, of course, of predator control in connection with cattle, sheep, turkeys, and so forth, that would be nongermane. This is dealing with lands actually not under the jurisdiction of the Committee on Agriculture.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, I believe the gentleman from California (Mr. SISK) has adequately explained the rule.

With all due respect to the gentleman from Texas (Mr. POAGE) I will have to say he did not request us in the original instance to make this waiver of points of order. It was brought to the attention of our committee by the Parliamentarian, and the staff studied it, and we brought it up with the gentleman from Texas (Mr. POAGE). He stated:

If you feel it ought to be done I will go along.

He was not asking the Rules Committee for this, Mr. Speaker.

So far as the bill is concerned I will have to say in all honesty I am not too enchanted with this bill. It leaves me with a little bit to wonder about. In any event, the purpose of H.R. 14163 is to establish a new program in the Department of Agriculture to reimburse farmers for the fair market value of any domestic animals killed by predators.

The Federal Government has recently banned the use of pesticides for controlling predatory animals. As a result, the Committee on Agriculture concluded that since farmers are prohibited by the Government from protecting their property with the usual methods, it is right that they should be indemnified by the Government for their losses. It is intended that the farmer making the claim bear the burden of proof.

The cost of this bill is estimated at between $10 million and $50 million per year for benefits beginning with fiscal year 1973. In addition, administrative expenses are estimated at $6 million per year.

There are no departmental letters in the committee report. However, minority staff on the Agriculture Committee advises that the Department of Agriculture submitted a letter after the report was printed. The Department does not favor this bill, but prefers instead H.R. 13152, the proposed Federal Animal Damage Control Act of 1972 with amendments favored by the Department of Interior.

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

I want to inform the gentleman from California (Mr. SISK) I have a request for time. Does the gentleman from California have any requests?

Mr. SISK. No.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. TEAGUE).

Mr. TEAGUE of California. Mr. Speaker, I am going to try very hard to save you 3 hours of time and to save the taxpayers at least $50 million a year and perhaps more.

There has been an estimate made, although just where it came from I am not sure, that this bill might cost between $10 and $50 million a year.

Well, before the poisons that controlled predators were banished or prohibited the 1969 or 1970 cost, which is the last year for which we have figures for the value of the sheep lost alone in 16 States, was $17 million. So when you talk about this bill costing $10 million, that is way, way, way out of line. It is much more likely to be a minimum of $50 million and maybe a maximum of $100 million or more.

It is not just confined to coyotes killing lambs but includes dogs or cats killing chickens and includes skunks killing chickens and includes coyotes or wolves or foxes killing calves. Any sort of a predatory animal that kills a domesticated animal.

The owner says, "Well, this was killed by a predator, and Uncle Sam has to pay me." Think of the administrative and technical problems involved with the huge farms and ranches out in the West. There is no doubt about the fact that we call them "coyotes" in California and "kiyotes" in Texas. They are the principal one and certainly they kill a lot of domesticated animals such as lambs, which are the principal victims.

Mr. Speaker, this has been going on for a long time. It went on in the days of our fathers and forefathers. I repeat before poisons were banned in 16 States the annual cost or the value of these animals in 16 States was $17 million. This will run into a terrific amount of money.

I want to save the taxpayers $50 or $100 million a year. I want to save you 2 or 3 hours of time, because there are a lot of amendments. So I very much hope this rule can be voted down. I am going to call for a vote on it.

I will be glad to yield to the very distinguished gentleman from Iowa, because they might get some of those Polish hogs in here unless we are careful, Mr. GROSS.

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

Mr. TEAGUE of California. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, does the gentleman know of a State in the United States that does not have skunks or weasels or both?

Mr. TEAGUE of California. Well, I am not sure about weasels, but in California we have got a lot of skunks and a lot of coyotes.

Mr. GROSS. Does the gentleman think if this bill is enacted there will ever be another rooster, hen, or chicken that will die a natural death?

Mr. TEAGUE of California. Never. I have got to say, as my friend, the gentleman from California (Mr. GUBSER) has suggested, that anyone with a sick sheep ought to go out and hire a coyote, which I think is also a very pertinent point.

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

Mr. TEAGUE of California. I yield to the gentleman from New York.

Mr. CELLER. Mr. Speaker, supplemental of what the gentleman has just pointed out, the next bill that we have concerning cyclamates is a similar bill which will cause the taxpayers a loss of from $100 million to $150 million for those who used cyclamates on the assumption that the Food and Drug Administration approved it, and then disapproved it. The proof will be shown that there was no real approval by the Food and Drug Administration. Nonetheless, the cyclamate bill will give the users of this cyclamate opportunities to file claims with the U.S. Court of Claims that may involve upwards of $150 million.

Mr. TEAGUE of California. I suggest, Mr. Speaker, that we vote the rule down on this one, and get to the cyclamate bill, and discuss the merits of that bill.

The SPEAKER. The time of the gentleman from California has expired.

Mr. SISK. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. HOLIFIELD).

Mr. HOLIFIELD. Mr. Speaker, I do not intend to speak against this bill, but I do want to call the attention of the Members of the House to the deep water we are getting into on this current craze on environmental protection. This problem we have before us is an indication of what we are getting into.

We banned the use of DDT in the fruit-growing sections of California, and Mr. RUCKELSHAUS has insisted on a substitute, and the substitute has killed the bees. We need the bees to pollinate the flowers and the buds to make the fruit. So we kill all the beekeepers' bees. The orchardists pay for the beekeepers to bring in the hives, so the bees can do the job of transferring the pollen from the male to the female plants. So we have to pay for the service of the bees. Then our substitute for DDT kills the bees.

Then the EPA puts out a decree against the use of arsenic for killing coyotes and other predatory animals, and now we have got to take care of that situation at a cost estimated to be $50 million per year.

In setting up electric powerplants, and it does not make any difference whether they are fossil fuel or whether they are nuclear fuel plants, the EPA decrees they now have to build cooling towers. These cooling towers at the Sacramento plant in California are going to cost between $10 and $20 million, and that is to cool the water, to keep the water from being warmer in leaving the plant than it was when it entered the plant. It has to be within one degree of the temperature it was when it went into the plant.

The $20 million cost will be added to the kilowatt price rate of the users of electricity.

There are many lakes and rivers in this country that can absorb hot water, and have been absorbing hot water for the last hundred years from all kinds of generating plants. I am not referriing to noxious chemicals and things like that, but I am referring to hot water which is claimed to change the ecology. When they cut all the trees down and planted corn in Iowa they changed the ecology.

So a changing of the ecology is not necessarily evil. If we had not changed the ecology in this country we could not have produced the tremendous amount of food and fiber which we are producing. We would have had runty plants and runty livestock, but we developed them by changing nature. We changed the natural type of meat animal and the natural type of egg-laying hen. We did all of these things in the name of change and improvement, and yet we have abroad in our land a group of people who have gone strictly overboard on the premise that any kind of a change in ecology is, per se, bad.

Well, that just is not true. Every improvement that mankind has had in producing food and fiber such as the fertilizer we use and the way we plow and the way we do everything else changes the ecology.

In California we use millions and millions of gallons to irrigate agricultural land and that changes the ecology because we have to have dams and canals to bring the water to the cotton, vegetables, and fruit fields and by so doing we changed a desert into a fruitful land.

So this is just an indication of how far overboard we are going on this environmental craze that has captured the imagination of our people. I want everyone, including the public, to be on notice that they are going to pay millions—and hundreds of millions of dollars for something that will cause more harm than good just like stopping the use of DDT changed the ecology and killed all the bees in California with the chemical substitute.

So some of these people who are worshiping the Goddess of Pure Environment want to recognize the fact that environment has never been pure. The more people you have, the more impurities you are going to have in this environment. This does not mean that we should not take care of it, but we are not going to undo the ills of our ecology by next Saturday night.

You know I asked some of these people—and they fought me in the last election—I asked them this question—I said if this ecology and this economy is in such a bad shape and if the changes we have made in nature have been so bad, then why is it that the average human being is living 20 years longer than he did 50 years ago? They did not have any answer to that.

If it is so bad, as they are saying it is—stating that the world is going to come to a grinding stop and that we are all going to die in our own pollution and waste—if it is that bad really—then why are peope living 20 years longer and eating better food and having access to better medicine and a higher standard of living.

So I am just using this occasion to send a word of warning to those who want no change. They want us to go back to the caves and sit by the flickering fire of a log and scratch ourselves, I suppose. If the ecology extremists have their way, we will be seeking our own primitive cave.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. STEIGER).

Mr. STEIGER of Arizona. Mr. Speaker, I thank the gentleman from California (Mr. SMITH).

Mr. Speaker, I would like to address the group in support of Mr. TEAGUE'S suggestion that we defeat the rule on this, not only in the interest of efficiency, and time so far as this body is concerned, but in support of Mr. HOLIFIELD'S general posture perhaps that we ought to recognize what we do here.

Gentlemen, I am from Arizona, and I am in the livestock business. So I feel qualified to make some comments on this subject—not that I have not also made comments on subjects that I am not qualified—I might hasten to add.

But I will tell you that for some 50 years, we have done battle with the coyote in my home State and in the other western States, where the coyote is the chief predator. We have used guns and traps and dogs and poisons and the coyote is doing quite well.

While the figures of the gentleman from Texas (Mr. TEAGUE) as to the cash loss to the sheep men are reflected in the loss, of course, to the cattlemen in the form of young calves that are lost.

We see large instances of farm crops—and crops decimated by the coyotes.

Now we are told by this administration—my administration I might point out—that we cannot use poison any more. Now I will tell you that as a result of that, there has been a great outcry that we are going to lose the battle against the coyote.

I would like to point out again, I would like to repeat—that we have been waging a vigorous war with all the techniques we know how against the coyote. Now we are tying one hand behind our back—to quote a leader of mine—and we are going to be up to our hips in coyotes in no time in this country. I want to tell you that.

Now—we come along and say, Well, we as a government maybe made a mistake in not letting those people use poison and that we are going to remedy that mistake. We are going to dip into the general fund and we are going to pay all the stock men who may lose a few more head of sheep and a few more head of calves.

So we have the unique situation, my friends, of this Congress endorsing the proposition that says we are going to have the healthiest and most vigorous predator crop in the entire world at the expense of the taxpayers—we are going to reduce the marketing costs to the sheep man and the cow man tremendously because he is simply going to allow his product to be delivered on the range to the coyote and he is then going to make his claim via some new super bureaucracy.

I will tell you, I have only been in this body some 5½ years, and I must confess to some despair on occasion at some of the things that we do here. But the total ludicrousness of this proposition is such that in order to spare us all any more embarrassment, I urge that you support the gentleman from California (Mr. TEAGUE'S) motion and defeat the rule. I tell you that very sincerely, and I tell you that Mr. HOLIFIELD'S posture is a very valid one, I think, Mr. Speaker.

Mr. SISK. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia.

Mr. DAVIS of Georgia. Mr. Speaker, I hesitate to rise against this rule. Had I known of the pendency of this bill, I would have introduced in the hearings a study which was made by a group of students under the auspices of the National Science Foundation under a program known as "Student Originated Studies." This program is about 18 months old. One of the studies—103 of which were completed last summer—was on the effect of predators in the form of coyotes on the sheep out in the State of Wyoming. The leader of that group that made the study testified before a committee of the other body.

As I say, had I known that this bill was pending, I would have seen to it that the findings of this group of students were placed before the committee. But the upshot of it was that the damage inflicted by coyotes is grossly, grossly overestimated. May I say that no pun is intended as regards my good friend from Iowa, Mr. GROSS. I would say, too, that the discovery was made—and I am not up here defending coyotes—that there are such things as sheep killers among coyotes. Not all coyotes are sheep killers. There are a few that make a habit of killing sheep, but there are instances after instances which were uncovered by this group of students where sheep were reported to have been destroyed by coyotes and later found simply to have been lost.

In many instances where a particular rancher would have a good set of sheep herders or shepherds where the loss would be very low, and other ranchers where the shepherds were careless, not diligent in their duties, where the losses would be very low, indeed. So I say that it is easy to blame something on the predator when in fact it could have been simply a case of losing sheep by natural causes or otherwise.

I, therefore, support the gentleman from California (Mr. TEAGUE).

Mr. SISK. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, we had hoped to act very quickly on three rules that we have here.

Apparently that cannot be done so quickly, because I can see the trend of things. In line with that, Mr. Speaker, I yield to the chairman of the Agricultural Committee 5 minutes.

Mr. POAGE. Mr. Speaker, it seems to me that we have come close to the end of a hard day, and now we feel that by simply sweeping something under the rug that we can solve some serious problems and avoid ever meeting these problems. The gentleman from California (Mr. HOLIFIELD) very correctly pointed out that there is not any way whereby we can avoid these problems.

It is not simply a proposition of paying for losses of sheep. It is a question of how we are going to deal with the cost of the things that many of us think are desirable from the standpoint of society at large. There is a great deal of difference of opinion as to whether polecats and ringtails and coyotes and civet cats are something we need to develop and something that adds to the character and quality of our ecology.

But that has been decided. The properly authorized agency of this Government has made that decision and has announced that it is desirable from the standpoint of the public to increase and maintain the population of these predators. The Agriculture Committee is not questioning or finding fault with those who made that decision. Possibly they made it on the basis of the study of these students the gentleman from Georgia discussed, or possibly on the finding of some other equally well-qualified group that studied the matter seriously and thoroughly understood all the problems of predators. But on whatever basis, the decision has been made.

The U.S. Government has taken from the growers of livestock and in many instances the growers of poultry the only effective tools for protecting their animals and their flocks from loss at the hands of the predators.

I have always believed in the biblical injunction that it was the duty of the shepherd to protect his own flocks. I think we find that all the way through the good book, that we are supposed to protect our flocks. Man is supposed to look after the sheep. I think that is a proper obligation. But when the Government steps in and says that man cannot do those things, then I think the question is raised as to who should pay the bill.

There is a bill connected with this protection of predators. How big it is we do not know. We gave the Members all the information the Department gave us. I would call to the attention of the gentleman from Iowa, who I know in all good faith questioned my statement in our committee report that we had no report from the Department on this, that our committee report is dated, I believe, the 31st of May, and on the 6th of June we did receive a report from the Department. But we could not, when the committee report was written foresee what was going to happen, and I want to assure the gentleman, and I know he intends to question our integrity, but I want to assure him that the report stated the facts as they existed on the 31st day of May. In a letter dated the 6th day of June, the Department gave us their views. Prior to that they did suggest to our staff they did not know what the cost of this program would be, that it might be $10 million and it might be $50 million, but they could not tell us just what it could be.

I can understand that, because none of us knows just what it will be, but we do know there will be a substantial cost. The Government which took away our tools is fighting in behalf of what they consider to be the interest of society. Regardless of whether it is desirable or not to protect predators the farmers will get absolutely no benefit from these rules.

Really the only question here is who should pay this cost, the Government which in behalf of what they consider to be in the interest of society took away our means of protecting our livestock, or some ranchers and farmers who will get absolutely no benefit from these rules. That is really the question involved.

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

Mr. POAGE. I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, I just want to say to the gentleman that when I went into the well of the House, I said I was not speaking against this bill. I was explaining the mess we are getting into in this country by what we are doing. The gentleman is exactly right that the actions of the Government, based on the laws passed in this Congress setting up the Environmental Protection Agency and a great many other laws that go along that same line, are placing us in this position.

Mr. POAGE. I fully agree with the gentleman.

Mr. HOLIFIELD. I am not against the bill. We ought to do this as a temporary measure. But the basic thing we have to do is to change this law to prevent this kind of regulation and rule.

Mr. POAGE. I would agree with the gentleman, but that is not within the jurisdiction of our committee.

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

Mr. POAGE. I yield to the gentleman from Texas.

Mr. FISHER. The gentleman from California really has hit the nail on the head. I assume this legislation would not be here at all except for the action taken by the Government, by the Environmental Protection Agency.

Mr. POAGE. That is right.

Mr. FISHER. That agency is responsible for this legislation ever being considered in the first place.

Mr. POAGE. That is exactly right.

Mr. FISHER. There has been talk about an estimate of $50 million. That is a fantastic figure, of course. If this should be enacted and if the regulations concerning its implementation should be issued, I believe we would know in advance that the loss of no animal would be recognized or paid for until positive, affirmative proof were shown that the death was the result of a predator.

Mr. POAGE. I am sure the gentleman understands that just this afternoon I had a discussion with a delegation who protested this bill because they said it placed too much of a burden upon the livestock grower, a burden he could not meet, and they felt it should be far more liberal than it is.

Mr. FISHER. The gentleman is entirely correct.

There has been talk about a $10 million estimate. That is an estimate, That is not a counting of bodies. That is not a confirmation of so many killed by predators. It is merely an estimate. I believe it is a liberal estimate.

When one talks about $50 million, that is talking about a land of fantasy. Nothing of that kind could be even imagined in terms of loss.

But there will be losses, and those losses will be the result of the action by the U.S. Government and the orders issued by the Environmental Protection Agency.

Mr. RONCALIO. Mr. Speaker, I hope my colleagues will not vote down the rule. As stated in the report, there is no question that the ban on the use of all poisons for predator control will mean a very serious financial loss to farmers and ranchers. It will necessarily force livestock prices even higher.

The committee feels that so long as producers are prohibited by the Government from protecting their property with the controls they have long employed, it is right they should be indemnified by the Government for their losses. There are ample precedents for such compensation. Certainly there is a constitutional principle that when private property is taken for public purposes the owner shall be compensated. In the case where a lamb or a turkey is taken by a wolf, private property is taken for the purpose of maintaining what some Government officials have decided to be a desirable purpose—that is, the perpetuation of predators.

Neither is there any question that predator damage is severe now and that without the use of poison controls, these damages will continue to escalate.

During the hearings on this bill, a representative of the National Wool Growers Association estimated that sheep losses to predators in the 16 main producing States in 1970 totaled nearly $17 million.

The following tables, submitted by the U.S. Department of Agriculture and extracted from the hearings held on June 2, 1971, by the Senate Appropriations Committee, reveal that the losses of sheep in my district—Wyoming—are already considerable and give some indication of the magnitude of the problem faced by livestock producers throughout the Nation.

The material follows:

[Wyoming—Cooperative Crop and Livestock Reporting Service]

SHEEP LOSSES IN WYOMING—1970 SHEEP AND LAMB LOSSES

The following is the most recent information on sheep and lamb losses in Wyoming:

Wyoming sheep growers lost 372,000 sheep and lambs during 1970, according to the Wyoming and United States Departments of

Agriculture. This is 10 percent less than the 415,000 lost during 1969. Sheep losses were 16 percent below the 1969 level and lamb losses were down 5 percent. Most of the decline is accounted for by more favorable weather and not from changes in inventory. The January 1, 1970 inventory of sheep and lambs was estimated at 1,853,000 head, less than 1 percent below the 1,860,000 on hand January 1, 1969. The number of lambs born during 1970 was 4 percent below the number born during 1969. The decline in total loss combined with lower prices for lambs dropped the estimated value of the 1970 sheep and lamb loss to $5,574,900. This is 10 percent below the value of the 1969 losses.

Cause of Loss: During 1970 predators claimed 130,200 head, 35 percent of the total loss. The remaining 241,800 head or 65 percent were lost to all other causes. Comparable losses during 1969 show 29 percent of the total loss due to predators and 71 percent due to other causes.

Predator Losses: Coyotes were the major cause of loss among all predators. The number of head lost to coyotes during 1970 was 18 percent above 1969. Coyotes accounted for 73 percent of total predator losses in 1970 compared to 69 percent in 1969. Losses due to bobcats, dogs, bears, eagles, and other predators were in about the same proportion to total losses as during 1969.

LOSSES OF SHEEP BY CAUSE—WYOMING, 1969 AND 1970 [1]

Cause of loss	Number				Value	
	1969		1970			
	Head	Percent of total	Head	Percent of total	1969	1970
Coyotes	21,000	10.5	22,400	13.4	$191,100	$206,100
Bobcats	200	.1	700	.4	1,800	6,400
Dogs	5,200	2.6	3,800	2.3	47,300	35,000
Bears	6,200	3.1	3,000	1.8	56,400	27,600
Eagles			200	.1		1,800
Other predators	400	.2	500	.3	3,700	4,600
Total predators	33,000	16.5	30,600	18.3	300,300	281,500
Unknown causes	25,400	12.7	32,200	19.3	$231,100	$296,200
All other causes	141,600	70.8	104,200	62.4	1,288,600	958,700
Total loss from all causes	200,000	100.0	167,000	100.0	1,820,000	1,536,400

LOSSES OF LAMBS BY CAUSE—WYOMING, 1969 AND 1970 [1 2]

Cause of loss	Number				Value	
	1969		1970			
	Head	Percent of total	Head	Percent of total	1969	1970
Coyotes	59,600	27.7	72,600	35.4	$1,203,900	$1,430,200
Bobcats	6,900	3.2	7,100	3.5	139,400	139,900
Dogs	2,600	1.2	2,300	1.1	52,500	45,300
Bears	3,400	1.6	2,700	1.3	68,700	53,200
Eagles	6,700	3.1	8,400	4.1	135,400	165,500
Other predators	7,100	3.3	6,500	3.2	143,400	128,000
Total predators	86,300	40.1	99,600	48.6	1,743,300	1,962,100
Unknown causes	32,000	14.9	31,200	15.2	$646,400	$614,600
All other causes	96,700	45.0	74,200	36.2	1,953,300	1,461,800
Total loss from all causes	215,000	100.0	205,000	100.00	4,343,000	4,038,500

LOSSES OF SHEEP AND LAMBS BY CAUSE—WYOMING, 1969 AND 1970 [1 2 3]

Cause of loss	Number				Value	
	1969		1970			
	Head	Percent of total	Head	Percent of total	1969	1970
Coyotes	80,600	19.4	95,000	25.5	$1,395,000	$1,636,300
Bobcats	7,100	1.7	7,800	2.1	141,200	146,300
Dogs	7,800	1.9	6,100	1.6	99,800	80,300
Bears	9,600	2.3	5,700	1.5	125,100	80,800
Eagles	6,700	1.6	8,600	2.3	135,400	167,300
Other predators	7,500	1.9	7,000	1.9	147,100	132,600
Total predators	119,300	28.8	130,200	34.9	2,043,600	2,243,600
Unknown causes	57,400	13.8	63,400	17.1	$877,500	$910,800
All other causes	238,300	57.4	178,400	48.0	3,241,900	2,420,500
Total loss from all causes	415,000	100.0	372,000	100.0	6,163,000	5,574,900

[1] 1969 revised.
[2] Includes all lamb loss from birth. USDA estimate includes only losses of lambs after docking.
[3] Sheep and lamb per head value based on the annual hundredweight prices received by farmers and ranchers. Sheep per head value used for 1969–$9.10; 1970–$9.20. Lamb per head value used 1969—$20.20; 1970—$19.70.

Mr. RONCALIO. Of course it is not a perfect bill. But we owe the western livestock industry at least a beginning step in predator loss reimbursement.

Mr. CONTE. Mr. Speaker, once again I rise on the floor of this House to issue a strong protest against the stuffing of private pocketbooks by picking the public's pocket.

Gentlemen farmers and ranchers are once again asking their Representatives to give them taxpayers' money. They are trying to tell us that, because we no longer allow them to use indiscriminate practices in predator control, we must pay them for losses due to predators.

Are we expected to pay for every loss that accrues because of governmental action taken in the public interest? Is responsive government subservient to private profit?

The men who plead the sad case of injured sheep were subsidized six times, according to Sierra Club Executive Director Michael McCloskey. At a wild and wooly conference for the National Wool Growers Association, in 1971, McCloskey outlined the subsidies as follows:

First. The sheep ranchers, through federal price supports, receive two and a half times the market value for their products.

Second. The public loses the tax values from duties that go into price supports.

Third. The public must pay excessive prices through duties for imported wool.

Fourth. The sheepmen are charged grazing fees for use of public lands that still are not priced at fair market value.

Fifth. The public suffers a loss in the value of its public land through the erosion caused by overgrazing.

Sixth. Privately owned sheep are competing with the public's wildlife through the sheep owners' predator control programs.

Congress, acting in the public interest, dared to limit the extent of the sixth form of subsidy by banning certain predator control programs.

Because we dared to take this action in the public interest, we now are asked to substitute predator indemnities for that part of the predator control program which was eliminated. The net effect of this proposal would be to keep the shepherds' six subsidies intact.

This manner of pocket picking is even more outrageous because it is carried out so well and with the notice of so few of the public.

Furthermore, the bill as planned is totally impractical. To fulfill the letter of the regulations, Agriculture Department personnel would have to check reports of domesticated animal deaths daily. Valuable time would be wasted verifying claims. The verifications would be intricate and difficult.

How can any inspector establish the veracity of a claim that a lost lamb was devoured by predators? The absurdity and the impracticality of this bill is astounding. Efforts and funds of the Agriculture Department must be focused on new safe methods for predator control rather than the entangling barbed wires of administrative redtape.

Mr. Speaker, it will undoubtedly sound like a broken record this week as I repeatedly condemn costs imposed upon the general public to protect private profit. But I do not hesitate for 1 minute to sound like a broken record, for the record of public subsidies to private purses is one which must be broken. By broken, I mean cracked, melted, and irreparably ended so that the sound track cannot begin again.

Mr. Speaker, it is my hope that this rule will be defeated.

Mr. MANN. Mr. Speaker, the legislation which we have before us for consideration this evening is a proposal for another Government indemnification program, another Government "handout" to subsidize business. Congress is again being asked to provide an easy method for private enterprise to recoup any losses which result from a proper governmental concern and appropriate governmental action for the general welfare. Such an approach is actually detrimental to private enterprise, since it discourages innovation and a development of alternative methods of coping with a problem. My record of support for private enterprise in this Congress is clear. I want to renounce the idea of business dependency upon Government or Government control of business. We are not going to solve the problem by an extension of governmental paternalism. We must bite the bullet of holding the line and now is the time and this is the place.

At the time the Environmental Protection Agency suspended the registration of 1080, sodium monofluroacetate, and other poisons for predatory control, the EPA Administrator, Mr. Ruckelshaus, pointed out that the action was taken because the evidence indicated that these chemicals represented an imminent hazard to the public welfare. As indicated in the committee report, these poisons were barred from the market for predator control because of their highly toxic effect on nontarget species. Mr. Ruckelshaus also pointed out that alternative methods were available to users of the chemicals for the purpose of protecting their livestock from predators preying on that stock. However, instead of employing or perfecting the available alternative methods, or instead of developing new methods, these individuals have come to the Congress requesting an easy solution to their problem, that is, a government subsidy to ensure their financial stability. How far is the government going to subsidize private industry? In this particular instance, I question the reason why the rancher came to rely so heavily on 1080 as to exclude any other possible means of coping with the predator problem? Surely the problem was dealt with before the development of 1080? Supervised shooting and trapping would be just as effective now as it was two or three decades ago. American ingenuity and the pioneer spirit that built these farms and ranches can solve this problem. Most of these great ranches and farms were built before the development of 1080, and they can be maintained without it.

Mr. Speaker, the administration of this bill will be most expensive and most difficult. Confirmation of losses will be an exceedingly difficult task. I understand that due to the remoteness of sheep in certain seasons that confirming losses at these times would require several hours and possible overnight trips on horseback to where the sheep are ranging. In warm weather, spoilage of the carcass will sometimes make it impossible to identify the cause of death, and then, of course, there are intangibles which will have to be considered in the indemnification. What about the loss of weight and consequent market value due to a predator attack which results in a lingering death? How is the inspector to assess damages in that case? What about the loss of ewes when lambs are taken during heavy lactation periods?

Sheepmen, livestock men, and farmers are in the business of raising and marketing living things, plants and animals. I think it would not be the most encouraging thing to the industry to have them remain in the business when their only job would be to bring a pickup load of dead animals to be verified for a subsidy payment. Why not encourage them to develop alternative means of coping with the predator problem? Why not make it good business for them to exercise their ingenuity and their imagination in the solution of this problem? Why permit them to rely upon the Government, thereby hastening the trend toward governmental paternalism and governmental dependency? One would think that our farmers and ranchers would be the last to foster this trend. Most of them reside in that area of our country which symbolizes the pioneer spirit. Let's give them an opportunity to exercise the pioneer spirit.

This legislation may well cost the Government between $50 and $100 million annually, with another $6 million annually for administrative expenses. This is a guarantee that the Government cannot financially afford to make and one which the Government should not make.

Mr. SISK. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the Committee on Rules of course heard this matter presented by the chairman of the Committee on Agriculture. It was the wisdom of the Rules Committee, either good or bad, to bring this matter to the floor and give the committee an opportunity to present its bill.

Mr. Speaker, on that basis I urge the adoption of the rule.

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

The previous question was ordered.

The SPEAKER. The question is on the resolution.

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

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 102, nays 260, answered "present" 1, not voting 69, as follows:

[Roll No. 249]

YEAS—102

Abbitt	Gonzalez	Pickle
Abourezk	Gray	Poage
Adams	Gubser	Price, Tex.
Andrews, N. Dak.	Harvey	Purcell
Aspinall	Hathaway	Randall
Barrett	Henderson	Roberts
Blatnik	Hicks, Wash.	Roncalio
Bolling	Holifield	Runnels
Brotzman	Johnson, Calif.	Scheuer
Brown, Mich.	Jones, N.C.	Sebelius
Broyhill, N.C.	Jones, Tenn.	Shriver
Burke, Mass.	Kazen	Sisk
Burleson, Tex.	Lennon	Smith, Iowa
Burlison, Mo.	Link	Smith, N.Y.
Burton	Lloyd	Staggers
Cabell	McClure	Steed
Carter	McCollister	Steiger, Wis.
Casey, Tex.	McCormack	Stephens
Chamberlain	McFall	Stokes
Clausen, Don H.	McKay	Stubblefield
Culver	McKevitt	Stuckey
de la Garza	Mahon	Talcott
Dellenback	Martin	Teague, Tex.
Denholm	Mathis, Ga.	Ullman
du Pont	Matsunaga	Van Deerlin
Evans, Colo.	Meeds	Vigorito
Fascell	Melcher	Waggonner
Fisher	Mills, Ark.	White
Flood	Montgomery	Wolff
Foley	Morgan	Wright
Fountain	Myers	Wyatt
Fuqua	Natcher	Young, Tex.
Gettys	Nix	Zablocki
	Passman	Zwach
	Patman	

NAYS—260

Abzug	Byrne, Pa.	Dickinson
Addabbo	Byrnes, Wis.	Dingell
Anderson, Calif.	Byron	Donohue
Anderson, Ill.	Camp	Dorn
Andrews, Ala.	Carey, N.Y.	Dow
Annunzio	Carlson	Downing
Archer	Carney	Drinan
Arends	Celler	Dulski
Ashbrook	Chappell	Duncan
Ashley	Clancy	Edwards, Ala.
Aspin	Clark	Edwards, Calif.
Badillo	Cleveland	Eilberg
Baker	Collier	Esch
Begich	Collins, Ill.	Eshleman
Belcher	Collins, Tex.	Fish
Bennett	Colmer	Flowers
Bergland	Conable	Flynt
Betts	Conover	Forsythe
Bevill	Conte	Fraser
Biaggi	Conyers	Frenzel
Biester	Corman	Frey
Bingham	Cotter	Fulton
Blackburn	Coughlin	Galifianakis
Blanton	Crane	Garmatz
Boland	Daniel, Va.	Gaydos
Bow	Daniels, N.J.	Giaimo
Brademas	Danielson	Gibbons
Brasco	Davis, Ga.	Goldwater
Brinkley	Davis, Wis.	Goodling
Brooks	Delaney	Grasso
Brown, Ohio	Dellums	Green, Oreg.
Broyhill, Va.	Dennis	Griffin
Buchanan	Derwinski	Griffiths
	Devine	Gross

Grover	Mallary	Ruth
Gude	Mann	Ryan
Hagan	Mayne	St Germain
Haley	Mazzoli	Sandman
Hall	Michel	Sarbanes
Halpern	Mikva	Satterfield
Hamilton	Miller, Ohio	Saylor
Hammer-schmidt	Mills, Md.	Scherle
	Minish	Schmitz
Hanley	Mink	Schneebeli
Hanna	Minshall	Schwengel
Hansen, Idaho	Mitchell	Scott
Hansen, Wash.	Mizell	Seiberling
Harrington	Mollohan	Shipley
Harsha	Monagan	Smith, Calif.
Hastings	Moorhead	Snyder
Hechler, W. Va.	Murphy, Ill.	Spence
Heckler, Mass.	Nedzi	Stanton,
Heinz	Nelsen	J. William
Helstoski	Nichols	Stanton,
Hicks, Mass.	Obey	James V.
Hillis	O'Hara	Steele
Hogan	O'Konski	Steiger, Ariz.
Horton	Patten	Stratton
Howard	Pelly	Sullivan
Hull	Perkins	Symington
Hungate	Pettis	Taylor
Hutchinson	Peyser	Teague, Calif.
Ichord	Pike	Terry
Jacobs	Podell	Thompson, Ga.
Jarman	Poff	Thompson, N.J.
Johnson, Pa.	Powell	Thomson, Wis.
Jonas	Preyer, N.C.	Thone
Jones, Ala.	Price, Ill.	Tiernan
Kastenmeier	Quie	Vander Jagt
Keating	Quillen	Vanik
Keith	Railsback	Veysey
Kemp	Rangel	Waldie
King	Rees	Ware
Koch	Reuss	Whalen
Kuykendall	Rhodes	Whalley
Kyl	Riegle	Whitehurst
Kyros	Robinson, Va.	Widnall
Landgrebe	Robison, N.Y.	Wiggins
Landrum	Rodino	Williams
Latta	Roe	Wilson,
Long, La.	Rogers	Charles H.
Long, Md.	Rooney, N.Y.	Winn
McClory	Rooney, Pa.	Wylie
McCloskey	Rosenthal	Wyman
McEwen	Rostenkowski	Yates
McKinney	Roush	Yatron
Macdonald, Mass.	Rousselot	Young, Fla.
	Roy	Zion
Mailliard	Roybal	

ANSWERED "PRESENT"—1

Leggett

NOT VOTING—69

Abernethy	Evins, Tenn.	Mathias, Calif.
Alexander	Findley	Metcalfe
Anderson, Tenn.	Ford, Gerald R.	Miller, Calif.
	Ford, William D.	Mosher
Baring		Moss
Bell	Frelinghuysen	Murphy, N.Y.
Boggs	Gallagher	O'Neill
Bray	Green, Pa.	Pepper
Broomfield	Hawkins	Pirnie
Burke, Fla.	Hays	Pryor, Ark.
Caffery	Hébert	Pucinski
Cederberg	Hosmer	Rarick
Chisholm	Hunt	Reid
Clawson, Del	Karth	Ruppe
Clay	Kee	Shoup
Curlin	Kluczynski	Sikes
Davis, S.C.	Lent	Skubitz
Dent	Lujan	Slack
Diggs	McCulloch	Springer
Dowdy	McDade	Udall
Dwyer	McDonald, Mich.	Wampler
Eckhardt		Whitten
Edmondson	McMillan	Wilson, Bob
Erlenborn	Madden	Wydler

So the resolution was rejected.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Hunt.
Mr. Boggs with Mr. Gerald R. Ford.
Mr. Sikes with Mr. Burke of Florida.
Mr. Edmondson with Mr. Cederberg.
Mr. Dent with Mr. McDade.
Mr. Moss with Mr. Del Clawson.
Mr. Davis of South Carolina with Mr. Lujan.
Mr. Murphy of New York with Mr. Frelinghuysen.
Mr. Slack with Mr. Wampler.
Mr. Evins of Tennessee with Mrs. Dwyer.
Mr. Hays with Mr. Broomfield.
Mr. Kluczynski with Mr. Hosmer.
Mr. O'Neill with Mr. Lent.
Mr. Pucinski with Mr. Mosher.
Mr. Reid with Mr. Bob Wilson.
Mr. Pepper with Mr. McCulloch.
Mr. Udall with Mr. Bray.
Mr. Anderson of Tennessee with Mr. Erlenborn.
Mr. Karth with Mr. Springer.
Mr. Caffery with Mr. Skubitz.
Mr. Curlin with Mr. Wydler.
Mr. Whitten with Mr. Shoup.
Mr. Baring with Mr. Pirnie.
Mr. McMillan with Mr. Mathias of California.
Mr. Green of Pennsylvania with Mr. McDonald of Michigan.
Mr. Abernethy with Mr. Findley.
Mr. Alexander with Mr. Ruppe.
Mr. Eckhardt with Mr. Gallagher.
Mrs. Chisholm with Mr. Pryor of Arkansas.
Mr. Madden with Mr. Diggs.
Mr. Kee with Mr. Clay.
Mr. William D. Ford with Mr. Hawkins.
Mr. Miller of California with Mr. Metcalfe.

Messrs. GALIFIANAKIS, BRASCO, GARMATZ, O'HARA, BRADEMAS, KEMP, BROWN of Ohio, COLLINS of Illinois, and ROONEY of New York changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 15692, INTEREST RATE ON SMALL BUSINESS ADMINISTRATION DISASTER LOANS

Mr. YOUNG of Texas. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1030 and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move, clause 27(d)(4) of Rule XI to the contrary notwithstanding, that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15692) to amend the Small Business Act to reduce the interest rate on Small Business Administration disaster loans, and all points of order against said bill for failure to comply with the provisions of clause 4, Rule XXI, are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. YOUNG of Texas. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from California (Mr. SMITH), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1030 provides an open rule with 1 hour of general debate for consideration of H.R. 15692 to reduce the interest rate on Small Business Administration disaster loans. The 3-day rule is waived and points of order are waived for failure to comply with the provisions of clause 4 of rule XXI because there is a possibility of an appropriation in a legislative bill.

The purpose of the legislation is to aid victims of the recent floods in South Dakota and the damage done by Hurricane Agnes.

It would be applicable to 25 States, some of them more than one time. It would apply to presidentially declared disaster areas.

Under present law, the interest rate on disaster loans is set monthly by the Secretary of the Treasury and the rate this month is 5⅛ percent. This legislation would change the monthly setting of the rate and give the applicant a chance to use either one of two rates. He could borrow at a rate of 1 percent per year without any forgiveness of principal, or he could borrow at 3 percent interest and receive a forgiveness equal to 25 percent of the loan, the maximum forgiveness not to exceed $2,500.

In addition to presidentially declared disaster areas, it would also apply to areas damaged by the same disaster but not necessarily within the presidentially declared area.

In the event a disaster is declared by the Small Business Administration but not presidentially, disaster loans may be made at a flat 3 percent interest.

SBA must be provided with proof of loss, damage, or injury, and an estimate of the cost of repair, rehabilitation, or replacement.

The legislation is made retroactive to July 1, 1971, for the benefits received but does not make the penalties retroactive.

Penalties are provided in the amount of 1½ times the amount of a loan in the event the proceeds of a loan are misapplied.

Mr. Speaker, I urge the adoption of the rule in order that the legislation may be considered.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I will yield to no one in the House in my desire to help everyone who has been harmed by any disaster. I have done it all my life. I was in a tornado on a farm when I was a small boy and I know what a disaster is.

As you will recall, I fought for a long time some years ago, when we had the Alaska situation and the then Administrator took several trips up there, but he never did ask for any money to help. Eventually, when he found where the disaster money was, we found that it had been made for conventional loans.

I brought before the House an amendment to set aside the disaster money from conventional loan money. It now is being set aside. We do not have to appropriate for the disaster money. The legislation is permanent and all we have to do is to get the money from the Committee on Appropriations.

If you will refer to this bill, you will find that it was reported on June 27, 2 days ago, with just 1 day of hearings in committee in executive session almost.

Yesterday, a rule was granted.

Page 2 of the report says that H.R. 15692 is an emergency bill of the highest magnitude—having to do with hurricane Agnes.

The bill goes back to July 1, 1971. Hurricane Agnes just happened last week and as of the present time this bill in my opinion, and in the opinion of the administration, will mess up everything that is now being done so far as the disaster victims of Agnes are concerned.

As an example, yesterday, the very able Administrator, Mr. Kleppe, of the SBA opened 34 emergency offices of the Small Business Administration to bring financial help to the flood victims of the five States—Florida, Virginia, Maryland, Pennsylvania, and New York. Today, he added 14 more offices.

So at the present time, the Small Business Administration is responding to President Nixon's call for massive aid to those unfortunate people by organizing the largest disaster task force in the history of the SBA agency.

There are field offices to serve other States, mentioning 25 States in 106 cities and counties to handle all of these disaster loans—not only Agnes but there is still the earthquake in California, among other earthquakes.

At the present time homeowners are eligible to borrow up to $55,000 for damage to their homes or to personal property, and on businesses up to $500,000.

Mr. Speaker, if you start to analyze this bill, with the present situation you can find out why we are going to get into some trouble on these loans and I think many of those in the disaster are going to be hurt.

As an example, an analysis of 37,973 loans made by the SBA during the period July 1, 1971 through May 31, 1972—now mind you this bill goes back to July 1, 1971—but during that particular time until May 31, 1972, relating to disasters occurring on or after July 1, 1971, shows that 98.5 percent of the borrowers would be worse off under the pending bill than under the current disaster law.

For those 37,973 loans the combination of lesser forgiveness provided in the bill, plus the change in interest rates would result in lesser benefits to the borrowers in the amount of between $30 to $35 million. If you take that period to the present you will have the amount those suffering from the disaster would have lost under the formula in the bill today.

The pending bill is silent as to the treatment to be accorded to those borrowers whose loans are already on the books. As an example, the legislation is mandatory in its statement to SBA as to the options to be accorded to disaster borrowers, but it does not, however, treat the matter of how SBA should handle the cases of borrowers whose loans are already on the books and whose benefits under this retroactive bill would be lower than the benefits already accorded them under the present law.

Take another problem, that of loan shopping. Since the bill would provide different benefits to SBA borrowers than those benefits presently available, and which would remain available to borrowers from the Farmers Home Administration, it would encourage loan shopping by residents of rural areas.

In other words, a resident of a rural area who had suffered loss to his residence would be encouraged to look at the benefits available under a loan from SBA and to look also at the benefits available under quite different terms from Farmers Home Administration, which might be quite different. Then he would try to choose the better of those arrangements. This defeats the consolidated approach to Federal disaster assistance taken when the Congress enacted the Disaster Relief Act of 1970, which presently makes the same benefits available to borrowers from SBA and the Farmers Home Administration.

At the present time the SBA has a carryover in disaster funds of $70 million that should take them through a couple or 3 months.

In addition to that, there is $80 million which has been asked for in the 1973 budget and which is presently in conference. If they run out of money, we can get supplemental money, but all we have to do is to have sufficient money to take care of those suffering from the disaster and operate under the present law as we now have it. It seems to me that it would be much better to carry on in this way than to change in the middle of the stream where a lot of these people that are suffering may not benefit.

For disasters declared during the period July 1, 1971, to May 31, 1972, the SBA has made 37,973 loans. Of the total 98.7 percent were under Presidential declarations and would thus be entitled to forgiveness of up to $2,500 upon repayment of the initial $500 of the loan. Of the above total, only 471 loans were for more than $10,000.

Hence it is readily apparent that with a change in forgiveness as proposed in the present bill, more than 98 percent of the borrowers served by SBA would receive fewer benefits in terms of forgiveness.

Further analysis shows that if all of the borrowers were to accept the option which is most beneficial to them, 98.5 percent would elect to take the forgiveness and pay the 3 percent interest.

This pending legislation is mandatory insofar as all disasters which occurred on or after July 1, 1971, while there is a serious question as to whether or not the SBA could force borrowers to return excessive forgiveness granted to them for loans already made. The legislation should properly provide an option for either the borrower or the administration so that this matter can be resolved without recourse to litigation. The legislation would, insofar as rural borrower applicants are concerned, create considerable confusion. The Farmers Home Administration could offer forgiveness of $2,500 upon repayment of the first $500 with interest at 5⅛ percent, while SBA could offer the same borrower applicant a 1-percent loan with no forgiveness or a 3-percent loan with 25-percent forgiveness. The way it would actually work out is he would only get forgiven under the present formula as it is now. I suppose some of you are going to tell me they are going to amend it, but at any rate, as it is written into this bill, instead of getting $2,500 forgiveness, he would get $750.

Those are the figures that have been given to me today. I think they are correct.

If the proposed legislation were amended so as to retain the present $2,500 forgiveness, it is estimated that the total additional cost by the SBA for the number of loans equal to those made in 1972 would be approximately $5 million.

So in my opinion, if this particular bill passes in its present form, those with disaster damage would suffer a loss of about $40 million. There is a difference between earthquake damage and flood damage. One can go through the area and see flood damage and see the railroad tracks washed out and the houses damaged. There is no trouble in seeing it. We had a great deal of trouble in the earthquake situation in California, and I will have to admit there were some unscrupulous contractors and others who took advantage of the situation. Some said they had a chimney which was damaged, and maybe it was damaged 5 or 6 years ago when an automobile ran into it, but they said it was damaged by the earthquake. A number of claims were filed in which there was maybe $500 of damage. The Small Business Committee is aware of it. The administrator can bring the information to Congress, where they can show the damage might have been $500 or $600, and the claim was made for maybe $3,000, and they ended up paying the contractor more than he earned, and putting some money in their own pockets, and some people did not do the repairs.

This bill is good from that standpoint. It has language which will make the person who borrows the money use it for repairs rather than put it in his pocket. We can see the damage in the flood areas. The laws on the books are working. If we start down this route, I sincerely think we are going to harm a great many of those who were injured by Hurricane Agnes.

But, Mr. Speaker, I do not think we ought to do it on a piecemeal basis. This was brought out of the committee 2 days ago. On June 13 the committee was hearing testimony on an entirely different matter, and the men today told me they did not have this formula and did not have a chance to study it until I brought it to their attention when we are called into the Rules Committee yesterday at 4 p.m., on 15 or 20 minutes' notice. I got the SBA and the OMB and others, and this is the information I am bringing to the Members today.

I sincerely feel we are wrong to change the rules in this ball game now when they are trying to take care of all the people who suffered so greatly in Hurricane Agnes. I am opposed to the rule and to the bill.

Mr. ROBISON of New York. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from New York.

Mr. ROBISON of New York. Mr. Speaker, I appreciate the gentleman yielding.

Mr. Speaker, the gentleman has given a very useful and necessary explanation relative to this legislation. By way of background, let me say that I was in New York today, representing as I do a sub-

stantial portion of the so-called Southern Tier, of New York. We were told at our briefing there, at which Vice President AGNEW was present, that those New York counties just above the Pennsylvania border would present approximately 50,000 applications for loans of this sort as a result of flood damage. The loans are being processed now, using SBA people and also some Treasury people who had been assigned to the task, and they are processing applications at the rate of about one a minute.

As the gentleman from California has suggested, if we change the rules of the road in the middle of this process, that is going to require a substantial backup operation and a great deal of confusion and delay would inevitably result.

Representing as I do an area severely damaged by the recent floods. I appreciate the humanitarian instincts of this committee and of those who brought this legislation to us as fast as they could, but I think the gentleman has also put his finger on a point we need to think about if we go forward with this legislation tonight. We were told by many people there today—and I would appreciate the attention of my colleagues on this—that the feature in these loans that means the most to the average citizen with the typical small claim is the forgiveness or the grant feature in the present procedures. If I understand the gentleman correctly, and if I understand the bill correctly, the present $2,500 forgiveness feature could be reduced and would be reduced unless the loan was above $10,000. Is that what the gentleman is saying?

Mr. SMITH of California. That is the phase we are getting into today, that the forgiveness feature would be only $750 as compared to the present $2,500 forgiveness. I am not saying we should forgive or should not forgive.

What I am saying is that the appropriate committees, including the Committees on Public Works, Banking and Currency and Small Business, should figure out what we can properly do to change the law, and not change it right in the middle, when all of the people need the money and may not be able to find out what they will get or how they will get it, or whether it will be 1 percent, 3 percent, 5⅛ percent, or $750 or $2,500.

Mr. ROBISON of New York. The suggestion we heard most often today in our conversations with the citizens who were there, and from those who were in the senior-citizen category especially, since these are loans and these are people living on fixed incomes, was that the thing which would be the most useful to them was the "forgiveness," or the grant provision. It would be of the most help to them not to have it reduced, certainly, but to have Congress give serious consideration to the appropriateness today of the $2,500 ceiling. They would prefer to have us consider whether or not it is in order to increase the $2,500 to, say, $5,000, given the inflation that has especially been reflected in the building and construction industry as they face up to their problem of repairing and restoring their property.

I appreciate the gentleman's help in this regard. I hope we will make a wise decision tonight, and in our haste to improve the present program not, inadvertently, make it worse.

Mr. SMITH or California. I thank the gentleman.

Mr. Speaker, I do have some requests for time.

Mr. YOUNG of Texas. Mr. Speaker, I yield 5 minutes to the distinguished chairman of the Committee on Banking and Currency, the gentleman from Texas (Mr. PATMAN).

Mr. PATMAN. Mr. Speaker, I want to thank the gentleman from Texas (Mr. YOUNG) for yielding me time.

Mr. Speaker, H.R. 15692 is an emergency measure of the greatest magnitude. The recent disaster in South Dakota coupled with the damage brought by Hurricane Agnes has left thousands of people homeless, has caused damage that may run as high as several billion dollars, and has ruined an untold number of businesses.

It is extremely important that this Congress take immediate action to provide some form of relief to these disaster victims. We can never hope to return the disaster areas to the state in which they were before the tragedy struck. We can, however, provide as much assistance as possible to make the job of rebuilding the disaster victims' homes, businesses, and lives as easy as possible.

Because of the great need to help these people, the Banking and Currency Committee has brought to the floor today under emergency conditions H.R. 15692, which was reported by the committee by a vote of 29 to 0. Basically, this is what the bill would do.

BASIC PROVISIONS OF THE BILL

First. That in any Presidentially declared disaster the Small Business Administration would be authorized to make loans at a new interest rate formula. At present the rate on such loans is set monthly by the Secretary of the Treasury, and for the current month the rate is 5⅛ percent. Next month that rate may go higher or perhaps even lower, but it is not fair to people who are involved in the same disaster whose loan applications were not processed at the same time to have one pay one interest rate while another victim pays a different rate. The legislation today changes the monthly setting of the rate to a set amount and gives the loan applicant a chance to use either one of two rates. The applicant could borrow at a flat 1 percent per year without any forgiveness of principal or the applicant could choose to borrow at 3-percent interest and receive a forgiveness equal to 25 percent of the loan with the maximum forgiveness not to exceed $2,500. The legislation as reported by the subcommittee provided the loan applicant with a set of interest rate choices, but it contained the full forgiveness feature. When the legislation was reported to the full committee at the very end of the session the gentleman from Georgia (Mr. BLACKBURN) offered an amendment to restrict the amount of the forgiveness to 25 percent of the loan, not to exceed $2,500. At the time the amendment was offered I had serious doubts about the effect of the amendment as did other Democrats on the committee. However, in the interest of getting the legislation to the floor, objection was not raised to the amendment, as it might have held up assistance to flood victims. Careful study of the Blackburn amendment shows that its effectiveness would not be of substantial benefit to a disaster victim. It is my understanding that at the appropriate time an amendment will be made in a form that that will be beneficial to disaster victims.

Second. In addition to Presidentially declared disaster areas, in those areas that are damaged also by the same disaster but are not placed in the Presidentially declared disaster area, the loan applicants, upon declaration by SBA of a disaster area, would receive the same benefits of the law as if they were in the Presidentially declared disaster area. For example, if one State is declared a disaster area but a person living just across the State line in another State which was not declared a disaster area suffered damage because of the same disaster, that person would also be eligible for the benefits under this bill.

Third. In addition, in the event that there is not a Presidentially declared disaster involved but merely a disaster declared by the Small Business Administration, disaster loans would be available at a flat 3 percent interest rate with no forgiveness.

Fourth. The bill also tightens up on the requirements for obtaining a loan which apparently in California led to some individuals obtaining loans that were not connected to the disaster. It provides that the borrower must provide SBA with proof of loss, damage or injury and a bona fide estimate of the cost of repair, rehabilitation or replacement. And to make certain that the borrower uses the proceeds of the loan as intended, in addition to the criminal penalties available under existing law, the legislation provides that if the proceeds of the loan are misapplied, the borrower shall be liable to the Small Business Administration in an amount equal to 1½ times the amount of the loan.

Fifth. The legislation also carries a retroactive date of July 1, 1971. The July 1 date was selected because it is, of course, the first day of the new fiscal year.

LEGISLATION HAS BEEN SUBJECT TO EXTENSIVE DISCUSSION

Mr. Speaker, some Members on the other side of the aisle have also contended that there were no hearings on this legislation and that the administration has not had an opportunity to comment on the bill. This is simply not factual and, in fact, is a smokescreen designed to cover up the fact that the administration has shirked its duty in connection with this legislation. The concept of H.R. 15692 was introduced by the gentleman from South Dakota, Congressman ABOUREZK, on June 13 in the form of H.R. 15471. On June 22 the Small Business Subcommittee, headed by the gentleman from Georgia (Mr. STEPHENS) held hearings on that legislation. SBA Administrator Kleppe was asked 4 days prior to the hearing to provide the committee with

testimony on the legislation. SBA declined to present written testimony on the bill, but Mr. Kleppe did answer questions on the legislation including a discussion of the forgiveness feature.

It was clear when Mr. Kleppe appeared before the subcommittee that he had been put under wraps by the administration for when he was pressed for further comments about the bill he stated:

I have no further authority to comment on the 1% interest feature of this bill other than what I have said about the Administration's bill that has been submitted which would provide for 3% loans, which is comparable to what the loans used to be when the $1,800 forgiveness feature was in effect. But the loans would be made in hardship cases at a 3% interest rate.

I do not want to be critical of Mr. Kleppe, but I do want to point out that the administration bill would not make loans at a flat 3-percent interest rate but rather that rate would be set on a formula which uses as its basis the cost of money to the Government. Thus, the cost of the loan to a disaster victim under the administration's bill even in hardship cases would be determined once again on a month-by-month basis. And there is nothing in the bill that sets a flat 3-percent interest rate. In fact the bill maintains the complicated ratesetting formula that can easily be snarled with redtape and removes entirely the forgiveness feature.

If there are those who contend that the administration bill would really help disaster victims, then I have but one question. The draft legislation was sent to the Congress on March 24 of this year. Why has it not been introduced by a single Member of this body?

Following the subcommittee's hearings, the subcommittee went into executive session—that was on Friday, June 23. And on Monday, the full committee took the bill up in executive session. The full committee spent several hours working out the details of the legislation so as to make certain that we were putting together a good bill. It then recommended that the subcommittee meet following the full committee deliberations to make an even deeper study of the bill.

The subcommittee met the same afternoon for several hours in executive session assisted by a representative of the General Counsel's office of SBA. Following that meeting the committee staff along with SBA Counsel worked until late at night perfecting the bill. After the bill was perfected, a clean bill was introduced on a bipartisan basis in order to facilitate the handling of the legislation. The following morning the full committee again took up the bill and, after several hours of discussion, reported out H.R. 15692 in its present form. It should be renoted that the bill was reported unanimously, 29 to 0. Included in that vote were 10 Republican members. Not only is the unanimous vote significant, but since the Banking Committee does not authorize the use of proxy, it means that 29 members participated in the marking up of the legislation and were present for the vote.

Since the bill has been reported, some Members on the other side of the aisle have stated that SBA has told them they are unhappy with the legislation. Quite frankly, I am amazed that SBA would make such a statement. The committee on several occasions since the reporting of the bill has attempted to get a reading from SBA on its thoughts on the legislation. But on every occasion the committee has been told that the position has not changed from that taken by Administrator Kleppe when he appeared before the subcommittee. Perhaps it must be that Members on the other side of the aisle have better communications with SBA than those on this side of the aisle.

I do not want to make this a partisan issue. It did not start out as a partisan issue and I do not want it to end up as one. H.R. 15692 was introduced on a bipartisan basis. But apparently some Members on the other side of the aisle for some unexplained reason have sought to make this a partisan issue. And that is not fair to the thousands of people who have lost their homes and businesses.

Yesterday, in the Rules Committee, the gentleman from California (Mr. SMITH) questioned whether this was really an emergency or whether this could not wait until there were more hearings.

Let me assure my colleagues that this is indeed an emergency and we would be causing irreparable damage if we delayed this through additional parliamentary maneuvering or through demands for extended hearings.

Both in South Dakota and along the east coast, many people are making decisions right now either to rebuild or abandon their homes and businesses which have been demanded in these disasters. Many of these decisions will have to be based on the cost of credit. If we can assure these homeowners and small businessmen that they can obtain low interest loans—loans as low as 1 percent—then many of them will make the decision to stay in their areas and to rebuild and help revitalize the economy of these devastated communities. These are decisions being made at this hour. If the interest rate remains at the administration's present level of 5⅛ percent, many of these people are going to be forced to walk off and leave their homes and businesses. In my opinion, such a situation constitutes an emergency.

Mr. Speaker, we have tried—as far as possible—to lower the cost of survival for these people. It is inappropriate for either the Congress or the administration to act like hard-nosed bankers at this hour of crisis for so many people. The important thing is that we get this money out to the people as fast as possible and at the least possible cost to the victims.

In closing, Mr. Speaker, I urge the Members of this body to vote with compassion so that we may begin the task of rebuilding the disaster stricken areas.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. WILLIAMS).

Mr. WILLIAMS. Mr. Speaker, the comments made by my distinguished colleague, H. ALLEN SMITH, about this bill are true to an extent. However, we did make one mistake in drafting this bill, and that is we are canceling 25 percent of the principal of the loan except that the total amount so canceled shall not exceed $2,500.

Up until 1970 the law provided that disaster loans would be made at 3 percent interest with the full $2,500 being forgiven. We should never have inserted that particular amendment that changed that. If we adopt an amendment to eliminate the 25 percent and still continue to forgive the first $2,500, we will be helping actually millions of people.

The very information which was cited here as coming from the Small Business Administration is information that the committee has been unable to get. We have made an effort to do so. The only thing that will have to be done if this bill is passed for those loans already made is to have a simple recalculation of the amount of interest to be paid. Since every branch of this Government, including the Small Business Administration, has a computer division available to it, this will be a very, very simple matter.

By going back just for this fiscal year we do help 25 States as I said before, and millions of people who, through no fault of their own, have had their homes and businesses wiped out. These people are still paying the mortgages and the interest on their original mortgages, plus paying the principle and interest on their SBA disaster loans, and in many areas they are not able to make it.

So what the bill would provide, with the 25 percent provision removed, that if anyone took advantage of the $2,500 forgiveness clause, they would then be getting the loan at a 3 percent interest rate. If they did not take advantage of the forgiveness, then they would get the loan at a 1 percent annual interest rate.

I believe I heard the figure that this would be an additional cost to the administration or something like $50 million annually. To help people who are working people and who need this help is something I certainly think we should do, and I urge the passage of the rule and the passage of this bill.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

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

Mr. ANDERSON of Illinois. Mr. Speaker, I certainly join the gentleman from Pennsylvania in his desire to assist the unfortunate flood victims of Rapid City, and also those of the recent hurricane Agnes.

There is one thing that disturbs me about this bill, and it did in the Committee on Rules, as you heard very briefly yesterday, and that was this retroactivity feature going back to July 1 of 1971.

Now, if I understood the gentleman correctly, the facts presented make clear that some 37,000 loans have been made since July 1 of last year.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. SMITH of California. Mr. Speaker, I yield 2 additional minutes to the gentleman from Pennsylvania.

Mr. ANDERSON of Illinois. Mr. Speaker, if the gentleman will yield further, if I understand correctly, each one of those 37,000 loans is subject to renego-

tiation and recomputation because of this retroactivity feature. What I am afraid of is that the SBA may become a disaster area, and they will get so bogged down in renegotiating those loans that they will not have the time and the facilities to be helping the poor who have recently been devastated.

Mr. WILLIAMS. Mr Speaker, representatives of the SBA have said that they can do this, and that this recalculating of the interest rates on the 37,000 loans on the kind of computers we have today is a matter of the work of perhaps a week or 10 days for these computers.

Mr. ANDERSON of Illinois. If the gentleman will yield further, it is not just a question of renegotiation of interest; they have to get in touch with the borrowers, or the borrowers are going to be beseiging the SBA offices, and I believe that I can see a grave administrative problem there.

Mr. WILLIAMS. Kindly keep in mind that after the President declares a disaster area to be such then you can apply for a loan over a period of 6 months. In other words, say we have had a disaster declared in one State in October 1971; that means that they could borrow money through April of this year. So that in going back and paying only for disasters which occurred during this fiscal year we are only giving fair treatment to everybody in these 25 States, and these various areas. There was some feeling that we should go back further, but that was voted down.

Also, for the first time, as the gentleman from California (Mr. SMITH) has so eloquently pointed out, we do put a penalty in here which says that whenever the money is used for other than the purpose for which it was loaned, the borrower shall be civilly liable for 1½ times the amount of the loan.

The SPEAKER. The time of the gentleman from Pennsylvania has again expired.

Mr. PATMAN. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. CORMAN).

Mr. YOUNG of Texas. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Georgia (Mr. STEPHENS).

Mr. KAZEN. Mr. Speaker, will the gentleman from Georgia yield?

Mr. STEPHENS. I yield to the gentleman.

Mr. KAZEN. Am I correct that under the present law, on these disaster loans, the borrower pays the first $500 and he is forgiven the next $2,500 and then he pays the balance?

Mr. STEPHENS. That is correct.

Mr. KAZEN. All right, sir.

Now under this bill, as I understand it, you are forgiven 25 percent, not to exceed $2,500; am I correct?

Mr. STEPHENS. That is correct.

Mr. KAZEN. All right—then on a $4,000 loan, a person who borrows would have to pay $1,500 back?

Mr. STEPHENS. Five hundred dollars back under the present law.

Mr. KAZEN. That is right—he gets the benefit of $1,500.

Mr. STEPHENS. That is right.

Mr. KAZEN. Now under this present bill, if he can only get 25 percent, then he only gets the benefit of $1,000.

Mr. STEPHENS. That is correct.

Mr. KAZEN. Is this not worse than what we have now?

Mr. STEPHENS. If the gentleman will permit me to proceed, I think I can explain it.

I will take just a minute to point out to you that this bill originated with the gentleman from South Dakota (Mr. ABOUREZK) for the purpose of alleviating the flood situation in South Dakota.

His bill was introduced and they offered to change the law so that all loans would be 1 percent and it would be retroactive to the disaster loan at date of December 1970.

When it came to the subcommittee, we had hearings on this, and I am going to be extra frank with you in spite of what my chairman has said—I do not think we ought to give $2,500 forgiveness and a 1 percent loan. I thought we ought to look at the other taxpayers a little bit who are working to pay this bill.

What we came up with as a compromise in the subcommittee was that if you took the $2,500 of maximum, then you could get the money at 3 percent. But if you did not take the $2,500 or any part thereof, then you could get the loan at 1 percent.

Now I have heard that this will foul up the SBA. We are trying to help the SBA start out right on the new situation with the South Dakota lending, and also the other damage caused by Agnes—because when they got out to the California earthquake, they had no experience and people came in there and they said:

"Here we are—we have this damage—give us $2,500."

We lost millions of dollars because it was not feasible nor was the SBA able to limit that.

We said in this bill in order to correct that, a person could not just come in and say—we have been damaged.

A person is going to have to come in and say: "I have a bona fide estimate here and I have got this proof of the loss that I have had."

That is not in the present law. If you stay under the present law, people will just come in and get $2,500 forgiveness and the interest rate is still a subsidy interest rate because it is 2 percent under what the Treasury states as to what its average for that month is for Treasury obligations.

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

Mr. STEPHENS. I yield to the gentleman.

Mr. GOLDWATER. In regard to the point you are making about a bona fide appraisal—in our experience in California, this is the thing that caused much of the problem.

In one instance a general contractor could give an appraisal and that was sufficient along with the SBA sending out their own appraiser to substantiate the contract.

Then we found that because of the so-called free money, we found some people trying to take advantage of this. As a result the SBA tightened up the regulation and required a structural engineer's report.

Now I would like the gentleman to clarify specifically what he means by a bona fide appraisal so that the SBA knows.

The SPEAKER. The time of the gentleman has expired.

Mr. YOUNG of Texas. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. STEPHENS. We have here in the bill an option.

Now we tied that down here with an additional phrase which says:

"Whoever wrongfully misapplies the proceeds of a loan obtained under this subsection shall be civilly liable to the Administrator in an amount equal to one-and-one-half times the original principal amount of the loan."

There is a penalty if they come in and give a fraudulent estimate.

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

Mr. STEPHENS. I yield to the gentleman.

Mr. PATMAN. Is it not a fact that under the present law, if you leave it that way, the going rate will be over 5.5 percent?

Mr. STEPHENS. The going rate for the present month is 5.18 percent. If you leave it that way, it will be 5.18 percent and next month it will be higher.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri (Mr. HALL).

Mr. HALL. Mr. Speaker, I think it has been clearly established that we want to correct a bad situation. Some call this emergency and highly urgent legislation. Those that we would rather believe think maybe it is a hodge-podge of legislation erroneously contrived in order to assuage personal feelings about a natural disaster.

I have been responsible for deferring this by unanimous consent for the past 2 days. Originally, as I stated yesterday in the RECORD, I did this only because it was an infraction of the rules of the House. Since that time all of the material so expertly given by the gentleman from California, the ranking minority member of the Committee on Rules, has been made available to me. Much of that I put in the RECORD yesterday.

It is true, Mr. Speaker, that this would result in a long discussion tonight. It is true that there have been many disasters—69 Presidentially declared disasters in 1971, and to date, 51 in 1972. This involves hundreds of millions of dollars, a total of $460 million for the 2 years, to say nothing of the Pennsylvania disaster, in which there are already 1,618 applications for a total of $8.4 million, and I am sure that came into being before the disasters of which the gentleman from Elmira, N.Y., spoke awhile ago.

The point is that this plan would make at least $35 million less available in the hands of this committee.

Even more to the point is that it is probably a jurisdictional or oversight "steal." It certainly undoes the Disaster Act of 1970. There is the question of retroactivity. There is the question of loan-shopping. And I shall not repeat the

other points, including the lack of hearings, or the fact that there is no cost estimate and it is open ended and without limitation.

Disaster we want to help, to be sure. My requirements, as far as the rules of the House are concerned, have been met by bringing this up under the very rule we are discussing.

I would like to address my remarks to the rule itself. I think we have gotten pretty far afield. I have no objection to the House working its will on this bill, but I do want to say, Mr. Speaker, I know of four or five amendments, and I do not think it is going to be a very rapid process, because the rule is an open rule, as far as the 5-minute rule and amendments are concerned. I regret that it waives all points of order. I have never vacillated in opposing such rules, like the chairman, who has asked for the rule, oftentimes states, especially if someone is trying to invade his jurisdiction, for he thinks that takes away the right of the individual as an elected legislator. It precludes him from making points of order to non-germane or other types of amendment under consideration, or legislation under consideration by the rules of the House.

The expeditious way to correct the situation would be to vote down the rule because of the multiple waivers of points of order, just as we did the last one. Let this go back to committee, and, Mr. Speaker, I want to say to you that there is adequate relief going forward to these places at the present time, as the gentleman from California said and the gentleman from New York has already stated. Its even better than the proposal and I believe we should not go only part way in this time of stress. I repeat, there is adequacy.

First of all, we know that waiting in the wings for consideration under unanimous consent is the established OEP unlimited authorization appropriation for $200 million as a starter to relieve them. There is, in addition, the President's Contingency Fund, to say naught of the American National Red Cross and the Emergency Service of the U.S. Public Health Service.

I have in my hand a report from the Department of HEW, U.S. Public Health Service, and I gave another one to Chairman STEED of the Subcommittee on Appropriations hearing the emergency package disaster plan, that there have been over 28 package disaster hospitals moved into these areas in the last week. Rapid City is being well taken care of.

Regardless of computers and anything else, we cannot go back to a date certain and recalculate all of these disasters, including a total not of 37,000 but 96,000 for a total of $384.4 million, and be expeditious and let the people know where they are standing.

I recommend that we vote down the rule.

Mr. YOUNG of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. BARRETT).

Mr. BARRETT. Mr. Speaker, I am pleased that we are able to consider H.R. 15692, to reduce the interest rates on SBA disaster loans. At the appropriate time—and I will not take too much time here with my remarks—I will inform the gentleman from Missouri and everybody in the House, I will offer an amendment that will continue the present forgiveness provision of $2,500 on SBA disaster loans, and reduce the interest rate to 1 percent. I think this is necessary in order that we get immediate money and relief to these affected areas.

I believe that we carefully considered this matter in the committee, and I offer it with good intentions and with the best of interest. We had to move very expeditiously to get this bill to the floor to make an additional comment. Between the time we reported the bill and up to the present time, we felt in the best interests of everybody in the House and everybody in the country, especially those in the areas afflicted by the flood damage, we should have a $2,500 forgiveness provision backed up by a 1-percent interest rate. I shall offer this amendment at the appropriate time.

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

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

Mr. KYL. Mr. Speaker, the gentleman in the well is a prominent member of the Banking and Currency Committee, is he not?

Mr. BARRETT. Yes.

Mr. KYL. When did the committee finish action on this bill?

Mr. BARRETT. When did it take action on the bill?

Mr. KYL. Yes.

Mr. BARRETT. We spent considerable time on it.

Mr. KYL. When did the committee vote?

Mr. BARRETT. We met on Wednesday morning, and we were interrupted by the House going into the session under the 5-minute rule, and we did not have an opportunity, as I pointed out, to explore in depth what would be the best way to serve these people who lost so much. So I will offer an amendment to strike out the 25 percent of loan forgiveness which was offered by my colleague of Georgia Mr. BLACKBURN, at the very last minute when the bell was rung. Many of the members including me, left for the floor.

Mr. KYL. The gentleman does not mean they did not vote on this in the committee?

Mr. BARRETT. They did vote on this, and this was voted on in a very quick time, let me say again, because of the bells ringing for the House to go into the 5-minute rule.

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

Mr. BARRETT. I yield to the gentleman from Pennsylvania.

Mr. WILLIAMS. Mr. Speaker, I think the gentleman from Pennsylvania (Mr. BARRETT) will note on the bill that this bill was reported out of our committee by, I believe, a unanimous vote on June 27, 1972, which was Tuesday.

Mr. BARRETT. That is correct.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Speaker, we, of course, in the Public Works Committee deal with the disaster legislation. I was frankly quite concerned over the language that had been incorporated into the bill relating to cancellation of 25 percent of the principle for the reasons mentioned by the gentleman from Texas, Mr. KAZEN, because it would not provide a recipient with the amount of relief that had been anticipated.

I am somewhat relieved to know that the gentleman is going to be doing something in the way of offering an amendment, because he would have otherwise set in motion, I believe, a possible administrative nightmare, unless something was done about this.

However, has there been taken into consideration what the Red Cross does for the individuals, in addition to the SBA and Farmers Home Administration loans and the forgiveness provisions associated with those agencies in the program under the Disaster Relief Act? The Red Cross does give some assistance to these people as well.

Mr. SMITH of California. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, the statement has been made that this bill will bring money to this area. That is not correct, in my opinion.

That is permanent law. We passed that in 1970. We have $70 million in the SBA now, and $80 million in the bill in conference, and as of the day before yesterday President Nixon sent up, I believe hand delivered, to the gentleman from Texas (Mr. MAHON) a request for $100 million for this Agnes situation. I believe the gentleman from Texas (Mr. MAHON) introduced a House joint resolution. It was heard yesterday, and increased to $200 million.

It is my hope that that bill will be disposed of tonight, or tomorrow, before we adjourn, which will give $200 million under the presently existing formula to help these people who have suffered in this hurricane.

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

Mr. SMITH of California. I am happy to yield to my colleague.

Mr. ROUSSELOT. I appreciate my good friend from California bringing up the point about the $100 million requested by President Nixon. That $100 million he has requested does not apply to the home loans and to the business loans we are talking about in this bill. It is for other aspects of disaster loans—that is for public facilities, et cetera. That is exactly the point we wish to make tonight.

Mr. SMITH of California. That is correct, but with the setup between the administration and the SBA they have worked it out.

Mr. ROUSSELOT. I wanted to be sure it was understood the $100 million the President requested does not apply to the type of things the Small Business Administration administers under this program.

Mr. SMITH of California. The Small Business Administration, I believe, has opened some 48 offices.

The SPEAKER. The time of the gentleman from California has expired.

Mr. SMITH of California. Mr. Speaker, I yield 1 minute to the gentleman from Iowa (Mr. GROSS).

PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, I take this time to propound a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. How long is it proposed to continue this endurance contest we are embarked upon?

The SPEAKER. The gentleman's question is not a parliamentary inquiry.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I note by the clock we have now been in 10 hours of continuous session, and I would think that the time has about arrived when we should dispense with further proceedings. I therefore make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. YOUNG of Texas. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

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

[Roll No. 250]

Abernethy	Frelinghuysen	Mosher
Abzug	Fulton	Moss
Anderson, Tenn.	Gallagher	Murphy, N.Y.
	Green, Pa.	Nichols
Baring	Griffiths	Pelly
Belcher	Hansen, Wash.	Pike
Bell	Hathaway	Pirnie
Blanton	Hawkins	Podell
Boggs	Hays	Poff
Bray	Hébert	Pryor, Ark.
Broomfield	Holifield	Pucinski
Burke, Fla.	Hosmer	Rarick
Caffery	Hunt	Reid
Carey, N.Y.	Karth	Rhodes
Celler	Kee	Riegle
Chisholm	Keith	Ruppe
Clawson, Del	Kluczynski	Sebelius
Clay	Landrum	Shoup
Conyers	Lennon	Shriver
Curlin	Lent	Sikes
Davis, S.C.	Lujan	Sisk
Dent	McCulloch	Skubitz
Diggs	McDade	Slack
Dowdy	McDonald, Mich.	Springer
Dwyer		Stephens
Eckhardt	McKevitt	Ullman
Edmondson	McMillan	Wampler
Erlenborn	Madden	Wiggins
Eshleman	Martin	Wilson, Bob
Evins, Tenn.	Mathias, Calif.	Winn
Findley	Metcalfe	Wright
Flynt	Mikva	Wydler
Ford, Gerald R.	Miller, Calif.	
Ford, William D.	Mills, Ark.	
	Moorhead	

The SPEAKER. On this rollcall 333 Members have answered to their names, a quorum.

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

PROVIDING FOR CONSIDERATION OF H.R. 15692, INTEREST RATE ON SMALL BUSINESS ADMINISTRATION DISASTER LOANS

Mr. YOUNG of Texas. Mr. Speaker, I yield 5 minutes to the distinguished chairman of the Committee on Rules, the gentleman from Mississippi (Mr. COLMER).

(By unanimous consent, Mr. COLMER was allowed to speak out of order.)

BUSING TO ACHIEVE RACIAL BALANCE

Mr. COLMER. Mr. Speaker, I dislike to take time on an extraneous matter here tonight, but it would appear that we are going to be here quite a while anyway.

Mr. Speaker, this afternoon I advised the distinguished chairman of the Judiciary Committee, Mr. CELLER, my good personal friend, that I was going to make a statement here at the first opportunity in the consideration of one of these rules.

Mr. Speaker, the controversy over whether public schoolchildren should be transported by busing from one neighborhood to another in order to achieve a racial balance has been before this Congress and the courts for several years. Many bills and resolutions have been introduced in this House over a period of more than a year to stop this procedure. These resolutions have all been referred to the House Committee on the Judiciary or, in a few instances, to the Committee on Rules.

To be specific without listing all of these documents, I should like to call the attention of the House to the fact that on May 6, 1971, House Joint Resolution 620, introduced by the gentleman from New York (Mr. LENT) was referred to the Committee on the Judiciary. This was in the nature of a constitutional amendment and its purpose was to prevent the practice of transporting children in order to achieve a racial balance and to preserve the neighborhood schools.

On September 22, 1971, more than 4 months after this resolution, House Joint Resolution 620, was referred to the Judiciary Committee, and after no action had been taken thereon, the gentleman from Oklahoma (Mr. STEED) introduced House Resolution 610 which was referred to my Rules Committee. This resolution would discharge the Judiciary Committee from further consideration of House Joint Resolution 620 and bring the resolution to the floor of the House for the consideration of this body. Since the resolution called for this extraordinary procedure, your Committee on Rules felt that the Judiciary Committee should have more time for consideration of the important constitutional amendment proposal and took no action thereon.

However, on January 26, 1972, more than 8 months after the Lent resolution was referred to the Judiciary Committee and more than 4 months after the Steed resolution was referred to the Rules Committee, as chairman of the committee with the duty of scheduling various resolutions referred to it, I had a colloquy with the able and distinguished chairman of the Judiciary Committee, Mr. CELLER, here on the floor of this House—CONGRESSIONAL RECORD, volume 118, part 2, page 1254. In that colloquy I called—I thought rather forcefully—the attention of the chairman of the Judiciary Committee to the fact that no action had been taken on the Lent resolution and chided him about burying the resolution in the cellar of his committee, and that I felt that I had some obligation in the matter of the Steed resolution.

Chairman CELLER did announce on that day that he would have hearings on the matter which hearings were to begin on March 1, 1972. I am now advised that Judiciary Subcommittee No. 5, chaired by Mr. CELLER himself, did conduct hearings on the busing amendment. But, I am also informed that no conclusion was reached nor was the matter ever considered by the full Judiciary Committee.

Mr. Speaker, here we are at the end of June. A recess of the Congress begins tomorrow lasting until July 17. A month later the Congress is scheduled to take another recess from August 18 to September 5. There is talk about sine die adjournment of the Congress sometime in October. In other words, time is running out. The people, and particularly the parents of school children, are muchly concerned as are many Members of this House that no action will be taken. Many Members of this body have gone on record as favoring some action to stop this senseless busing of our children, in many instances for many miles, in order to achieve a racial balance in our schools. The advocates of this indiscriminate and limitless busing seem to be more concerned with obtaining a racial balance than with obtaining quality education.

Mr. Speaker, the President of the United States has on more than one occasion made strong statements against this busing for the achievement of racial balance. In fact, he has recommended to the Congress that certain action in the nature of a moratorium be established in this area until the Congress and the courts can finally settle the issue, and legislation has been introduced and referred to the Judiciary Committee to this end.

Now, Mr. Speaker, with no desire to embarrass my long-time friend, the chairman of the Judiciary Committee, or any members of that committee, I feel obligated as chairman of the Rules Committee having jurisdiction in this field, as well as a sense of duty, to again respectfully call this matter to the attention of the chairman and the members of the Judiciary Committee. I do so with the hope that the Judiciary Committee will see fit to take some affirmative action in the very near future on either the bill containing the President's recommendation or the proposed constitutional amendment and thus relieve my committee of the necessity of resorting to the unusual procedure of discharging the Judiciary Committee from further consideration of these measures and thereby taking the matter directly to the floor of the House so that the Members may have an opportunity to express themselves on this all-important question.

Again, in view of the limited time left in the 92d Congress, I would respectfully suggest that this be done not later than August 1.

Mr. Speaker, this is possibly the most important issue before the country today, affecting as it does the very lives and welfare of our most cherished possessions, our children. This Congress should not adjourn without taking favorable action on this matter. It should be settled and not left as a political foot-

ball to be kicked around in this election year.

Mr. YOUNG of Texas. Mr. Speaker, I yield such time as he may consume to the gentleman from South Dakota (Mr. DENHOLM).

Mr. DENHOLM. Mr. Speaker, I respectfully request unanimous consent to extend and revise my remarks at this point in the RECORD in support of an affirmative vote on the rule that will permit immediate action on the emergency legislation pending for victims of the tragic disaster at Rapid City, S. Dak.

Mr. Speaker, the opponents to the rule may not be opposed to the pending legislation, but it cannot be denied that if this rule is defeated the emergency legislation is delayed, if not effectively defeated. That is the wrong action—that is the wrong vote if the Members here assembled care "one iota" about essential assistance to fellow Americans that unsuspectedly fell victims to an act of God.

There are great men here assembled—men of good will—and men of great wisdom. There are none so great that may not one day be humbled in the storms of life beyond compare. The powers of nature, loosened in the darkness of night, came upon the citizens of a peaceful community—and the raging torrents of waters from the canyons of the beautiful Black Hills roared through the "valley of death" below. The terror and tragedy that followed shall not be forgotten.

Mr. Speaker, this rule must be adopted and the emergency legislation must be approved tonight.

Mr. YOUNG of Texas. Mr. Speaker, I yield the remaining 3 minutes that I have to the gentleman from South Dakota (Mr. ABOUREZK).

Mr. ABOUREZK. Mr. Speaker, I just want to respond to some of the questions raised by the gentleman from California (Mr. SMITH) and other Members who are concerned about what the benefits will provide and what benefits have been provided in the South Dakota flood.

For example, the $100 million of which the gentleman from California (Mr. SMITH) spoke, is to be applied to the Office of Emergency Preparedness which does nothing for long-term private relief. It only provides for rebuilding public facilities and some short-term relief for victims of the disaster.

The Red Cross and other private relief agencies have tried to help out in the South Dakota flood, and I am sure they are doing the same in the east coast flood that just occurred. But what is really needed is some kind of relief for private individuals who have lost both their homes and their businesses, and relief that they are not getting under the existing law, and for many of those people there is no help at all. As a matter of fact, in the district I represent, which includes Rapid City, S. Dak., my hometown, for many of those people even a 1 percent SBA loan will be very little relief at all. Nothing short of an outright grant to some people who have lost everything they have had will do the job.

Now in a community of 43,000 people—Rapid City, when you lose 224 of your friends and your relatives and if your entire business and your entire home is wiped out as well, there is no question that those people need relief as soon as possible.

On the question of the urgency for this legislation tonight, let me say that those people—in view of the great psychological impact they have suffered, really have to make a decision. They have to make a decision right away—whether to stay and to try to rebuild and pick up the pieces; or whether to take bankruptcy and walk away from what they have and move on to something else.

I think it is quite urgent, as a matter of fact, that this legislation be passed as well as other legislation that will fill in the gaps in the existing Disaster Relief Act.

But tonight I really think those people out there are entitled to it, especially in view of the fact that we give billions of dollars of disaster relief to people overseas without ever asking for repayment. We give interest-free loans and for the most part—grants. I do not really think it is too much to ask that the people of this country—people who are innocent of any wrongdoing in this disaster, be given some kind of relief from their Government.

Mr. YOUNG of Texas. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

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

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

The SPEAKER. The Chair will count.

One hundred seventy-two members are present, not a quorum.

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

The question was taken; and there were—yeas 348, nays 6, not voting 78, as follows:

[Roll No. 251]

YEAS—348

Abbitt	Bow	Collier
Abourezk	Brademas	Collins, Ill.
Abzug	Brasco	Collins, Tex.
Adams	Brinkley	Colmer
Addabbo	Brooks	Conable
Alexander	Brotzman	Conover
Anderson, Calif.	Brown, Mich.	Conte
	Brown, Ohio	Corman
Anderson, Ill.	Broyhill, N.C.	Cotter
Andrews, Ala.	Broyhill, Va.	Coughlin
Andrews, N. Dak.	Buchanan	Crane
	Burke, Mass.	Culver
Annunzio	Burleson, Tex.	Daniel, Va.
Archer	Burlison, Mo.	Daniels, N.J.
Arends	Burton	Danielson
Ashley	Byrne, Pa.	Davis, Ga.
Aspin	Byrnes, Wis.	Davis, Wis.
Aspinall	Byron	de la Garza
Badillo	Cabell	Delaney
Baker	Camp	Dellums
Barrett	Carey, N.Y.	Denholm
Begich	Carlson	Dennis
Bennett	Carney	Derwinski
Bergland	Carter	Devine
Betts	Casey, Tex.	Dickinson
Bevill	Cederberg	Diggs
Biaggi	Chamberlain	Dingell
Biester	Chappell	Donohue
Bingham	Clancy	Dorn
Blackburn	Clark	Dow
Blanton	Clausen, Don H.	Downing
Boland		Drinan
Boiling	Cleveland	Dulski
Duncan	Latta	Rooney, N.Y.
du Pont	Leggett	Rooney, Pa.
Edwards, Ala.	Link	Rosenthal
Eilberg	Lloyd	Rostenkowski
Esch	Long, La.	Roush
Eshleman	Long, Md.	Rousselot
Evans, Colo.	McClory	Roy
Fascell	McCloskey	Roybal
Fish	McClure	Runnels
Fisher	McCollister	Ruth
Flood	McCormack	Ryan
Flowers	McEwen	St Germain
Flynt	McFall	Sandman
Foley	McKay	Sarbanes
Forsythe	McKevitt	Satterfield
Fountain	McKinney	Saylor
Fraser	Macdonald, Mass.	Scherle
Frenzel		Scheuer
Frey	Mahon	Schneebeli
Fulton	Mailliard	Schwengel
Fuqua	Mallary	Scott
Galifianakis	Mann	Sebelius
Garmatz	Martin	Seiberling
Gaydos	Mathis, Ga.	Shipley
Gettys	Matsunaga	Sisk
Giaimo	Mayne	Skubitz
Gibbons	Mazzoli	Smith, Iowa
Goldwater	Meeds	Smith, N.Y.
Gonzalez	Melcher	Snyder
Goodling	Michel	Spence
Grasso	Mikva	Staggers
Gray	Miller, Ohio	Stanton, J. William
Green, Oreg.	Mills, Md.	
Griffin	Minish	Stanton, James V.
Gubser	Mink	
Gude	Minshall	Steed
Hagan	Mitchell	Steele
Haley	Mizell	Steiger, Ariz.
Halpern	Mollohan	Steiger, Wis.
Hamilton	Monagan	Stokes
Hammer-schmidt	Montgomery	Stratton
	Moorhead	Stubblefield
Hanley	Morgan	Stuckey
Hanna	Murphy, Ill.	Sullivan
Hansen, Idaho	Myers	Symington
Hansen, Wash.	Natcher	Talcott
Harrington	Nedzi	Taylor
Harvey	Nelsen	Teague, Calif.
Hastings	Nichols	Teague, Tex.
Hathaway	Nix	Terry
Hawkins	Obey	Thompson, Ga.
Hechler, W. Va.	O'Hara	Thompson, N.J.
Heckler, Mass.	O'Konski	Thomson, Wis.
Heinz	O'Neill	Thone
Helstoski	Passman	Tiernan
Henderson	Patman	Udall
Hicks, Mass.	Patten	Ullman
Hicks, Wash.	Pepper	Van Deerlin
Hillis	Perkins	Vander Jagt
Hogan	Pettis	Vanik
Holifield	Peyser	Veysey
Horton	Pickle	Vigorito
Howard	Pike	Waggonner
Hull	Poage	Waldie
Hungate	Podell	Ware
Hutchinson	Powell	Whalen
Ichord	Preyer, N.C.	Whalley
Jacobs	Price, Ill.	White
Jarman	Price, Tex.	Whitehurst
Johnson, Calif.	Purcell	Whitten
Johnson, Pa.	Quie	Widnall
Jonas	Quillen	Williams
Jones, Ala.	Railsback	Wilson, Charles H.
Jones, N.C.	Randall	
Jones, Tenn.	Rangel	Winn
Kastenmeier	Rees	Wolff
Kazen	Reuss	Wyatt
Keating	Rhodes	Wyman
Kemp	Riegle	Yates
King	Roberts	Yatron
Koch	Robinson, Va.	Young, Fla.
Kuykendall	Robison, N.Y.	Young, Tex.
Kyl	Rodino	Zablocki
Kyros	Roe	Zion
Landgrebe	Rogers	Zwach
Landrum	Roncalio	

NAYS—6

Ashbrook	Gross	Schmitz
Dellenback	Hall	Smith, Calif.

NOT VOTING—78

Abernethy	Chisholm	Evins, Tenn.
Anderson, Tenn.	Clawson, Del	Findley
	Clay	Ford, Gerald R.
Baring	Conyers	Ford, William D.
Belcher	Curlin	
Bell	Davis, S.C.	Frelinghuysen
Blatnik	Dent	Gallagher
Boggs	Dowdy	Green, Pa.
Bray	Dwyer	Griffiths
Broomfield	Eckhardt	Grover
Burke, Fla.	Edmondson	Harsha
Caffery	Edwards, Calif.	Hays
Celler	Erlenborn	Hébert

Hosmer	Madden	Reid
Hunt	Mathias, Calif.	Ruppe
Karth	Metcalfe	Shoup
Kee	Miller, Calif.	Shriver
Keith	Mills, Ark.	Sikes
Kluczynski	Mosher	Slack
Lennon	Moss	Springer
Lent	Murphy, N.Y.	Stephens
Lujan	Pelly	Wampler
McCulloch	Pirnie	Wiggins
McDade	Poff	Wilson, Bob
McDonald, Mich.	Pryor, Ark.	Wright
McMillan	Pucinski	Wydler
	Rarick	Wylie

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Hunt.
Mr. Boggs with Mr. Gerald R. Ford.
Mr. Sikes with Mr. Burke of Florida.
Mr. Dent with Mr. McDade.
Mr. Edmondson with Mr. Belcher.
Mr. Moss with Mr. Hosmer.
Mr. Davis of South Carolina with Mr. Shriver.
Mr. Hays with Mr. Mosher.
Mr. Evins of Tennessee with Mr. Erlenborn.
Mr. Slack with Mr. Lent.
Mr. Pucinski with Mr. Pelly.
Mr. Reid with Mr. Metcalfe.
Mr. Blatnik with Mr. Broomfield.
Mr. Anderson of Tennessee with Mr. Pirnie.
Mr. Karth with Mr. Bell.
Mr. Caffery with Mr. Mathias of California.
Mr. Baring with Mr. Conyers.
Mr. Green of Pennsylvania with Mr. Frelinghuysen.
Mr. Abernethy with Mr. Springer.
Mr. Murphy of New York with Mr. Wydler.
Mr. Eckhardt with Mr. Clay.
Mrs. Chisholm with Mr. Dowdy.
Mr. Madden with Mr. Grover.
Mr. Kee with Mr. Keith.
Mr. William D. Ford with Mr. McDonald of Michigan.
Mr. Miller of California with Mr. Del Clawson.
Mr. Celler with Mr. Bob Wilson.
Mr. Stephens with Mr. Bray.
Mr. Wright with Mrs. Dwyer.
Mr. Lennon with Mr. Wampler.
Mr. Kluczynski with Mr. Ruppe.
Mr. Mills of Arkansas with Mr. McCulloch.
Mr. Edwards of California with Mr. Lujan.
Mrs. Griffiths with Mr. Shoup.
Mr. Pryor of Arkansas with Mr. Wiggins.
Mr. Gallagher with Mr. Harsha.
Mr. Rarick with Mr. Findley.
Mr. McMillan with Mr. Wylie.
Mr. Curlin with Mr. Poff.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LICENSING OF PERSONNEL ON CERTAIN VESSELS

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 6479) to provide for the licensing of personnel in certain vessels, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, lines 16 and 17, strike out "emergency." " and insert "emergency."

"(3) Paragraph 2 of this subsection shall not apply to towing vessels of less than two hundred gross tons engaged in a service or preparing or intending to immediately engage in a service to the offshore oil and mineral exploitation industry, including construction for such industry, where the vessels involved would have as their ultimate destination or last point of departure offshore oil and mineral exploitation sites or equipment."

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

INTEREST RATE ON SMALL BUSINESS ADMINISTRATION DISASTER LOANS

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15692) to amend the Small Business Act to reduce the interest rate on Small Business Administration disaster loans.

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

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

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 341, nays 1, not voting 90, as follows:

[Roll No. 252]

YEAS—341

Abbitt	Bolling	Cleveland
Abourezk	Bow	Collins, Ill.
Abzug	Brademas	Collins, Tex.
Adams	Brasco	Colmer
Addabbo	Brinkley	Conable
Alexander	Brooks	Conover
Anderson, Calif.	Brotzman	Conte
Anderson, Ill.	Brown, Mich.	Corman
Andrews, Ala.	Brown, Ohio	Cotter
Andrews, N. Dak.	Broyhill, N.C.	Coughlin
Annunzio	Broyhill, Va.	Culver
Archer	Buchanan	Daniel, Va.
Arends	Burke, Mass.	Daniels, N.J.
Ashbrook	Burleson, Tex.	Danielson
Ashley	Burlison, Mo.	Davis, Ga.
Aspin	Burton	de la Garza
Aspinall	Byrne, Pa.	Delaney
Badillo	Byrnes, Wis.	Dellenback
Baker	Byron	Dellums
Barrett	Cabell	Denholm
Begich	Camp	Dennis
Bennett	Carey, N.Y.	Devine
Bergland	Carlson	Dickinson
Betts	Carney	Diggs
Bevill	Carter	Dingell
Biaggi	Casey, Tex.	Donohue
Biester	Cederberg	Dorn
Bingham	Chamberlain	Dow
Blackburn	Chappell	Downing
Blanton	Clancy	Drinan
Boland	Clark	Dulski
	Clausen, Don H.	Duncan
		du Pont
Edwards, Ala.	Leggett	Rostenkowski
Eilberg	Lloyd	Roush
Esch	Long, La.	Rousselot
Eshleman	Long, Md.	Roy
Evans, Colo.	McClory	Roybal
Fascell	McCloskey	Runnels
Fisher	McClure	Ruth
Flood	McCollister	Ryan
Flowers	McCormack	St Germain
Flynt	McEwen	Sandman
Foley	McFall	Sarbanes
Forsythe	McKay	Satterfield
Fountain	McKevitt	Saylor
Fraser	McKinney	Scherle
Frenzel	Macdonald, Mass.	Scheuer
Frey	Mahon	Schmitz
Fulton	Mallary	Schneebeli
Fuqua	Mann	Schwengel
Galifianakis	Martin	Scott
Garmatz	Mathis, Ga.	Sebelius
Gaydos	Matsunaga	Seiberling
Gettys	Mayne	Shipley
Giaimo	Mazzoli	Shriver
Gibbons	Meeds	Sisk
Goldwater	Melcher	Smith, Iowa
Gonzalez	Michel	Smith, N.Y.
Goodling	Mikva	Snyder
Grasso	Miller, Ohio	Spence
Gray	Mills, Md.	Staggers
Green, Oreg.	Minish	Stanton, J. William
Griffin	Mink	Stanton, James V.
Gross	Mitchell	Steed
Gubser	Mizell	Steele
Gude	Mollohan	Steiger, Ariz.
Hagan	Monagan	Steiger, Wis.
Haley	Moorhead	Stokes
Hall	Morgan	Stratton
Hamilton	Murphy, Ill.	Stubblefield
Hammer-schmidt	Myers	Sullivan
Hanley	Natcher	Symington
Hanna	Nedzi	Talcott
Hansen, Idaho	Nelsen	Taylor
Harrington	Nichols	Teague, Calif.
Harvey	Nix	Teague, Tex.
Hastings	Obey	Terry
Hathaway	O'Hara	Thompson, Ga.
Hawkins	O'Konski	Thompson, N.J.
Hechler, W. Va.	O'Neill	Thomson, Wis.
Heckler, Mass.	Passman	Thone
Heinz	Patman	Tiernan
Helstoski	Patten	Udall
Henderson	Pepper	Ullman
Hicks, Mass.	Perkins	Van Deerlin
Hicks, Wash.	Pettis	Vander Jagt
Hillis	Peyser	Vanik
Hogan	Pickle	Veysey
Holifield	Pike	Vigorito
Horton	Poage	Waggonner
Howard	Podell	Waldie
Hull	Powell	Ware
Hungate	Preyer, N.C.	Whalen
Hutchinson	Price, Ill.	Whalley
Ichord	Price, Tex.	White
Jacobs	Purcell	Whitehurst
Jarman	Quie	Whitten
Johnson, Calif.	Quillen	Widnall
Johnson, Pa.	Railsback	Williams
Jonas	Randall	Wilson, Charles H.
Jones, Ala.	Rangel	Winn
Jones, N.C.	Rees	Wolff
Jones, Tenn.	Reuss	Wyatt
Kastenmeier	Rhodes	Wyman
Kazen	Riegle	Yates
Keating	Roberts	Yatron
Kemp	Robinson, Va.	Young, Fla.
King	Robison, N.Y.	Young, Tex.
Koch	Rodino	Zablocki
Kuykendall	Roe	Zion
Kyl	Rogers	Zwach
Kyros	Roncalio	
Landgrebe	Rooney, N.Y.	
Landrum	Rooney, Pa.	
Latta	Rosenthal	

NAYS—1

Stuckey

NOT VOTING—90

Abernethy	Collier	Fish
Anderson, Tenn.	Conyers	Ford, Gerald R.
Baring	Crane	Ford, William D.
Belcher	Curlin	Frelinghuysen
Bell	Davis, S.C.	Gallagher
Blatnik	Davis, Wis.	Green, Pa.
Boggs	Dent	Griffiths
Bray	Derwinski	Grover
Broomfield	Dowdy	Halpern
Burke, Fla.	Dwyer	Hansen, Wash.
Caffery	Eckhardt	Harsha
Celler	Edmondson	Hays
Chisholm	Edwards, Calif.	Hébert
Clawson, Del	Erlenborn	Hosmer
Clay	Evins, Tenn.	Hunt
	Findley	

Karth	Mathias, Calif.	Reid
Kee	Metcalfe	Ruppe
Keith	Miller, Calif.	Shoup
Kluczynski	Mills, Ark.	Sikes
Lennon	Minshall	Skubitz
Lent	Montgomery	Slack
Link	Mosher	Smith, Calif.
Lujan	Moss	Springer
McCulloch	Murphy, N.Y.	Stephens
McDade	Pelly	Wampler
McDonald, Mich.	Pirnie	Wiggins
	Poff	Wilson, Bob
McMillan	Pryor, Ark.	Wright
Madden	Pucinski	Wydler
Mailliard	Rarick	Wylie

So the motion was agreed to.

The result of the vote was announced as above recorded.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15692), with Mr. SISK in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Texas (Mr. PATMAN) will be recognized for 30 minutes, and the gentleman from New Jersey (Mr. WIDNALL) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. PATMAN).

Mr. PATMAN. I yield myself 5 minutes.

I just reminded the Clerk near the Speaker to remind me when I have consumed 5 minutes.

We do not need to talk a great deal on this bill. We know what the story is. I suggest that our side will use less time than the minority, and we will carry it out that way. So if you wish to get through, just cooperate; stay here and do not break the quorum; do not have any quorum calls; get down to business on this disaster bill.

I think it is terrible to have a filibuster on a disaster bill. The President did his duty on 32 occasions since July 1, 1971. He declared a disaster area in 32 instances involving 25 States, that involved hundreds and thousands of people.

We have a bill here to implement what the President has done, and in order to implement that, we must have consideration. To get consideration we must cut down debate to get right down to the amendments, if there are any amendments—and there will be some—and we will pass on them like we always do in representative government. Then we will get down to the final vote.

I feel that this is one bill that is timely and opportune and very much needed. I certainly hope that no one will try to interfere with orderly procedure or try to block it in any way.

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

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

Mr. GROSS. It seems to me that we had a bill earlier this afternon concerning predators that took about an hour, perhaps more, along with the rollcall. I wonder why that bill was scheduled ahead of your bill, if you considered your bill so important.

Mr. PATMAN. I did not pass on that.

Mr. GROSS. Well, the leadership passed on it.

Mr. PATMAN. Well, blame the leaders; talk to the leaders about it.

Mr. GROSS. I might as well talk to the moon.

Mr. PATMAN. Well, you can be quiet and help us get this bill through.

I have a statement showing all of the disaster areas declared by the President of the United States that would be included in this bill since July 1, 1971, which commenced with the fiscal year. We are in that fiscal year right now, and there are 32 of those disaster areas. I will read them to you:

PRESIDENTIALLY DECLARED DISASTERS FISCAL YEAR 1972

July 12: Nebraska.
August 5: Maryland.
August 30: New Jersey.
September 3: New York.
September 9: Oklahoma.
September 13: Texas.
September 15: Pennsylvania.
October 13: Louisiana.
January 7: Colorado.
January 17: Oklahoma.
January 28: Oregon.
February 4: Washington, (state).
February 11: Texas, Mississippi, Arkansas.
February 24: Massachusetts, New Hampshire, Nevada.
February 28: West Virginia.
March 7: Idaho.
March 9: Island of Truk.
March 27: Washington (state).
May 15: Texas.
May 18: Kentucky.
June 6: Washington (state).
June 12: South Dakota.
June 13: North Dakota.
June 23: Florida, Virginia, Maryland, Pennsylvania, New York.

The President did his duty when he declared these areas distressed areas so they could get relief.

Under present law they would have to pay over 5-percent interest, and that is a minimum. It could be 7 percent the next month, or 8 percent or 9 percent. It fixes no limit. Our bill fixes a limit. It is really one our consciences can live with. Why should we want to penalize people who have suffered and are in distress, who have lost their homes, who have lost their families and everything?

Why should we quibble about something like that? Why should we not get down to business and pass this?

If we were to agree to let this bill go over until tomorrow, that would be the kiss of death for this bill. It would actually kill the bill. It would be just defeating it to put it over until tomorrow. If we pass it tonight and get it over to the Senate, the Senate meets at 8:30 in the morning, and they could get this bill up. But if we postpone the bill until tomorrow, it would be afternoon or night tomorrow before it ever got to the Senate. The only sure way of getting this bill passed is to stay in session and pass it tonight and get it to the Senate tonight. If we just stay here and keep a quorum, we will get it done.

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

Mr. PATMAN. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Chairman, I am most pleased that we are now able to consider H.R. 15692, to reduce interest rates on SBA disaster loans and I rise in support of the bill.

On Tuesday, I took the floor to comment on the purpose of the bill. I briefly pointed out some extent of the damages which have occured in Pennsylvania as a result of last week's rains. Many thousands of people in the State of Pennsylvania are in need of immediate assistance.

This situation exists in at least four other States that were hit by the tropical storm Agnes, and the torrential rains and winds that followed. On Monday, the administration designated 95 cities and counties in five Eastern States as major disaster areas making residents eligible for low-interest Government loans to repair flood damage. That figure is now over 100 areas. Unfortunately many more than 100 areas have been severely hit by the storm and have suffered great damage. In the State of Pennsylvania Governor Shapp has announced that the State is working in 61 areas which have been damaged, even though only 35 areas so far have been designated as major disaster areas.

I must commend my chairman, the gentleman from Texas, and my fellow members of the committee for the prompt action taken to present this bill to the House. However, after reviewing the measure as amended by the committee and considering its effect and the needs of the people, I find that the committee adopted an amendment which will cause undue hardship on the many thousands who are eligible for and will be assisted by the SBA disaster loan program.

The amendment was adopted in good faith and with the best of intentions, however, I believe we failed to give due consideration to the effect of the amendment.

The law presently has a cancellation or forgiveness provision of $2,500, for loans of at least $3,000. In one particular situation in the past it was found that some applied for and received a loan of that amount or more who may not have been entitled to the same. There were also occasions where the funds were not used for the intended purpose. To prevent these abuses the committee properly strengthened the proof of loss requirement to require a bona fide estimate of the cost of repair, rehabilitation or replacement.

At the same time the cancellation or forgiveness provision was changed, which will result in increased costs to those to be benefited by the program. I believe that this change is ill-advised and manifestly unfair. It is somewhat like changing the rules of a game after the game is underway, only worse.

The people who are now suffering from last week's storms have been advised of what programs are available to assist them and led to believe and expect a $2,500 loan cancellation. Yes, to expect a $2,500 grant under existing law. The amendment does away with that and I think it is wrong.

I will, therefore, oppose the committee amendment and offer a substitute to reinstate that provision and to reduce the

interest on the balance of the loan, after forgiveness, to 1 percent per year.

Mr. Chairman, considering the plight of the poor souls who have experienced the ravages of the storm and their suffering, this is the least we can do. I would prefer no interest rate loans in addition to the forgiveness, but am led to believe that that would have little possibility of being accepted. I believe, the amendment I will offer is realistic and practicable and is so very much needed to assist those who have suffered and experienced great financial losses.

I hope that when the amendment is offered it will not only receive the support of all the Members from Pennsylvania but all the Members of the House, because it affects every State in the Nation.

Mr. WIDNALL. Mr. Chairman, I rise in support of H.R. 15692 as amended and yield myself such time as I may require.

H.R. 15692 as amended provides for some very desirable changes in the disaster loan program of the Small Business Administration. Natural disasters are a recurring phenomenon in our country, but occurring in scattered sites, as they do, it is seldom that all of us here in Congress are simultaneously made aware of their true significance. Last week's hurricane laying waste to this immediate area changed all that. The stark stories of damaged businesses or destroyed homes have filled the local media. The need for and the value of Federal assistance in times of disaster is apparent to all.

I am pleased to be able to say to you that the bill we bring before you today makes some significant improvements in a program which has already proved its value.

Under existing law the interest rate on disaster loans is tied to the cost of Treasury borrowing. Presently the rate is 5⅛ percent. H.R. 15692 reestablishes the old 3 percent maximum interest rate for disaster loans. Note that this applies only to disaster loans—not SBA's regular loan business. Under certain circumstances, which I will explain in a minute, borrowers may exercise an option to borrow at an even lower rate of 1 percent.

While I am not a proponent of submarket interest rate loans I do believe in compassion. If there is ever a time when this Nation should utilize its resources to help its citizens it is when they are innocently bowled over by natural disasters over which they have no control. Because of this—and because we have included in the bill certain safeguards against abuses—I am in full support of these favorable rates.

Under existing law SBA can forgive up to $2,500 of a loan subject to the requirement that the borrower must repay the first $500 of the amount borrowed. This has proved to be unworkable and an invitation to abuse of the program. It has served as a real incentive for people to borrow $3,000 when lesser amounts would suffice and SBA has found it more costly to try and collect the $500 than it would be to forgive it. Accordingly your committee has changed the rules on this to authorize SBA to forgive up to 25 percent of any loan up to a maximum of $2,500. This means that a minimum of 75 percent of any loan is repayable and will serve as a disincentive to borrow more than is actually needed.

Furthermore, we have provided the borrower with a new option. He can borrow at 3 percent with the 25-percent forgiveness clause or, if he is willing to repay all of the principal, he can borrow at a 1-percent interest rate. We expect the options to be offered by SBA together with loan repayment periods so as to maximize the convenience to the borrower while minimizing the costs to the Government.

We have made two other changes to make the program more responsive to citizens needs. First recognizing that it can take a long while to get back on your feet financially after a major disaster we have extended the time that the SBA may defer payments on disaster loans. Present law provides that payments may be deferred for 3 years. We have extended that to 5 years.

In addition we have given the Administrator limited discretion to extend the geographic areas in which disaster loans can be made beyond the areas set forth in Presidential proclamations. Naturally the President's designation of a disaster area must set forth some geographic boundaries. Normally these are State or county boundaries. However, it is not at all unusual for a few properties in adjacent areas to suffer damage. If disaster loans are available only in Presidentially designated areas these property owners are excluded from receiving disaster assistance. We do not think this is fair so we have provided authority to the administrator to extend the benefits of the disaster program to adjacent areas where he finds damage has occurred as a result of the same event that prompted the Presidential finding.

While your committee feels this program has proved its value we recognize that it has been subject to some abuses. I have previously mentioned the change we made with respect to the forgiveness clause. We think this will go a long way toward self correction of the program.

However, we have also added a requirement that loan applicants must furnish a proof of loss, damage, or injury and bona fide estimates of the costs of repairs. We expect SBA to review this information and to amend its loan contracts if necessary to assure a full and complete contractual understanding as to what the loan funds are to be used for. It is not our intention that loans extended on such liberal terms be used for purposes other than the repair, rehabilitation or replacement of facilities damaged in the disaster.

To assist SBA in enforcing this concept we have added a provision for civil penalties in an amount equal to 1½ times the loan amount for misapplication of funds. This is in addition to Federal fraud statutes presently on the books.

All in all we think H.R. 15692 represents a real and much needed improvement in SBA's disaster loan program. With the amendments we are recommending deserving citizens will have access to improved assistance while those who just want to take advantage of a good thing will be deterred.

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

Mr. WIDNALL. I yield to the gentleman from Arizona.

Mr. GOLDWATER. I thank the gentleman for yielding.

I am concerned about this retroactive provision, back to 1971, July. As Members know, the California earthquake in Los Angeles occurred February 9, 1970. At that time there were approximately 80,000 families who received loans from the SBA.

If in fact we made it retroactive back to the California earthquake, would those people be better off under this provision than they are under the flat $2,500 deduction?

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

Mr. WIDNALL. I yield to the gentleman from California.

Mr. REES. I should like to try to answer the question.

I have an amendment here to put the date back to July 1, 1970, to cover two major disasters which are not covered by this bill.

One was the major flood and hurricane that hit Texas in 1970, I believe in August, and the other was the California earthquake of 1971.

If the retroactive feature is put back and the California earthquake is covered, I do not believe the expense would be that much. What would happen is that the current loans at 3 percent and higher would be renegotiated at 1 percent.

In the retroactive provision it would mean all of the provisions in this bill would affect those California loans and California grants, so that a person coming in for a loan, to go from 3 to 1 percent, would have to qualify in this bill in regard to the automatic $2,500 forgiveness provision.

I believe if the retroactive feature is put back to cover the California earthquake there would not be that amount of funds involved because of this feature we have on the $2,500.

Mr. GOLDWATER. Mr. Chairman, if the gentleman will yield further, would it not be a fact that this would be true for only those who acquired high loans, say $10,000 loans? Under the figures that were given to us by the gentleman from California (Mr. SMITH) the average loan was something around $3,000 or $4,000. If in fact we made this retroactive back to then the people with the average loans would in fact get less money than they would under the provisions as they prevail under the original act.

Mr. REES. Mr. Chairman, if the gentleman will yield further, the bill as it is now does not cover the California earthquake.

The amendment that I will be offering later, if passed, will cover the California earthquake and will be beneficial to those who sustain major loss—let us say over $10,000 in size—because then they can take the option of the 1 percent interest loan. So it will be of help to those who suffer the most.

Mr. GROSS. Will the gentleman yield so I can ask the gentleman a question?

Mr. WIDNALL. I yield to the gentleman.

Mr. GROSS. How many years back would you like to make this retroactive?

Mr. REES. Right now I would like to postdate it to July 1, 1970.

Mr. GROSS. How about the Chicago fire and indemnification for Mrs. O'Leary's cow?

Mr. REES. We already have in the bill the date of July 1, 1971. I would be glad to loan you an amendment that would make it June 1, 1972, so that we can cover the present hurricane.

Mr. WIDNALL. Mr. Chairman, I want to yield now to the gentleman from Pennsylvania (Mr. WILLIAMS).

POINT OF ORDER

Mr. HALL. Mr. Chairman, I make the point of order that there are an excess number of committee counsel and clerks on the floor.

The CHAIRMAN. The gentleman from Missouri makes the point of order that there are an excessive number of committee staff members on the floor.

The Chair understands that the Speaker has ruled, according to the rules of the House, that only four professional members and the clerk of the committee will be permitted on the floor at any given time. If at the present time there are more than that number on the floor, they will please retire.

Mr. PATMAN. Mr. Chairman, this is obviously meant for delay, and I hope it is not taken out of our time.

The CHAIRMAN. The matter is not subject to debate. The gentleman from Missouri has made a point of order. If there is in truth a violation of the rule, then staff personnel over that number will retire.

The gentleman from New Jersey has consumed 9 minutes. Does he desire to yield further time?

Mr. WIDNALL. I would like to yield 3 minutes to the gentleman from Pennsylvania (Mr. WILLIAMS).

Mr. WILLIAMS. Mr. Chairman, I thank the gentleman from New Jersey for yielding this time to me.

I would like to call the attention of the members of the committee and the chairman to the fact that we do have a number of Members from California on the Committee on Banking and Currency, and an amendment to make this retroactive to a date that would cover the California earthquake was never mentioned by any California members of the Committee on Banking and Currency. In fact, we were informed by the California members that the papers in California were filled with the accounts of a great number of frauds that have been perpetrated in obtaining small business disaster loans whereas in fact there was no real reason for such claim.

Mr. REES. Will the gentleman yield?

Mr. WILLIAMS. I will in just one moment.

This is the reason for the paragraph that we put in which would make anyone using the loan for any purpose other than that for which it was made civilly liable for one and a half times the principal amount of the loan. Yet in the very last paragraph we say we are making it retroactive to July 1, 1971, except that the last paragraph of the amendment which I have just described made by the first section shall apply only with respect to loans made on or after the date of enactment of this act.

And the fact of the matter is it could have been taken care of, and it could have been taken care of in the committee. It was the report that we received about the frauds that had been perpetrated in California that was the reason we decided to make this retroactive only for this fiscal year.

Mr. REES. Is it not true the reason we have July 1, 1971, instead of June 1, 1972, is that the gentleman wanted to cover a disaster in Pennsylvania?

Mr. WILLIAMS. No; that is not true. The fact of the matter is you have already heard the chairman read off the number of States, 25 in all, in which disasters occurred during fiscal year 1972.

Mr. REES. One of them which was in the gentleman's area.

Mr. WILLIAMS. They were disasters, Presidentially declared disaster areas in this fiscal year.

Mr. REES. Then why did you settle for July 1, 1971?

Mr. WILLIAMS. To cover this fiscal year which we are presently in.

Mr. REES. So it would cover the disaster that occurred in the genleman's district?

Mr. WILLIAMS. I have already told the gentleman that the chairman read the list of the 25 States in which Presidentially declared disasters had occurred.

Mr. REES. One of which was in the gentleman's district.

Mr. WILLIAMS. Absolutely not. There was not one disaster loan made in the district of Pennsylvania which I represent.

Mr. REES. But there will be.

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

Mr. PATMAN. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. CORMAN).

Mr. CORMAN. Mr. Chairman, the gentleman from Pennsylvania has just pointed up the reason we ought to make the provision retroactive at least until the beginning of this Congress, and I have no objection to making it retroactive until the beginning of the fiscal year of 1971.

If there were people who received money fraudulently they ought to have to give it back. But there were a tremendous number of people who suffered severe losses who can receive no help under the existing law because they could not qualify for the 5.5 percent loan, they did not have equity enough in their own homes or enough income. Their homes were totally destroyed, and they are now living in furnished rooms in San Fernando and Sylmar, because they cannot get assistance, they could not meet the credit requirements for the 5.5-percent loan.

I am perfectly willing to have anybody who received money fraudulently in my district required to give back the money, but in addition I do think that people who have suffered in that earthquake ought to have the same opportunity to get back into their own homes as the people who have suffered disasters since July 1, 1971.

I want to commend the committee, because this is a substantial improvement over the existing legislation, but I urge the committee to take the action necessary to make it 1970 so that if there was fraud the Government can get its money back. For those people, and there were only a handful, probably 300 in Los Angeles, who suffered severe losses, they should get the 1-percent loan. The existing law does not help them.

Mr. WILLIAMS. If the gentleman will yield, let me call the attention of the gentleman to the fact that I was quoting the members of the committee who were on the Committee on Banking and Currency. I have never read any California newspapers about the disaster there, and the frauds connected with the disaster out in California. I do, however, see some merit in going back to the date of the beginning of this Congress, which would be January of 1971, and I personally would not oppose that. I would somewhat question whether we should start an investigation into the 70,000-some loans that were made in California. I am not sure that we have that kind of manpower. But as far as going back to the beginning of this Congress is concerned, I personally would not oppose that.

Mr. CORMAN. I sincerely appreciate the gentleman's support.

Mr. PATMAN. Mr. Chairman, I yield to the gentleman from Pennsylvania (Mr. MOORHEAD) for a unanimous consent request.

Mr. MOORHEAD. Mr. Chairman, I rise not only to announce my full support of H.R. 15692, but to congratulate the Chairman of the full committee, the gentleman from Texas, and my fellow colleagues on the Banking and Currency Committee, for moving so expeditiously on this much needed legislation which I am sure will provide a great deal of assistance to those rebuilding their homes, businesses, and lives in the wake of Hurricane Agnes.

Needless to say, our promptness in reporting this bill would have been blunted had it not been for the cooperation of the Rules Committee which matched our pace and gave us a rule shortly after we reached agreement on the legislation.

While some may seek to make political hay of the misfortune caused by the flood, I think, with this bill, we have shown that Congress can respond quickly and positively to emergency situations.

I am proud to have made a contribution to this process, both in committee and on the floor.

I know that many residents of the Pittsburgh and western Pennsylvania areas will be quick to take advantage of the low interest loan program which we are authorizing today. Although we escaped with no lives lost, our community experienced millions of dollars in damages to roads, businesses, factories, houses, and public and private facilities.

On Wednesday, I spent several hours touring the flood-swollen rivers surrounding the city of Pittsburgh and talk-

ing to men and women whose homes and businesses were devastated by the flooding.

In addition to the Federal aid already coming into our area, they were gratified when I told them that I expected Congress soon would pass a low interest loan program to lift from them some of the heavy financial burden they must now shoulder.

Mr. PATMAN. Mr. Chairman, I yield to the gentleman from New York (Mr. HANLEY).

Mr. HANLEY. Mr. Chairman, I rise in vigorous support of the proposal now before us, H.R. 15692. I voted for the bill in committee and I intend to vote for it here on the floor.

When Hurricane Agnes was working her way north not one of us could have imagined the horror she would have leave in her wake. Not one of us could have conjured up a picture of billions of dollar worth of devastation which would be her legacy to the people of the mid-Atlantic States. But she is gone now, and she left little to the imagination. Hundreds are dead; hundreds of thousands are homeless, and countless millions have had their lives completely disrupted by the raging waters and gales.

Now we must turn to the unhappy and difficult task of putting the pieces back together. To be sure, we can not assuage the loss of loved ones, but we can and must assist in the monumental program of rebuilding the ravaged areas.

The basic ingredients in the measure before us are simple, yet wide reaching. We are proposing to lower the interest rates on disaster loans to 3 percent. We are proposing to offer a 25-percent writeoff up to $2,500 to the disaster victims with losses sustained above that figure to be covered by the 3-percent loans. And, in accordance with an amendment which I successfully offered in committee this morning, we are proposing to extend coverage to those areas or individuals who have suffered losses, but who do not happen to live within geographical areas designated as "disaster areas." This last measure closes a loophole of discrimination which exists in present law. It enables all disaster victims to claim their full entitlement under the disaster authority by providing that upon establishment and certification of their losses, they may appeal directly to the Administrator of the SBA without waiting for their respective Governor or the President to declare their locality a "disaster area."

Mr. Chairman, this legislation is desperately needed. I encourage all my colleagues to join me in supporting the bill.

Mr. WIDNALL. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. BLACKBURN).

Mr. BLACKBURN. Mr. Chairman, I want to thank the ranking member of our committee for yielding me this time.

Mr. Chairman, I would like to make this observation. If we should make the date retroactive in California, I would ask the gentleman from California (Mr. CORMAN) to state whether we could seek to limit the applicability to those losses involving $10,000 or more—that is the amendment.

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

Mr. BLACKBURN. I am happy to yield to the gentleman.

Mr. CORMAN. That would be the only way I think it would be affected because they have got the $2,500 forgiveness under the law as it then existed so if the damage is $10,000 or less, they have already received the $2,500.

My concern is about those people who have suffered a total loss of their homes and are not able to get back into them, because they cannot qualify for existing relief.

Mr. BLACKBURN. May I make this observation.

I am fearful under the circumstances as we are legislating now—it is late in the evening and people are getting tired and are anxious to go home—perhaps their attention is going to be diverted somewhat if this rule is adopted. Then I will do all I can to kill the bill. I think now that the bill is somewhat tolerable and I can live with it.

But if we start changing it drastically and amending it drastically, I think I would be justified in doing all I can to forestall any action on this bill until tomorrow when Members can be more alert to what they are doing.

Mr. WIDNALL. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. GOLDWATER).

Mr. GOLDWATER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would just like to make one point—perhaps we are spinning our wheels here and probably creating more problems than we should.

Taking into consideration that there are disasters that have occurred prior to June 1, 1972, and in fact there have been approximately 51 major disasters that have happened in 1972—if you take it on back to 1971, there were 69 major disasters. You are talking of over 100,000 applications that you are going to have to reprocess. You are talking of opening up a can of worms that I do not think the SBA can handle. You are talking about an administrative nightmare that perhaps we ought to leave alone, and had just best leave it retroactive to cover the two current disasters.

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

Mr. GOLDWATER. I yield to the gentleman.

Mr. ROUSSELOT. Mr. Chairman, my colleague, the gentleman from California has made an important point that was well discussed in committee. That is—if we make it retroactive to include California, it will cause a tremendous strain with the Small Business Administration having to recalculate a vast number of loans.

I compliment the gentleman on bringing that point that was discussed very extensively in committee.

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

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 7 of the Small Business Act (15 U.S.C. 636(b)) is amended by striking out the last paragraph and inserting in lieu thereof the following:

"No loan under this subsection, including renewals and extensions thereof, may be made for a period or periods exceeding thirty years: *Provided,* That the Administrator may consent to a suspension in the payment of principal and interest charges on, and to an extension in the maturity of, the Federal share of any loan under this subsection for a period not to exceed five years, if (A) the borrower under such loan is a homeowner or a small business concern, (B) the loan was made to enable (i) such homeowner to repair or replace his home, or (ii) such concern to repair or replace plant or equipment which was damaged or destroyed as the result of a disaster meeting the requirements of clause (A) or (B) of paragraph (2) of this subsection, and (C) the Administrator determines such action is necessary to avoid severe financial hardship: *Provided further,* That the provisions of paragraph (1) of subsection (c) of this section shall not be applicable to any such loan having a maturity in excess of twenty years. Notwithstanding the provisions of any other law, and except as otherwise provided in this subsection, the interest rate on the Administration's share of any loan made under this subsection shall not exceed 3 per centum per annum, except that in the case of a loan made pursuant to paragraph (3), (5), or (6), the rate of interest on the Administration's share of such loan shall not be more than the higher of (A) 2¾ per centum per annum; or (B) the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan and adjusted to the nearest one-eighth of 1 per centum plus one-quarter of 1 per centum per annum. In agreements to participate in loans on a deferred basis under this subsection, such participation by the Administration shall not be in excess of 90 per centum of the balance of the loan outstanding at the time of disbursement.

"In the administration of the disaster loan program under paragraphs (1), (2), and (4) of this subsection, in the case of property loss or damage or injury resulting from a major disaster as determined by the President or a disaster as determined by the Administrator, the Small Business Administration, to the extent such loss or damage or injury is not compensated for by insurance or otherwise—

"(A) may make any loan for repair, rehabilitation, or replacement of property damaged, or destroyed, without regard to whether the required financial assistance is otherwise available from private sources.

"(B) may, in the case of the total destruction of substantial property damage of a home or business concern, refinance any mortgage or other liens outstanding against the destroyed or damaged property if such property is to be repaired, rehabilitated, or replaced, except that the amount refinanced shall not exceed the amount of the physical loss sustained.

"(C) with respect to any loan made to cover a loss or damage or injury resulting from a major disaster as determined by the President, shall, notwithstanding the provisions of any other law, at the option of the loan applicant, and upon presentation by the applicant of proof of loss or damage or injury and estimate of cost of repair, rehabilitation, or replacement, either—

"(i) cancel the principal of the loan, except that the total amount so canceled shall not exceed $2,500, and make the balance

of such loan, if any, at an interest rate of 3 per centum per annum, or

"(ii) make the entire loan at an interest rate of 1 per centum per annum."

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: Page 1, lines 4 and 5, strike out "the last paragraph" and insert in lieu thereof "the matter following paragraph (6)."

Mr. BARRETT. Mr. Chairman, I rise in opposition to the committee amendment. In my view, the amendment would certainly substantially weaken the effectiveness of the legislation we are now considering. Instead of providing a $2,500 forgiveness on loans to disaster vicitms, as does existing law, the amendment would only provide a 25-percent forgiveness on the principal of the loan.

This would provide less relief than is needed under the terrible circumstances of Hurricane Agnes.

PARLIAMENTARY INQUIRY

Mr. ABOUREZK. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. BARRETT. I yield to the gentleman from South Dakota.

Mr. ABOUREZK. Mr. Chairman, I would like to ask, is the gentleman from Pennsylvania referring to the second committee amendment or the first committee amendment?

Mr. BARRETT. The first. This will actually be the fifth amendment.

Mr. ABOUREZK. The first one has not been acted on yet.

The CHAIRMAN. The Chair will state that the first committee amendment now pending is on page 1, starting on line 4, and continuing on line 5.

The gentleman from Pennsylvania has the floor. He still has time remaining.

Mr. BARRETT. Mr. Chairman, I ask unanimous consent that we consider the first amendment.

Mr. BLACKBURN. Mr. Chairman, I object.

The CHAIRMAN. The first committee amendment is pending now.

Mr. PATMAN, I suggest we consider them en bloc.

Mr. BLACKBURN. Mr. Chairman, I object.

The CHAIRMAN. The first committee amendment is now pending.

Mr. PATMAN. All right. Then we may vote.

The CHAIRMAN. The question is on the first committee amendment.

The committee amendment was agreed to.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 3, at the beginning of lines 12, 16, and 23, and on page 4, at the beginning of lines 5 and 9, insert quotation marks; and on page 4, at the end of line 10, strike out the quotation marks.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 3, on line 24, insert "(1)" immediately after "from", and on line 25, insert immediately after "President" the following: ", or (2) a disaster as determined by the Administrator which results from the same cause as the major disaster determined by the President".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 4, line 3, insert "a bona fide" immediately after "and".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 4, at the beginning of line 10, insert quotation marks.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 4, on line 5, insert "25 per centum of" immediately after "cancel", and on line 7 strike out ", if any,".

Mr. BARRETT. Mr. Chairman, I rise in opposition to the committee amendment.

Mr. BLACKBURN. Mr. Chairman, I rise in support of the committee amendment.

Gentlemen, the purpose of this amendment, which was an amendment I offered in the committee, is to prevent the unfairness of the natural tendency everyone suffers from who has any loss in a natural disaster, to make sure that he claims a loss of at least $2,500, and under the present law at least $3,000, knowing that he is going to be forgiven $2,500.

I believe we are inviting fraud, as evidenced by the events which took place in California after the earthquake there.

Furthermore, let us think of the equity. One man loses $3,000 in a disaster. He pays back only $500. He has the least amount of loss. But the man who loses $15,000 still can get only $2,500 forgiven.

What I have done is to prorate it, so that everybody will pay up to the extent of three-quarters of the loss, up to $10,000, which I believe is a very equitable way of handling it.

Furthermore, this will decrease the tendency or the opportunity for fraud which exists under the present law.

There are many victims who have been hurt by these losses. The amount of money we have available is not unlimited. There is a finite amount of money which is going to be made available for these victims.

If we go through with this plan, we will give all of our money away to those people who have lost the least in the disaster, whereas the people who have lost the most will not be given money to take care of their losses.

I believe in fairness, as well as in an effort to avoid fraudulent claims, we should adopt the committee amendment.

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

Mr. BLACKBURN. I yield to the gentleman from California.

Mr. ROUSSELOT. I compliment the gentleman for the points he has made. He also made them in the committee.

Unike the statements which have been made that no one was present in the committee and this was done hastily, most of the Members of the committee were there. It was discussed. It was pointed out very clearly that the average loan in the California earthquake was roughly $3,300, which meant in most cases $2,500 of it was free.

Therefore that was an inducement to come in to the SBA offices for one neighbor to pass the word to the other to come in and take advantage of this liberal forgiveness clause.

The gentleman has made a very well thought out amendment that will prevent that kind of incentive. He is to be congratulated.

This is not a denial to those who need a loan. They will still be able to get a loan. But it will take away the incentive of the so-called free money.

Mr. BLACKBURN. I thank the gentleman for his observation.

Mr. KAZEN. Mr. Chairman, with the gentleman yield?

Mr. BLACKBURN. I yield to the gentleman from Texas.

Mr. KAZEN. Let me ask the gentleman a question. This bill is retroactive beginning with fiscal year of July 1971. If the amendment is adopted and the committee amendment remains in the bill, what will happen to those people who got a $2,500 forgiveness? Would they have to pay it back?

Mr. BLACKBURN. No. What I suggest we do in that event is to say that the retroactivity will apply only to losses of $10,000 or above, so that we will not have to go back to everyone who got $2,500 and tell him he has to pay back a pro rata share. I do not want to get into that kind of administrative nightmare.

I would support the retroactivity to the date mentioned by the gentleman from California, provided we also do not apply it to losses of less than $10,000.

Mr. KAZEN. I am talking about the retroactive date in the bill now. Does the gentleman intend to change that?

Mr. BLACKBURN. There is a proposal that we change the date now. Surely, I intend to support the move to change it.

Mr. KAZEN. From the date that is in the bill now?

Mr. BLACKBURN. Surely.

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

Mr. Chairman, I really am deeply disturbed to hear the committee amendment that would eliminate the $2,500 forgiveness that exists in the present law.

I am sure many of the Members who have had floods in their districts went through the homes of some of the people who were hit by these floods. I did in my own district.

For the most part the people involved are working men, men whose incomes are probably in the $12,000, $14,000 or $16,000 range. I would estimate the losses in many of the homes I went into, they

would be from $4,000 to $10,000. I went through some of these homes with the families who suffered the flood damage.

They showed me where the waters had come into their homes and the damage that had been done. Furniture, TV's, furnaces, et cetera.

These are the people who I believe are among the backbone of our country, people who are paying their taxes good people who are contributing members of our society. They are suddenly hit with a catastrophe, and we are about to pass legislation, if we accept the committee amendment, that will give these people less money than they are presently entitled to under the current law. I believe this would be very unfair.

I agree with the committee on reducing the interest rate substantially, but to say to the man who has a $4,000 loss under this new proposed legislation he will be entitled to a $1,000 forgiveness instead of $2,500 that he can now get under the present legislation I think would be an absolute shame.

These people are not trying to cheat the Government. I do not believe that the American people are out to get whatever they can get and will lie and be dishonest. I have confidence in these people.

I would urge this amendment that would take away the $2,500 forgiveness be defeated.

Mr. ROUSSELOT. Will the gentleman yield?

Mr. PEYSER. I yield to the gentleman.

Mr. ROUSSELOT. I think the gentleman is to be commended for his effort to make sure that awareness exists as to the maximum amounts available. I am sure he did not mean to imply the disaster victims would not get the money. The loan would still be available, but what you are saying is you want more free money available under the forgiveness clause.

Mr. PEYSER. I am saying they can qualify for the loan, but I do not want the burden of paying off the loan to be too great.

Mr. ROUSSELOT. I believe the overwhelming majority can pay out the loan over a 30-year period.

Mr. PEYSER. Believe me, these people operate very closely, and in the inflation we live in today they are very hard pressed financially

Mr. ROUSSELOT. But we also understand the inflationary pressures on the taxpayers who have to pay for it. The point that needs to be made the gentleman from Georgia made, and he is to be commended, that we try to distribute the the free money. It is not reducing the ability of the individual to borrow up to $55,000 on a home and $500,000 for a business. That is the administrative limitation.

I am sure you understand that the Small Business Administration has been very fair in the kinds of loans they have made. We are talking about a 1 percent loan here, there is no place else available I am sure the gentleman did not mean to imply they would not be able to totally reimburse their loans.

Mr. PEYSER. I appreciate that fact, but I feel this amendment should be defeated. We must see that our people are protected.

Mr. PATMAN. Mr. Chairman, I think we have discussed it enough unless somebody else wants to be heard. The point is shall we strike out this 25 percent. That is the committee amendment that we have stricken out.

Mr. WAGGONNER. Mr. Chairman, I rise in opposition to the committee amendment.

Mr. Chairman, I think there is one thing to keep in mind at this point in time, and that is nobody is entitled to anything in the way of a loan or forgiveness of a loan unless they prove that they have had a loss. So the incentive to try to fabricate a loss for a loan which exceeds $3,000 just does not seem to me to be there. It seems to me that we are talking about a matter of equity. We have in effect now a law which provides assistance, which requires what really amounts to a $500 deductible for the first $500 of a loan.

You are forgiven if you have a loss you can prove the next $2,500 of assistance which is given you, and I fear that if we convert now from a flat forgiveness in dollars to a percentage, and we make this legislation retroactive to July 1971, that those people in these 25 States who have benefited as a result of this program from these natural disasters, might be liable for paying back some of the money for which they have already been granted forgiveness.

So it just seems to me that what we are really doing is upping the ceiling for—and I do not think this is necessarily so—for people to try to up the justification for a loan because then they get a percentage up to $10,000. It seems that if we are going to play the game we started out with we more nearly provide for equity by continuing the $2,500 forgiveness.

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

Mr. WAGGONNER. I yield to the gentleman from South Dakota.

Mr. ABOUREZK. Mr. Chairman, I just wanted to point out in addition, that the discussion about earthquakes and fraudulent claims does not apply to flood disasters. Floods, are entirely different than earthquakes. A house may be damaged, and severely damaged in an earthquake, but in a flood, which I have just had the misfortune to witness, a house, the personal property, the furniture and the fixtures are all gone. And whoever asked if we need to provide more free money, my answer is yes, I think all those unfortunate people are entitled to an outright grant. I urge the defeat of the committee amendment.

Mr. ROBISON of New York. Mr. Chairman, will the gentleman yield?

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

Mr. ROBISON of New York. Mr. Chairman, I appreciate the gentleman's position, and as I said earlier, I am aware of the situation in New York of people who have small claims, and these people have been told, or at least a good many of them, that they are entitled to $2,500 forgiveness if they qualify for a loan, or up to that amount. If this legislation should pass in the form in which it is presented to us, if the committee amendment is not stricken, then I wonder who is going to go up and tell those people it is going to be, in smaller instances, less than $2,500?

Mr. Chairman, I certainly do not want to be that person.

Mr. PATMAN. Mr. Chairman, would the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from Texas.

Mr. PATMAN. The gentleman has gone over this rather carefully, and in an impressive way, and I believe the gentleman agrees that the bill will be in a better condition and satisfy everybody from an equity standpoint, particularly if the 25 percent, or that language as disclosed by the gentleman from Pennsylvania (Mr. BARRETT) should be stricken.

Mr. WAGGONNER. Mr. Chairman, that is the point I have been speaking to, although I am not optimistic enough to believe that it will satisfy everybody.

PARLIAMENTARY INQUIRY

Mr. BARRETT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. BARRETT. Mr. Chairman, is it not true that if one desires to vote down the committee amendment that one votes "no"?

The CHAIRMAN. The Chair will state to the gentleman that the Chair would interpret it that if one were opposed to the amendment one would vote "no."

Mr. BARRETT. That is obvious, yes, but people are asking here, "How do we vote now to get rid of the 25 percent on the principal?" and the answer is to vote "no"; is that correct?

The CHAIRMAN. One would vote no on the committee amendment.

The question is on the commitee amendment.

The committee amendment was rejected.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 4, line 13, strike out ", if any,".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 4, beginning of line 15, insert quotation marks.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment. Page 4, at the end of line 16 strike the quotation marks.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment. Page 4, line 17, insert:

Whoever wrongfully misapplies the proceeds of a loan obtained under this subsection shall be civilly liable to the Administrator in an amount equal to one-and-one-half times the original principal amount of the loan.

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. BARRETT

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

The Clerk read as follows:

Amendment offered by Mr. BARRETT. Page 4, line 6, strike out ", at the option of the loan applicant."

Page 4, strike out lines 9 through 16 and insert in lieu thereof the following: "rehabilitation, or replacement cancel the principal of the loan, except that the total amount so canceled shall not exceed $2,500, and make the balance of such loan, if any, at an interest rate of 1 per centum per annum."

POINT OF ORDER

Mr. REES. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state the point of order.

Mr. REES. Mr. Chairman, the committee has already considered this and the committee has approved this language.

This amendment is going back over material that already was acted upon by this committee.

The CHAIRMAN. The gentleman is offering an amendment to the first section of the bill and we have not passed the first section of the bill.

Mr. REES. The gentleman is offering an amendment to an area that has already been approved. The committee has already approved the language on page 4.

The CHAIRMAN. The amendment that is now being offered goes beyond the committee amendment which has been considered.

The gentleman from Pennsylvania (Mr. BARRETT) is recognized in support of his amendment.

Mr. BARRETT. Mr. Chairman, this is the amendment I referred to earlier during general debate on the bill.

Very simply it would continue the present cancellation provision or the forgiveness provision of $2,500 for loans at least to $3,000 and reduce the interest rate to 1 percent per year on the balance of the loan.

I believe, as I have stated before, that the present language of the committee amendment was inadvertently adopted.

The present language will work an additional severe hardship on those who have already endured severe hardships and deprivation and suffering.

This was an honest and certainly a well intended action by the committee, to prevent abuses of the program. Those abuses will be prevented by the other committee amendments.

My amendment will undo the imposition of an additional financial burden on those who have experienced financial loss. I certainly hope, Mr. Chairman, that the House will adopt this amendment unanimously.

Mr. J. WILLIAM STANTON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman and ladies and gentlemen of the committee, we are into the crux of the bill on two particular amendments. The first amendment offered by the gentleman from Pennsylvania and one to be offered by the gentleman from California (Mr. REES).

If those on the committee want a good bill, a bill that we have a chance to get into law, then I sincerely urge you to overwhelmingly defeat both of these amendments.

I happened to have had the pleasure of serving on this subcommitee as the ranking minority member. Let us get this flood disaster in the proper perspective. The gentleman from South Dakota, before we had the floods in the East, brought this legislation to our subcommittee. After we had met on Thursday afternoon and Friday, the subcommittee reported out a bill. We did not get the views of the administration.

We have found out since that there are two important factors that they are concerned with. First of all, I never heard the amount, and now you are down to asking $2,500 forgiveness and a 1 percent interest rate.

Second, you have gotten into the subject of retroactivity. The gentleman from California (Mr. GOLDWATER) pointed out before there were 150 presidential disasters involved in the last 2 years.

If I had had a chance to be recognized, I, instead of Mr. REES, would have made this bill retroactive to June 1, 1972, where it belonged.

I say in opposition to the gentleman from Pennsylvania that you were on the subcommittee and you had an opportunity to make this motion. You were overwhelmingly defeated in the subcommittee, and now I say to your good constitutents in Pennsylvania that if you want a bill that this body and the other body can pass and the President can sign, let us not kill the fatted calf. You got your 1 percent on your big loans. You got your $2,500 forgiveness, and if we take care of your amendment and we take care of Mr. REES' amendment, then we could have a bill that we could send to the other body and that the President could sign. If either one of these amendments will pass, gentlemen, I do not think the President in all good conscience could sign it. Nobody knows what it is going to cost. We are going to vote soon on another $200 million appropriation.

Let us take care of the original proposal of the gentleman from South Dakota. Since that time let us take care of presidential disasters that come up, and let us go forward.

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

Mr. J. WILLIAM STANTON. I am happy to yield to the gentleman from Pennsylvania.

Mr. BARRETT. I wish to tell the gentleman first that he is greatly admired by everyone, and I wish him to know that I respect him as everybody else does. However, he makes a point that my amendment was overwhelmingly defeated in the commitee. I did not offer the amendment in the committee.

Second, I wish to call your attention to this fact. Before the chairman of the Subcommittee on Small Business left the House tonight, I told him I would be offering this amendment and spelled it out to him as accurately as I did here when I offered the amendment.

Mr. J. WILLIAM STANTON. I would be very surprised, and I am glad you did not say that the ranking member of that subcommittee had agreed with that amendment, because we had an agreement in the subcommittee. We went to the full committee and then back to the subcommittee. We reported out of the committee a very good bill that we could send to the Senate. I tell you tonight if you go back retroactively to the California amendment, you are not going to get a bill.

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

Mr. J. WILLIAM STANTON. I yield to the gentleman from Georgia.

Mr. BLACKBURN. I would like to make an observation. I have made some calculations of the cost, and it comes out right at $140 million.

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

I am not a member of the subcommittee, but I deliberated with the subcommittee on this amendment. The problem we have with the $2,500 forgiveness is that when you do have a disaster, people come in, and they find out that $2,500 is forgiven, and it was amazing, when we had our earthquake in Los Angeles, how many claims we had at $2,500 and at $3,000. The claims were not properly processed. They did not have the manpower in the Small Business Administration, and I suspect there are quite a few thousand people who went out and got $2,500 worth of free Government money that never went into repairing their houses for so-called damages that they got from the earthquake.

What this does is it hits two different classes. If you have a loss, maybe something around $8,000 or $9,000, you might say, "I will take the $2,500 forgiveness and take the balance of the loss at 3 percent," and that is good. But if you have a loss at maybe $30,000 or $40,000, your house and all its possessions, then you have the option of going into a low-interest disaster loan.

But if one has suffered a loss, maybe $30,000 or $40,000, a house and all its possessions, then one has the option of going into a low-interest 1 percent disaster loan. Just remember, when the Treasury is selling its short- and medium-term securities, they are getting about 5 percent on the market, so this is subsidized money. This is money that is costing the taxpayers money. So when we give a person a preferential 1 percent loan, this is a good loan, and it will help the person restore his property, and it is usually property that runs $10,000 or $15,000. I think we have to have this option, because if we have this forgiveness, unfortunately we will find a great many people who do not have bona fide losses who will be standing in line asking for the free $2,500 from Uncle Sam—because that is what happened, unfortunately, in southern California.

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

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

Mr. PEYSER. Mr. Chairman, the only question I have is I thought we just voted to allow the $2,500 forgiveness in the last amendment. I do not know what the gentleman is talking about.

Mr. REES. If the gentleman will look on line 10, what the committee did was strike the words "25 per centum" so that it says:

Cancel the principal of the loan, except that the total amount so canceled shall not exceed $2,500, and make the balance of such loan at an interest rate of 3 per centum per annum, or—

The second option is on line 15:

Make the entire loan at an interest rate of 1 per centum per annum.

The person taking the loss can take one of the two options.

Mr. PEYSER. So no matter what happens under this, the $2,500 is in the bill.

Mr. REES. Yes, it is in the bill, and there is no cut into it. That was knocked out.

Mr. PATMAN. Mr. Chairman, will the gentleman yield for a correction?

Mr. REES. I yield to the chairman.

Mr. PATMAN. Mr. Chairman, the 25 per centum was correctly quoted by the gentleman, but he failed to mention the word "of." The word "of" should be taken out.

Mr. REES. It reads: "Cancel the principal of the loan . . . up to $2,500."

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, under option 2 I will pose a hypothetical question or circumstance. An individual has an ongoing loan, and he, of course, is responsible for paying for this at the time of the disaster. Under that option, does the gentleman interpret this provision to suggest that the person can include the new loan and refinance the old loan under that particular provision at the 1 percent?

Mr. REES. No. I would think if there is a retroactive basis, whether it is last year or the year before, that he could go in and renegotiate the package. If he had taken this $2,500 and wants to give it back and renegotiate at 1 percent he could.

Mr. DON H. CLAUSEN. Mr. Chairman, I am thinking about an individual that has a $2,500 FHA loan and he is paying 6 or 7 percent. Will this permit him to go in and refinance his loan under a disaster provision and add to it the cost of reconstructing the loan?

Mr. REES. This is a completely separate loan. If you have a mortgage of $37,000 on your house and it is destroyed, you can go out and borrow the money at 1 percent here, but you are still liable for the mortgage.

Mr. CORMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I support what the gentleman from California, Congressman REES, has said. I am opposed to this amendment. It does seem to me, although we are terribly sorry for the people who suffer disaster, that we need to have some rationale as to how we apportion the money we make available. We need 1-percent money for the people who have substantial losses. I do not think we can get $2,500 for everybody plus 1-percent interest for those who suffer substantially. I hope this amendment is defeated. I think we made a mistake in eliminating the 25 percent up to the $2,500 forgiveness. We have made that decision, but we ought not go further. We need to have some reasonable basis for granting relief. I hope we can keep the existing language.

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

Mr. CORMAN. I yield to the gentleman from California.

Mr. GOLDWATER. Mr. Chairman, I associate myself with the gentleman in the well. We learn by experience. The earthquake we had in California and in going through the turmoil and frustrations of dealing with the whole question caused California, I think the gentleman remembers, to conclude that this would be the most equitable way of dealing with the problem.

Mr. CORMAN. When there is a disaster, all the pressure is to get the money out in a hurry, because we have people who have no place to live, and we need to get them housed quickly.

Mr. WILLIAMS. Mr. Chairman, I rise in opposition to the amendment most reluctantly, because I do know that the many people who have suffered these disasters need compassion and do need 1 percent loans.

However, we have again heard about all the fraud that has been perpetuated through this type of loan.

I should like to call attention to page 4, line 17, and everything down to line 21, which was added to this bill in order to stop future fraud.

I also want to call attention to page 4, line 8, to where we have inserted the words, "a bona fide" estimate of cost of repair, rehabilitation, or replacement. So we have closed the door on some of these frauds.

We have already heard that the average loans are $3,300 or $5,000.

The way the language in the bill now stands, one would get the $2,500 forgiveness, and when he took advantage of the forgiveness he would get the balance of the loan, if any, at 3 percent. Certainly one cannot ask for anything more than that.

At the same time, if he did not want to take advantage of the forgiveness clause then he would get the entire loan for 1 percent.

I believe we should defeat this amendment.

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

Mr. WILLIAMS. I yield to my colleague from Pennsylvania.

Mr. BARRETT. Certainly I do not want to debate with my colleague, but he knows as well as I do from the Governor of Pennsylvania, who was down here just the other day, that 50,000 people in Pennsylvania lost their homes just last week. Five thousand factories have been destroyed. Over 10,000 people are out of employment. They have no opportunity to get 3 percent to pay on these loans. If anything, we should give them no interest loans. This is what is needed today.

Mr. WILLIAMS. Let me say to the gentleman from Pennsylvania, my distinguished colleague, that what we are actually giving to the people of Pennsylvania and the people of the other 25 States which have had disasters this year under this bill are loans at 2¼ percent less than they could have gotten before the enactment of this bill.

In the case of large losses, such as a business or an industry, we are actually giving them 1-percent loans, because they will not want the forgiveness. So we are giving them a very substantial advantage in this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. BARRETT).

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. The provisions of the first section shall apply with respect to loans made in connection with any disaster occurring on or after July 1, 1971.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 4, strike lines 22 through 24 and insert:

SEC. 2. The amendment made by the first section shall apply with respect to loans made in connection with any disaster occurring on or after July 1, 1971, except that the last paragraph of the amendment made by the first section shall apply only with respect to loans made on or after the date of enactment of this Act.

AMENDMENT OFFERED BY MR. REES TO THE COMMITTEE AMENDMENT

Mr. REES. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. REES to the committee amendment: Page 5, line 2, strike out "July 1, 1971" and insert in lieu thereof "July 1, 1970".

Mr. REES. Mr. Chairman, I think we have already discussed this amendment. What the amendment would do is move back 1 year the retroactive date. In the bill now we have the date as July 1, 1971. This would change it to 1970.

It is always difficult when you have to talk about a retroactive date, because you have to wonder whose disaster are you going to take in. This will take in two major disasters; namely, Hurricane Camille, that hit the southern States, and the Los Angeles earthquake.

I do not believe the impact of the bill will be that much. It will allow the longer term loans for higher amounts of money to be renegotiated down to 1 percent, because in the bill here those people who have a low loan, who got forgiveness, would probably take the option of keeping their forgiveness and not renegotiating to the lower loan. This will take in the earthquake in Los Angeles and the hurricane in the southern States.

I ask for an aye vote.

Mr. J. WILLIAM STANTON. Mr. Chairman, I rise in opposition.

The amendment we have before us now is known as the California amendment. Let me state while we would reopen for consideration something over 80,000 small business loans in the one California earthquake disaster, at the same time in 1971 we would affect some 69 other disaster declarations.

If I had had the opportunity to be recognized instead of the gentleman from California (Mr. REES)—and after this amendment I will be—it seems to me the wisest thing to do—and it would be the will of this committee—is to have the effective date moved back to the beginning of this fiscal year, and I shall offer an amendment to bring it to June 1, 1972, which would take care of the South Dakota and the present disasters. We could look forward from this point on then.

I hope it will be defeated, because it would be in the best interest of anybody who wants flood control legislation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. REES) to the committee amendment.

The amendment to the committee amendment was rejected.

AMENDMENT OFFERED BY MR. J. WILLIAM STANTON TO THE COMMITTEE AMENDMENT

Mr. J. WILLIAM STANTON. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. J. WILLIAM STANTON to the committee amendment: Page 5, line 2, strike out "July 1, 1971" and insert in lieu thereof "June 1, 1972".

Mr. PATMAN. Will the gentleman yield for a unanimous-consent request that we limit debate to 10 minutes and the gentleman have 5?

Mr. J. WILLIAM STANTON. Mr. Chairman, this committee has been so intent on this that they understand this would make the legislation start June 1 of this year, and that is the argument we have and that is the rationale.

I yield back the balance of my time.

Mr. PATMAN. Mr. Chairman, obviously I am opposed to the amendment.

This whole bill is based on this fiscal year, and this is not a complete fiscal year but only a very small part of it. I think it would do a disservice to the bill as prepared and ready for passage now. We can vote on it any minute.

Mr. WILLIAMS. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, the Members have already heard the list of 25 States in which Presidentially declared disasters have occurred during this fiscal year. I do not believe that we should pass this bill to apply only to the people of Pennsylvania and South Dakota. Actually, whenever a Presidentially declared disaster occurs the people can get loans for a period of 6 months. That means that for the same disaster in some State that occurred perhaps in March, a loan can be made for a period of 2 or 3 months at the higher rate, and then under this for a lower rate from June 1.

Mr. BLACKBURN. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I would like to comment that if we do not vote for this amendment that the date of June 30, 1972, is going to be remembered as a disaster in 50 States, because we did not adopt this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. J. WILLIAM STANTON) to the committee amendment.

The question was taken; and the Chairman being in doubt, the Committee divided, and there were—ayes 82, noes 68.

TELLER VOTE WITH CLERKS

Mr. PATMAN. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. PATMAN. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman appointed as tellers Messrs. J. WILLIAM STANTON, PATMAN, WILLIAMS, and BLACKBURN.

The Committee divided, and the tellers reported that there were—ayes 161, noes 163, not voting 109, as follows:

[Roll No. 253]

[Recorded Teller Vote]

AYES—161

Abbitt	Garmatz	Passman
Anderson, Calif.	Goldwater	Patten
Anderson, Ill.	Goodling	Pettis
Andrews, N. Dak.	Green, Oreg.	Pike
Archer	Gross	Powell
Arends	Gubser	Preyer, N.C.
Ashbrook	Gude	Price, Tex.
Ashley	Haley	Quie
Baker	Hall	Quillen
Blackburn	Hammer-schmidt	Railsback
Boland	Hansen, Idaho	Randall
Bow	Harvey	Rees
Brotzman	Hastings	Rhodes
Brown, Mich.	Heckler, Mass.	Robinson, Va.
Brown, Ohio	Heinz	Robison, N.Y.
Broyhill, N.C.	Henderson	Rogers
Broyhill, Va.	Hillis	Rousselot
Buchanan	Hungate	Ruth
Burleson, Tex.	Hutchinson	Sandman
Byrnes, Wis.	Ichord	Satterfield
Camp	Jarman	Saylor
Carey, N.Y.	Johnson, Pa.	Scherle
Carlson	Jonas	Schmitz
Carter	Jones, N.C.	Schwengel
Cederberg	Kastenmeier	Scott
Chamberlain	Keating	Sebelius
Chappell	Kemp	Shipley
Clancy	King	Shriver
Cleveland	Kuykendall	Smith, Iowa
Collins, Tex.	Kyl	Smith, N.Y.
Conable	Landgrebe	Snyder
Conover	Latta	Spence
Conte	Leggett	Stanton, J. William
Culver	Lloyd	Stanton, James V.
Daniel, Va.	McClory	Steiger, Wis.
Davis, Ga.	McCloskey	Stuckey
Davis, Wis.	McClure	Talcott
Delaney	McCollister	Taylor
Dellenback	McEwen	Teague, Calif.
Dennis	McKevitt	Thompson, Ga.
Devine	Mallary	Thomson, Wis.
Dickinson	Mann	Thone
Downing	Martin	Veysey
Duncan	Mayne	Waldie
du Pont	Mazzoli	Whitehurst
Edwards, Ala.	Michel	Widnall
Esch	Mikva	Wyatt
Flynt	Miller, Ohio	Wyman
Forsythe	Mills, Md.	Yates
Fountain	Mizell	Young, Fla.
Frenzel	Monagan	Zion
Frey	Moorhead	Zwach
Fuqua	Myers	
Galifianakis	Nelsen	
	O'Konski	

NOES—163

Abourezk	Albert	Aspin
Abzug	Alexander	Aspinall
Adams	Andrews, Ala.	Badillo
Addabbo	Annunzio	Barrett
Begich	Griffin	Peyser
Bennett	Hagan	Pickle
Bergland	Hamilton	Poage
Bevill	Hanley	Podell
Biaggi	Hanna	Price, Ill.
Biester	Hansen, Wash.	Purcell
Bingham	Harrington	Rangel
Blanton	Hathaway	Reuss
Brademas	Hawkins	Riegle
Brasco	Hechler, W. Va.	Roberts
Brinkley	Helstoski	Rodino
Brooks	Hicks, Mass.	Roe
Burke, Mass.	Hicks, Wash.	Roncalio
Burlison, Mo.	Hogan	Rooney, Pa.
Burton	Holifield	Rostenkowski
Byrne, Pa.	Horton	Roush
Byron	Howard	Roy
Cabell	Hull	Roybal
Carney	Jacobs	Runnels
Casey, Tex.	Johnson, Calif.	Ryan
Clark	Jones, Ala.	St Germain
Clausen, Don H.	Jones, Tenn.	Sarbanes
Collins, Ill.	Kazen	Scheuer
Corman	Koch	Schneebeli
Cotter	Kyros	Seiberling
Coughlin	Long, La.	Sisk
Daniels, N.J.	Long, Md.	Staggers
Danielson	McCormack	Steele
de la Garza	McFall	Stratton
Dellums	McKay	Stubblefield
Denholm	Macdonald, Mass.	Sullivan
Donohue	Mahon	Symington
Dorn	Mathis, Ga.	Thompson, N.J.
Dow	Matsunaga	Tiernan
Drinan	Meeds	Udall
Dulski	Melcher	Ullman
Eilberg	Minish	Van Deerlin
Eshleman	Mink	Vanik
Evans, Colo.	Mitchell	Vigorito
Fascell	Mollohan	Waggonner
Fish	Morgan	Ware
Flood	Murphy, Ill.	Whalen
Foley	Natcher	Whalley
Fraser	Nedzi	White
Fulton	Nichols	Williams
Gaydos	Nix	Wilson, Charles H.
Gettys	Obey	Yatron
Giaimo	O'Hara	Young, Tex.
Gibbons	O'Neill	Zablocki
Gonzalez	Patman	
Grasso	Perkins	

NOT VOTING—109

Abernethy	Ford, Gerald R.	Mosher
Anderson, Tenn.	Ford, William D.	Moss
Baring	Frelinghuysen	Murphy, N.Y.
Belcher	Gallagher	Pelly
Bell	Gray	Pepper
Betts	Green, Pa.	Pirnie
Blatnik	Griffiths	Poff
Boggs	Grover	Pryor, Ark.
Bolling	Halpern	Pucinski
Bray	Harsha	Rarick
Broomfield	Hays	Reid
Burke, Fla.	Hébert	Rooney, N.Y.
Caffery	Hosmer	Rosenthal
Celler	Hunt	Ruppe
Chisholm	Karth	Shoup
Clawson, Del	Kee	Sikes
Clay	Keith	Skubitz
Collier	Kluczynski	Slack
Colmer	Landrum	Smith, Calif.
Conyers	Lennon	Springer
Crane	Lent	Steed
Curlin	Link	Steiger, Ariz.
Davis, S.C.	Lujan	Stephens
Dent	McCulloch	Stokes
Derwinski	McDade	Teague, Tex.
Diggs	McDonald, Mich.	Terry
Dingell	McKinney	Vander Jagt
Dowdy	McMillan	Wampler
Dwyer	Madden	Whitten
Eckhardt	Mailliard	Wiggins
Edmondson	Mathias, Calif.	Wilson, Bob
Edwards, Calif.	Metcalfe	Winn
Erlenborn	Miller, Calif.	Wolff
Evins, Tenn.	Mills, Ark.	Wright
Findley	Minshall	Wydler
Fisher	Montgomery	Wylie
Flowers		

So the amendment to the committee amendment was rejected.

AMENDMENT OFFERED BY MR. CORMAN TO THE COMMITTEE AMENDMENT

Mr. CORMAN. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. CORMAN to the committee amendment: On page 5 line 1,

"Made in connection with any disaster occurring on or after June 1, 1972, and add "in excess of $10,000 made in connection with any disaster occurring on or after January 1, 1971."

Mr. ARENDS. Mr. Chairman, I ask unanimous consent that we may have the amendment reread. We could not hear the amendment.

The CHAIRMAN. The unanimous-consent request is that the Clerk rereport the amendment.

Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk reread the amendment.

Mr. CORMAN. Mr. Chairman, I would like to explain what this amendment will do.

Mr. PATMAN. Mr. Chairman, will the gentleman yield for a request for a limitation of time?

Mr. CORMAN. I yield to the gentleman.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that the time be limited to 5 minutes on each side, and then we vote.

Mr. KAZEN. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. CORMAN. Mr. Chairman, I will try not to use the full 5 minutes, but it seems to me this is a reasonable approach to the situation we are in.

It is clear that a great number of people are apprehensive about a blanket retroactive provision, because it will open up many thousands of cases that occurred after July, 1971.

On the other hand, for those people who suffered damage in excess of $10,000, in the California earthquake many have had no relief at all, and none of them has had the relief which is provided in this bill.

I am asking that we make this bill retroactive to the beginning of this Congress, but only in those cases where the loss was in excess of $10,000. That will substantially reduce the number of cases that may be opened up, and will give greater equity to people who have suffered a severe loss during this Congress.

Mr. PATMAN. Mr. Chairman, will the gentleman yield for a question?

Mr. CORMAN. I yield to the gentleman from Texas.

Mr. PATMAN. How much could they have above $10,000? What would be the limit?

Mr. CORMAN. First, there would be no forgiveness. We are talking about making these people eligible for a 1-percent loan.

Mr. PATMAN. For those people above $10,000.

Mr. CORMAN. Yes, sir.

Mr. PATMAN. How high above $10,000?

Mr. CORMAN. Whatever the bill itself provides, whatever the limit is for people who suffered disasters after July 1971, would be applicable for people who suffered the losses after January 1, 1971.

Mr. PATMAN. Only those above $10,000.

Mr. CORMAN. If the loss is above $10,000.

Mr. PATMAN. The ones below would get nothing?

Mr. CORMAN. The ones below would get existing law.

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

Mr. CORMAN. I yield to the gentleman from Pennsylvania.

Mr. WILLIAMS. What language on page 5 does the amendment strike?

Mr. CORMAN. It strikes "July 1, 1971" and inserts "June 1, 1972"—and then it goes on to add, and provides for losses in excess of $10,000 made in connection with any disaster occurring on or after January 1, 1971. It affects the kind of loans that may be opened up, but it provides that any loans in excess of $10,000 may be subject to renegotiation, if it occurred after January 1, 1971.

Mr. WILLIAMS. Let me say this to the gentleman: It was my understanding the gentleman was going to add an amendment on line 2, page 5, after the date "July 1, 1971."

Mr. CORMAN. Yes, sir.

Mr. WILLIAMS. The reading of the amendment is to change "July 1, 1971" to "June 1, 1972." Would the gentleman be satisfied with his amendment by inserting "after January 1, 1971" on page 5?

Mr. CORMAN. Yes, sir; I would accept that amendment.

Mr. WILLIAMS. So how would the amendment read?

Mr. CORMAN. I ask unanimous consent to accept the gentleman's amendment.

We open up a number of cases that occurred between June 30, 1972, and July 1, 1971. I have no objection to that. My concern is for the people who suffered losses in excess of $10,000 between January 1, 1971, and July 1, 1971. It does seem to me they are entitled to special consideration under this bill.

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

Mr. CORMAN. I yield to the gentleman from North Carolina.

Mr. JONAS. I would like to understand the purpose of this amendment. Does it mean the gentleman considers a person who suffered a loss of less than $10,000, even though it was all he had, is not as important as somebody who suffered a loss of $10,000?

Mr. CORMAN. No, sir; not at all.

Mr. JONAS. That is what it says.

Mr. CORMAN. No, sir. The man who suffered a loss of $10,000 or less had a $2,500 forgiveness and a 5½-percent loan for the other $7,500. Many people who suffered losses substantially in excess of that were unable to get any relief at all because they could not qualify for a 5½-percent loan. I am only trying to take care of those people damaged between January 1, and July 1, 1971 whose losses were so great they could not qualify for existing benefit.

PARLIAMENTARY INQUIRY

Mr. ABOUREZK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ABOUREZK. All I am asking is how does the amendment now read.

The CHAIRMAN. Is the gentleman asking unanimous consent to have the amendment reread?

Mr. ABOUREZK. Yes.

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

Mr. WILLIAMS. Mr. Chairman, a parliamentary inquiry. Reserving the right to object, while the gentleman was speaking on his amendment I told him it was my thought, which I had obtained from him, that his amendment would not bother the July 1, 1971, date and he agreed to change his amendment to add Phase II to 1971 to include any loans made in the amount of $10,000 or more between January 1, 1971, and July 1, 1971. Is that correct?

Mr. CORMAN. If the gentleman will yield, that is correct. That was accepted by unanimous consent.

The CHAIRMAN. Let the Chair state that the Chair was not aware of the request by the gentleman from California and since there was no unanimous consent request made or put by the Chair to permit a change, the amendment remains as originally read by the Clerk.

If the gentleman from South Dakota will yield to the gentleman from California for a unanimous consent request to withdraw his amendment and resubmit it in modified form, the Chair will entertain that request.

Mr. ABOUREZK. I did not ask for time, Mr. Chairman. I asked for a parliamentary inquiry, and I think I have my answer now.

The CHAIRMAN. The amendment remains the same as originally submitted.

Mr. J. WILLIAM STANTON. Mr. Chairman, I rise in opposition to the amendment.

I join the gentleman from South Dakota in his confusion as to what exactly the amendment means. When I first read it I had the impression that it would leave everybody out under $10,000, and I am not sure exactly what it does now, but I think the proposer of the amendment clarified it in his last words. It would apply between January and June of 1971, as I understand it. It would apply to the California earthquake.

I say to the Members of the House I thought we had gone through this in the original amendment. It would certainly be very discriminatory legislation, and I urge the Members to vote no on it.

PARLIAMENTARY INQUIRY

Mr. GONZALEZ. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GONZALEZ. Did the Chair take cognizance of the acceptance by the sponsoring author of the then pending amendment (Mr. CORMAN) of the proposed change made by the gentleman from Pennsylvania which he accepted after asking unanimous consent to accept it?

My query is, is it proper and then, if it is not, what amendment is pending?

The CHAIRMAN. The gentleman from California offered his amendment and then, in a colloquy with the gentleman from Pennsylvania, there was some discussion as to possible changes.

However, there was no unanimous-consent request was made to make a change in the amendment, therefore the amendment is still as originally offered.

Mr. GONZALEZ. I thank the Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. CORMAN) to the committee amendment.

The amendment to the committee amendment was rejected.

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

Mr. Chairman, I take this time simply for the purpose of clarification. I want to ask the chairman of the committee, the gentleman from Texas (Mr. PATMAN) or the members of the committee, with regard to people who have already taken out disaster loans at the existing or high-interest rate, whether, with the passage of this bill, and after it is signed into law by the President, will those people then be entitled to renegotiate with the SBA on the loan for a 1-percent or a 3-percent loan, depending on which one they choose?

Mr. PATMAN. Mr. Chairman, if the gentleman will yield, I think that they can very definitely renegotiate, and the answer would be "Yes."

Mr. ABOUREZK. I thank the gentleman.

Mr. J. WILLIAM STANTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think it is possible that with the passage of this legislation we are in conflict in some way with the disaster provisions of the Farmers Home Loan Administration, so just for purposes of clarification and to make some congressional intent, the purpose of this legislation and the purpose of the Farmers Home Loan Administration is to get the two to cooperate wherever possible.

This came up in Pennsylvania, and I certainly want to make sure that it is the clear intention of this committee and the House that the SBA fully cooperates with the Farmers Home Loan Administration in giving the applicant the lowest loan possible.

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

Mr. J. WILLIAM STANTON. I yield to the gentleman from South Dakota.

Mr. ABOUREZK. Mr. Chairman, the gentleman does not disagree that anybody who made a loan at the higher rate could now renegotiate, which goes back to the applicable retroactive date?

Mr. J. WILLIAM STANTON. That is my opinion.

Mr. ABOUREZK. You do not disagree?

Mr. J. WILLIAM STANTON. No, I do not disagree.

Mr. WILLIAMS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, along with the gentleman from South Dakota (Mr. ABOUREZK), I also agree with the chairman, because on line 25, section 2, of page 4, it reads:

> The amendment made by the first section shall apply with respect to loans made in connection with any disaster occurring on or after July 1, 1971, . . .

Mr. Chairman, I fully concur that these loans that were made in connection with these disasters still can be negotiated in line with this bill.

Mr. GIBBONS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman and Members of the Committee, I hope that no Member will ask for regular order here, because I am going to try to save some time.

When this bill gets to final passage, let us try to save 20 minutes by passing the bill on a teller vote, and we can do it if 50 Members will stand up. This will save that much time, because then we will not have the usual rollcall, and all those Members whose names begin with W, X, Y and Z will not be discriminated against.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Are there further amendments to be proposed? If not, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the Chair, Mr. SISK, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 15692) to amend the Small Business Act to reduce the interest rate on Small Business Administration disaster loans, pursuant to House Resolution 1030, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY MR. BLACKBURN

Mr. BLACKBURN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BLACKBURN. I am, Mr. Speaker.

The SPEAKER. The clerk will report the motion to recommit.

The clerk read as follows:

> Mr. BLACKBURN moves to recommit the bill, H.R. 15692, to the Committee on Banking and Currency.

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

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

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

TELLER VOTE WITH CLERKS

Mr. GIBBONS. Mr. Speaker, I demand tellers.

Tellers were ordered.

Mr. GIBBONS. Mr. Speaker, I demand tellers with clerks.

Tellers with clerks were ordered, and the Speaker appointed as tellers Messrs. PATMAN, GIBBONS, WIDNALL, and BARRETT.

The Committee divided, and the tellers reported that there were—ayes 325, noes 9, not voting 98, as follows:

[Roll No. 254]

[Recorded Teller Vote]

AYES—325

Abbitt	Dow	Lloyd
Abourezk	Downing	Long, La.
Abzug	Drinan	Long, Md.
Adams	Dulski	McClory
Addabbo	Duncan	McCloskey
Alexander	du Pont	McClure
Anderson, Calif.	Edwards, Ala.	McCollister
	Eilberg	McCormack
Anderson, Ill.	Esch	McEwen
Andrews, Ala.	Eshleman	McFall
Andrews, N. Dak.	Evans, Colo.	McKay
	Fascell	McKevitt
Annunzio	Fish	McKinney
Archer	Fisher	Macdonald, Mass.
Arends	Flood	
Ashley	Flynt	Mahon
Aspin	Foley	Martin
Aspinall	Forsythe	Mathis, Ga.
Badillo	Fountain	Matsunaga
Baker	Fraser	Mayne
Barrett	Frenzel	Mazzoli
Begich	Frey	Meeds
Bennett	Fulton	Melcher
Bergland	Fuqua	Michel
Bevill	Galifianakis	Mikva
Biaggi	Garmatz	Miller, Ohio
Biester	Gaydos	Mills, Md.
Bingham	Gettys	Minish
Blanton	Giaimo	Mink
Boland	Gibbons	Mitchell
Bow	Goldwater	Mizell
Brademas	Gonzalez	Mollohan
Brasco	Goodling	Monagan
Brinkley	Grasso	Moorhead
Brooks	Green, Oreg.	Morgan
Brotzman	Griffin	Murphy, Ill.
Brown, Ohio	Gross	Myers
Broyhill, Va.	Gubser	Natcher
Buchanan	Gude	Nedzi
Burke, Mass.	Hagan	Nelsen
Burleson, Tex.	Haley	Nichols
Burlison, Mo.	Hamilton	Nix
Burton	Hammer-schmidt	Obey
Byrne, Pa.		O'Hara
Byrnes, Wis.	Hanley	O'Konski
Byron	Hanna	O'Neill
Cabell	Hansen, Idaho	Passman
Camp	Hansen, Wash.	Patman
Carey, N.Y.	Harrington	Patten
Carlson	Harvey	Pepper
Carney	Hastings	Perkins
Carter	Hathaway	Pettis
Casey, Tex.	Hawkins	Peyser
Cederberg	Hechler, W. Va.	Pickle
Chamberlain	Heckler, Mass.	Pike
Chappell	Heinz	Poage
Clancy	Helstoski	Podell
Clark	Hicks, Mass.	Powell
Clausen, Don H.	Hicks, Wash.	Preyer, N.C.
	Hillis	Price, Ill.
Cleveland	Hogan	Price, Tex.
Collier	Holifield	Purcell
Collins, Ill.	Horton	Quie
Collins, Tex.	Howard	Quillen
Conable	Hull	Railsback
Conover	Hungate	Randall
Conte	Hutchinson	Rangel
Corman	Ichord	Rees
Cotter	Jacobs	Reuss
Coughlin	Jarman	Rhodes
Crane	Johnson, Calif.	Riegle
Culver	Johnson, Pa.	Roberts
Daniel, Va.	Jonas	Robinson, Va.
Daniels, N.J.	Jones, Ala.	Robison, N.Y.
Danielson	Jones, N.C.	Rodino
Davis, Ga.	Jones, Tenn.	Roe
Davis, Wis.	Kastenmeier	Rogers
de la Garza	Kazen	Roncalio
Delaney	Keating	Rooney, Pa.
Dellums	Kemp	Rostenkowski
Denholm	King	Roush
Dennis	Koch	Rousselot
Derwinski	Kuykendall	Roy
Devine	Kyl	Roybal
Dickinson	Kyros	Runnels
Dingell	Landrum	Ruth
Donohue	Latta	Ryan
Dorn	Leggett	St Germain

Sandman	Steele	Vigorito
Sarbanes	Steiger, Ariz.	Waggonner
Satterfield	Steiger, Wis.	Waldie
Saylor	Stokes	Ware
Scherle	Stratton	Whalen
Scheuer	Stubblefield	Whalley
Schneebeli	Stuckey	White
Schwengel	Sullivan	Whitehurst
Scott	Symington	Widnall
Sebelius	Talcott	Williams
Seiberling	Taylor	Wilson, Charles H.
Shipley	Teague, Calif.	Winn
Shriver	Terry	Wolff
Sisk	Thompson, Ga.	Wyatt
Smith, Iowa	Thompson, N.J.	Wyman
Smith, N.Y.	Thomson, Wis.	Yates
Spence	Thone	Yatron
Staggers	Tiernan	Young, Fla.
Stanton, J. William	Udall	Young, Tex.
Stanton, James V.	Ullman	Zablocki
Steed	Van Deerlin	Zion
	Vanik	Zwach
	Veysey	

NOES—9

Ashbrook	Dellenback	Mallary
Blackburn	Hall	Mann
Brown, Mich.	Landgrebe	Schmitz

NOT VOTING—98

Abernethy	Ford, Gerald R.	Mills, Ark.
Anderson, Tenn.	Ford, William D.	Minshall
Baring	Frelinghuysen	Montgomery
Belcher	Gallagher	Mosher
Bell	Gray	Moss
Betts	Green, Pa.	Murphy, N.Y.
Blatnik	Griffiths	Pelly
Boggs	Grover	Pirnie
Bolling	Halpern	Poff
Bray	Harsha	Pryor, Ark.
Broomfield	Hays	Pucinski
Broyhill, N.C.	Hébert	Rarick
Burke, Fla.	Henderson	Reid
Caffery	Hosmer	Rooney, N.Y.
Celler	Hunt	Rosenthal
Chisholm	Karth	Ruppe
Clawson, Del	Kee	Shoup
Clay	Keith	Sikes
Colmer	Kluczynski	Skubitz
Conyers	Lennon	Slack
Curlin	Lent	Smith, Calif.
Davis, S.C.	Link	Snyder
Dent	Lujan	Springer
Diggs	McCulloch	Stephens
Dowdy	McDade	Teague, Tex.
Dwyer	McDonald, Mich.	Vander Jagt
Eckhardt	McMillan	Wampler
Edmondson	Madden	Whitten
Edwards, Calif.	Mailliard	Wiggins
Erlenborn	Mathias, Calif.	Wilson, Bob
Evins, Tenn.	Metcalfe	Wright
Findley	Miller, Calif.	Wydler
Flowers		Wylie

So the bill was passed.

A motion to reconsider was laid on the table.

NATIONAL DISASTER INSURANCE

Mr. GOLDWATER. Mr. Speaker, imagine, if you will, all of Los Angeles moving along in a car at 30 miles per hour—and suddenly hitting a brick wall.

This is very much what it was like on February 9 of this year when a major earthquake rocked the area at 6 in the morning. Within a few minutes, 64 people had died and a half-billion dollars of damage had been done. If the quake had been just an hour or so later, thousands of people could have been killed.

During the last year and a half, billions—billions—of dollars of damage has occurred throughout the country due to many other natural disasters. Most of the damage has been the worst kind—loss of life and personal property. Because of this, the Federal Government has seen fit to provide low-cost loans and some grants-in-aid to private individuals and businesses.

Heightened interest in earthquake insurance is one of the obvious results of the recent disaster in Los Angeles. Mere interest, however, is not enough. It is time to get down to business.

Earthquakes are usually thought of as a west coast problem only—but major quakes have occurred in many areas of the country. The worst occurrence was in 1811 in New Madrid, Mo. Other major shakeups have been recorded in New York, Utah, South Carolina, Texas, Montana, Alaska, Nevada, and Washington. Although California accounts for two-thirds of all recorded occurrences, only half a dozen of the 50 States have not experienced an earthquake or tidal wave to some degree.

Quakes are erratic, and this is part of their terror; unlike a hurricane, or tornado, an earthquake gives no warning.

I agree with the reports of the National Academies of Science and Engineering and the President's Office of Science and Technology, that more research should be conducted into the question of the prediction of earthquakes, and the possible reduction of internal earth pressure. These reports and suggestions are currently under study, and I am hopeful that several definite measures will be undertaken.

I am specifically concerned about insurance for private property damage. There are residents in my district who have sustained $30,000 in damage on a $40,000 home. With a new loan to cover the damage, the disaster victim is obligated to a $70,000 mortgage. He can never really recover from this hardship.

But it is not only the people with major damage who suffer; one man from my district, of retirement age, called my office last month in an effort to expedite his disaster loan. His home experienced $5,000 in damage and he was flat broke. He did not know how he would tell his wife that there was not enough money for any more groceries. Fortunately, we were able to help him. With convenient, inexpensive disaster coverage, this particular tragedy would not have been so unmanageable for this man.

Earthquake insurance, of course, is available. Some contend that it is extremely expensive, but that is not totally true. For about $5 per month, slightly higher than regular fire insurance, one can purchase a $40,000 policy on both the dwelling and its contents. But that is still too expensive for a lot of people. Add that to the fact that there is a high deductible clause; the long intervals between quake occurrences, and almost no attempt by the industry to promote disaster insurance—and you have people that are not buying this kind of insurance.

It is interesting to note that the concept of flood insurance is experiencing a similar lack of interest. The real tragedy will occur in the next flood when those who did not purchase flood insurance will be forbidden to obtain low-cost SBA loans, due to a new Federal law.

The industry and the Federal Government must face up to the problem of private loss; we cannot expect the Federal Government to pick up the tab every time our Nation experiences a catastrophe.

Low-cost disaster insurance is a must—no matter who likes it or who does not like it. Remember—people are more concerned about whether or not they can get coverage, rather than where it comes from.

Disaster insurance can yield the industry a profit. During the past 50 years, property losses have only amounted to 3⅓ percent of all the total premiums collected. It will also provide protection to the life investments of millions of Americans.

Two other factors are important. First, historically even moderate earthquakes occur less freqeuntly in the United States than hurricanes or tornadoes. Secondly, methodologies are available to determine areas of particular risk and the subsequent actuarial rates.

The industry should work out a program of disaster insurance on its own or the Federal Government could be forced into a position of establishing its own disaster insurance company. You in the industry might say, "Well, that takes the responsibility off our shoulders." Gentlemen, the next question is when does the Federal Government establish its own auto insurance program—or what about life insurance? You might say, "That's ridiculous." I must only point to the record of Government intrusion into almost every area of private enterprise in the last 30 years to nullify that argument. Ralph Waldo Emerson said, "The less government, the better." and in this instance, I must agree.

I do, however, feel that there could be a joint government-industry partnership on a program to assure the purchase of disaster insurance.

I have spoken to some people who feel that the Congress should merely pass a law requiring all Americans to carry disaster insurance. I would oppose this, because it smacks of direct Government intervention into private enterprise—not to mention that it would also be in the direct defiance of the McCarran-Ferguson Act of 1945.

I would prefer to see this done privately through the inclusion of an all-natural risk provision in all standard homeowner policies. The mortgage loan industry could assist such a private program, by requiring a disaster insurance provision on all existing and future home loans. This would help keep disaster insurance in the realm of private enterprise.

One further step may be necessary. Presently, the Federal Government picks up the entire tab for disasters. For example, following the Los Angeles quake, the Government picked up the entire public disaster relief tab of $436.1 million. This paid for all off-duty time for policemen and firemen, the rebuilding of broken freeways, reconstruction of all damaged public buildings, and grants-in-aid for private property damage. The grants-in-aid amounted to Government gifts as high as $2,500.

Remember, this was all paid for by the Federal Government. No State, city, or county funds were involved. This, in itself, is wrong. The States should share some sort of responsibility, otherwise the dependence on the Federal Government grows and grows.

I would propose that all States require all homeowners to carry disaster

insurance from private companies; if the State did not have such a requirement, it would no longer receive any Federal disaster assistance. Such a requirement would leave the regulation of the insurance industry in the State. This has the definite advantage of allowing the States to set their own rates without some overall national rate that could be either too high or too low in different parts of the country.

Mandatory earthquake insurance would have popular appeal in California, simply because the cost would drop from $5 per month to $1.21 per month—a decrease of more than 75 percent.

I would also propose an amendment to the antitrust laws, if necessary, to permit a national pooling of losses on disaster insurance. If this was coupled with changes in certain tax laws, it would permit the industry greater flexibility.

In order to make all this a reality, I am today proposing to the President, a joint, short-term Federal-State-private enterprise task force that would consider this problem, and then ask the Congress for appropriate action.

I am happy to say that Richard Barger, California's insurance commissioner, has completely endorsed the proposal I have just outlined. Positive, encouraging reactions have also come from Government and private industry officials.

I said I want to get down to business—I do not want another 2- or 3-year report. We need action soon.

It is up to the Congress, the administration, and very importantly, it is up to you gentlemen. I think we should begin today.

AMENDING THE NATIONAL SCHOOL LUNCH ACT

Mr. PERKINS. Mr. Speaker, pursuant to the unanimous consent agreement of June 27, 1972, I move to suspend the rules and pass the bill (H.R. 14896) to amend the National School Lunch Act, as amended, to assure that adequate funds are available for the conduct of summer food service programs for children from areas in which poor economic conditions exist and from areas in which there are high concentrations of working mothers, and for other purposes related to expanding and strengthening the child nutrition programs, as amended.

The Clerk read as follows:

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That section 13 of the National School Lunch Act (42 U.S.C. 1761) is amended by adding at the end thereof the following:

"(i) Notwithstanding any other provision of law, the Secretary of Agriculture is authorized to utilize, during the period May 15 to September 15, 1972, not to exceed $25,000,000 from funds available during the fiscal years 1972 and 1973 under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), to carry out the purposes of this section. Funds expended under the provisions of this paragraph may be reimbursed out of any subsequent supplemental or regular appropriation hereafter enacted for the purpose of carrying out this section, and such reimbursements shall be deposited into the fund established pursuant to section 32 of the Act of August 24, 1935, to be available for the purposes of said section 32. Funds made available under this subsection shall be in addition to direct appropriations or other funds available for the conduct of summer food service programs for children."

SEC. 2. (a) The first sentence of section 13 (a) (1) of the National School Lunch Act (42 U.S.C. 1761(a)(1)), as amended, is amended to read as follows: "There is hereby authorized to be appropriated such sums as are necessary for each of the fiscal years ending June 30, 1972, June 30, 1973, and June 30, 1974, to enable the Secretary to formulate and carry out a program to assist States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit food service programs for children in service institutions."

(b) Section 13(a)(2) of such Act is amended by inserting a new sentence at the end thereof as follows: "To the maximum extent feasible, consistent with the purposes of this section, special summer programs shall utilize the existing food service facilities of public and nonprofit private schools."

SEC. 3. The first sentence of section 4(a) of the Child Nutrition Act of 1966 (42 U.S.C. 1773(a)) is amended to read as follows: "There is hereby authorized to be appropriated such sums as are necessary for the fiscal years ending June 30, 1972, June 30, 1973, and June 30, 1974, to enable the Secretary to carry out a program to assist the States through grants-in-aid and other means to initiate, maintain, or expand nonprofit breakfast programs in all schools which make application for assistance and agree to carry out a nonprofit breakfast program in accordance with this Act."

SEC. 4. (a) Notwithstanding any other provision of law, the Secretary of Agriculture shall until such time as a supplemental appropriation may provide additional funds for such purpose use so much of the funds appropriated by section 32 of the Act of August 24, 1935 (7 U.S.C. 612(c)), as may be necessary, in addition to the funds available therefor, to carry out the purposes of section 4 of the National School Lunch Act and provide an average rate of reimbursement of not less than 8 cents per meal within each State during the fiscal year 1973. Funds expended under the foregoing provisions of this section shall be reimbursed out of any supplemental appropriation hereafter enacted for the purpose of carrying out section 4 of the National School Lunch Act, and such reimbursements shall be deposited into the fund established pursuant to section 32 of the Act of August 24, 1935, to be available for the purposes of said section 32.

(b) Funds made available pursuant to this section shall be apportioned to the States in such manner as will best enable schools to meet their obligations with respect to the service of free and reduced-price lunches and to meet the objective of this section with respect to providing a minimum rate of reimbursement under section 4 of the National School Lunch Act, and such funds shall be apportioned and paid as expeditiously as may be practicable.

SEC. 5. (a) The first sentence of section 9 of the National School Lunch Act is designated as subsection (a) of that section.

(b) The second through the seventh sentences of section 9 of the National School Lunch Act shall be designated as subsection (b) of that section and are amended to read as follows:

"(b) The Secretary, not later than May 15 of each fiscal year, shall prescribe an income poverty guideline setting forth income levels by family size for use in the subsequent fiscal year, and such guideline shall not subsequently be reduced to be effective in such subsequent fiscal year. Any child who is a member of a household which has an annual income not above the applicable family-size income level set forth in the income poverty guideline prescribed by the Secretary shall be served a free lunch. Following the announcement by the Secretary of the income poverty guideline for each fiscal year, each State educational agency shall prescribe the income guidelines, by family size, to be used by schools in the State during such fiscal year in making determinations of those children eligible for a free lunch. The income guidelines for free lunches to be prescribed by each State educational agency shall not be less than the applicable family-size income levels in the income poverty guideline prescribed by the Secretary and shall not be more than 25 per centum above such family-size income levels. Each fiscal year, each State educational agency shall also prescribe income guidelines, by family size, to be used by schools in the State during such fiscal year in making determinations of those children eligible for a lunch at a reduced price, not to exceed 20 cents, if a school elects to serve reduced-price lunches. Such income guidelines for reduced-price lunches shall be prescribed at not more than 50 per centum above the applicable family-size income levels in the income poverty guideline prescribed by the Secretary. Local school authorities shall publicly announce such income guidelines on or about the opening of school each fiscal year and shall make determinations with respect to the annual incomes of any household solely on the basis of a statement executed in such form as the Secretary may prescribe by an adult member of such household. No physical segregation of or other discrimination against any child eligible for a free lunch or a reduced-price lunch shall be made by the school nor shall there be any overt identification of any such child by special tokens or tickets, announced or published lists of names, or by other means."

(c) The eighth through the thirteenth sentences of section 9 of the National School Lunch Act shall be designated as subsection (c) of that section and the last sentence of such subsection shall be amended by deleting the phrase "under the provisions of section 10 until such time as the Secretary" and inserting in lieu thereof the following phrase "under this Act until such time as the State educational agency, or in the case of such schools which participate under the provisions of section 10 of this Act the Secretary".

SEC. 6. The first sentence of section 5(a) of the Child Nutrition Act of 1966, as amended by section 2 of Public Law 91-248, is amended by deleting the phrase "for the fiscal year ending June 30, 1973, not to exceed $15,000,000 and for each succeeding fiscal year, not to exceed $10,000,000" and inserting in lieu thereof the following phrase: "for each of the three fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975, not to exceed $40,000,000 and for each succeeding fiscal year, not to exceed $20,000,000". To assist the Congress in determining the amounts needed annually, the Secretary is directed to conduct a survey among the States and school districts on unmet needs for equipment in schools eligible for assistance under section 5 of the Child Nutrition Act. The results of such survey shall be reported to the Congress by December 31, 1972.

SEC. 7. The first sentence of section 10 of the Child Nutrition Act of 1966 is amended by inserting before the period at the end thereof the following: ": *Provided,* That such regulations relating to competitive food service shall permit the sale of nutritious food through vending machines in participating schools and service institutions where the proceeds of such sales will inure to the benefit of the schools or of organizations of students or parents approved by the schools

and such sales will not substantially interfere with the programs so authorized".

The SPEAKER. Is a second demanded?

Mr. QUIE. Mr. Speaker, I demand a second.

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

Mr. GROSS. Mr. Speaker, I object.

Mr. STEIGER of Wisconsin. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. STEIGER of Wisconsin. No, Mr. Speaker.

The SPEAKER. Is the gentleman from Iowa opposed to the bill?

Mr. GROSS. Mr. Speaker, I simply objected to the unanimous consent for a second; that is all.

The SPEAKER. If the gentleman insists, the vote on ordering a second will be taken by tellers.

Mr. GROSS. That is exactly right, Mr. Speaker.

The SPEAKER. The gentleman from Iowa objects to ordering a second; and the Chair appoints the gentleman from Kentucky (Mr. PERKINS) and the gentleman from Iowa (Mr. GROSS) as tellers.

The question was taken; and the tellers reported that there were—ayes 120, noes 10.

So a second was ordered.

The SPEAKER. The Chair recognizes the gentleman from Kentucky for 20 minutes and the gentleman from Minnesota for 20 minutes each.

Mr. PERKINS. Mr. Speaker, I yield myself 5 minutes.

Mr. PATMAN. Mr. Speaker will the gentleman yield?

Mr. PERKINS. I yield to the gentleman.

GENERAL LEAVE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed (H.R. 15692).

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

There was no objection.

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

Mr. PERKINS. I yield to the gentleman.

GENERAL LEAVE

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

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

There was no objection.

Mr. PERKINS. Mr. Speaker, the bill before us today, H.R. 14896, is a bill unanimously reported by the Committee on Education and Labor 1 week ago. The main thrust of the legislation is to extend through fiscal year 1974 the expiring provision of the School Lunch and Child Nutrition Act. The most urgently needed provision of the legislation provides the necessary funds to allow the summer feeding program to underprivileged children to continue and expand. Currently 1,160,000 children are being served by the breakfast program, while with the expansion authorized in H.R. 14896, 2,200,000 children could be served. The bill authorizes $25 million in section 32 funds to be used immediately for the summer program. These funds will make it possible for local communities to give the assurances that are needed to enable them to reach needy children with adequate lunches this summer. The bill further amends the School Lunch Act to increase authorizations to enable children attending child care centers in low-income areas to receive lunches on a year-round basis.

The committee bill removes the limitations on the amounts that can be appropriated to expand the school breakfast program and clarifies the eligibility of all schools—all needy children would be entitled to participate in the breakfast program regardless of the kind of school that they attend.

This amendment would require the Secretary and the States to immediately institute a breakfast program in every school that applies. The amendment further makes clear that the Secretary must provide Federal funds for each school that applies for the breakfast program without regard to any priorities based upon need, distance of travel, or any other such criteria. It is the intent of the committee that each breakfast served throughout the Nation shall be supported by a uniform minimum reimbursement. Therefore, in apportioning funds for any fiscal year the Secretary must provide the States with amounts large enough to permit the anticipated expansion.

The reported bill increases the level of general support to the regular school lunch program to 8 cents per lunch served. This amount is considered by school food authorities across the country as the minimum necessary to maintain a viable school lunch program for all schoolchildren. Rapid increases in food prices as well as prices generally in the past 2 years have made it necessary for nearly all schools to increase lunch prices with consequent reductions in participation. Also the bill provides for the use of section 32 funds to meet this increased cost until an appropriation is enacted to pay back the section 32 account.

Nothing in this bill is intended to amend or repeal the provisions of section 4 of Public Law 92–153 which established that national, uniform, minimum, Federal per meal reimbursement rates of "40 cents or the cost per meal of providing such meals, whichever is less," must be provided for every free meal served and, "40 cents of the cost per meal of providing such meals less the highest reduced price charged whichever is less," must be provided for every reduced price meal served under the authority of section 11(e) of the National School Lunch Act.

Section 32 funds which are available to the Secretary of Agriculture are adequate to support the amendments proposed in H.R. 14896.

The appropriation acted upon by the House today provides a reserve of $300 million in fiscal 1973 which will be available for the Secretary to use. As the committee report indicates, and as the administration's budget proposal notes, the Secretary has used this reserve for those purposes which the Congress has directed.

In the current fiscal year, for example, the Secretary has used reserve funds to insure that adequate section 12 funds are available for child nutrition programs.

Therefore, we are proposing that the Secretary continue this practice; and I want to assure the Congress that we are mindful of the need to protect the availability of these funds. The authorizing language for section 32 provides that the reserve, if it is depleted any year, can be built back up to the $300 million level from new obligational authority.

In addition, the language of the child nutrition amendment provides that the Secretary of Agriculture may use section 32 funds and submit a supplemental appropriation to reimburse section 32.

There is the further possibility that some of the section 32 funds which the Department has used to fund child nutrition programs in fiscal 1972 will not be fully utilized, and may also revert to the reserve. This would mean that the anticipated depletion of the reserve for fiscal 1972 will not be as great as presently expected. If this proves to be the case, then even more of the section 32 funds currently slated from the fiscal 1973 budget for the reserve would be available for current program operations, and would lessen the pressure for a supplemental.

Therefore, Mr. Speaker, it is my best judgment that there will be sufficient section 32 funds available to fund the child nutrition programs affected by this amendment; and any impact is likely to be diminished by the availability of section 32 funds which were unspent in fiscal 1972. The following analysis clearly shows the status of the section 32 account:

SECTION 32 ANALYSIS

FISCAL 1973

Total available	$951,700
AMOUNT BUDGETED	
Child Nutrition Program:	
Section 4	$49,000
Section 11	350,400
Breakfast	34,000
Nonfood	1,100
State Administration	2,000
Nonschool	53,000
Total Child Nutrition Programs	489,553
Commodities to States	92,575
Direct Distribution	161,223
Other	37,198
Total Amount Budgeted	780,549
Set aside for reserve	$171,151
Carry forward from fiscal year '72	$130,000
Reserve available to Secretary	$300,000

The National School Lunch Act is further amended to provide for a specific determination by the Secretary of Agriculture of income levels under which children will be eligible for a free or reduced price meal at school. All children from families with incomes less than the official poverty guidelines shall receive a lunch totally free of charge. States will be permitted to increase this level by

25 percent. In addition, local communities will be authorized to provide lunch at reduced prices to all children whose family income is no more than 50 percent above the official poverty income guideline. State agencies must publish guidelines providing at least a reduced price meal, not to exceed 20 cents, to all those children whose family income is no more than 50 percent of the income guidelines. All such local determinations must be publicly announced before the beginning of the school year.

This action circumscribes the unlimited power presently held by State agencies and local school authorities to set eligibility standards higher than the Secretary's "income poverty guidelines"—the national minimum standard that is annually prescribed by the Secretary and that is equal to the HEW–OEO poverty index. This power, which was historically provided by the act and which was reiterated by the joint resolution of October, Public Law 92–153, enabled local school authorities to set eligibility standards for free and reduced price lunches as high above the "income poverty guideline" as they deemed necessary so that all children who were unable to afford the full price of a meal would be fed. The law also provided that all meals served pursuant to these locally liberalized eligibility standards would be supported by Federal reimbursements. This section provides that local school authorities, having State agency approval, may not set free lunch eligibility standards higher than 25 percent in excess of the "income poverty guidelines" and may not set reduced price lunch eligibility standards higher than 50 percent in excess of the "income poverty guidelines." I expect that each State having eligibility standards lower than those authorized by this section will immediately increase its standards to the full extent now permitted. Finally, this section requires that all children from families whose incomes are below the income poverty guideline shall be provided free lunches instead of the reduced price lunches that were authorized in the past. Previously, local school districts were permitted to provide either free or reduced price meals to children coming from families with incomes below the "income poverty guidelines." Now such impoverished children will no longer have to pay anything for their meals, but will be entitled to free midday nutrition.

The committee bill also strengthens the Child Nutrition Act by increasing the authorization for nonfood assistance to $40,000,000 per year. This increase would enable participants to properly equip facilities to meet the expanding needs of this program.

The Secretary of Agriculture is required by the committee amendment to conduct a survey on the unmet needs for equipment in eligible schools and report to the Congress by December 31, 1972. With the additional funds and the survey the Department should be able to more adequately meet the identified needs of schools.

Finally the bill amends the act to provide that regulations governing school food programs permit the sale of nutritious foods through vending machines. The use of vending machines is limited to nutritious foods. "Nutritious" should be considered as meaning that a food or food produce contains nutrients which, in relation to the caloric value, will provide a balanced diet when consumed in sufficient quantity to meet the recommended daily allowances of calories for school children. Also the proceeds of such sales would go only to the school or to organizations of students or parents approved by the school. Each school would have the authority to determine that the use of vending machines would not substantially interfere with the operation of the child nutrition programs in the participating schools. Vending machines would be considered to have an adverse effect on school lunch and breakfast programs when the school is unable to maintain a minimum 10-percent surplus of funds, or the operating balance necessary to finance the program for one month, whichever is greater. The purpose of the school lunch program is to serve children with a balanced adequate diet equal to a third of the daily nutritional needs of the child. A program which is inadequately funded cannot provide the quality of service that is needed.

INCREASE COST ESTIMATES IN H.R. 14896

	1973	1974
Special food service program	$25,000,000	$125,000,000
Breakfast program	60,000,000	75,000,000
Regular School Lunch	84,000,000	90,000,000
Non-Food Assistance Program	25,000,000	30,000,000

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

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

Mr. HALL. Is it true the program which is currently limited to $32 million and expires, as the chairman says, is now extended on a permanent basis with no ceiling for the funding?

Mr. PERKINS. That is correct.

Mr. HALL. Is it also true, I would ask, Mr. Speaker, if it removes the ceiling on funding set at $25 million in fiscal year 1972 and makes it open-ended?

Mr. PERKINS. Which program is the gentleman referring to?

Mr. HALL. The school breakfast program.

Mr. PERKINS. The breakfast program?

Mr. HALL. That is correct.

Mr. PERKINS. In the breakfast program we are presently spending $25 million, and we remove the limitation on the amount that can be appropriated for the breakfast program.

Mr. HALL. Then, finally, it provides for the general support in the school lunch program in the amount of 80 cents per meal instead of 6 cents per meal; that is a 25 percent increase, therefore we have a 25 percent reimbursement increase there.

Mr. PERKINS. That is correct.

Mr. HALL. A 25 percent increase allowable there for general support; we have the unlimited increase from $25 million in the breakfast program and then the food service fund is unlimited at no ceiling, and it is made permanent.

Mr. PERKINS. That is correct, this modest increase is necessary to maintain a quality program given the rising food prices and the general cost increase due to inflation.

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

Mr. Speaker, I urge a vote in favor of the bill.

Mr. Speaker, Chairman PERKINS has explained the bill fully and has also explained the necessity of taking quick action on it. I would like to add that we do have under consideration a more comprehensive bill to make some basic changes in the School Lunch and Child Nutrition Acts, which would carry out recommendations of President Nixon. Chairman PERKINS and I, together with other members of the committee on both sides, have cosponsored this comprehensive legislation.

However, in the bill now before us we do have elements of the President's long-range proposals. One of these is that we place the distribution of basic school lunch funds in fiscal 1973 on the basis of utilization—or actual number of meals served—rather than the unwieldly and complicated formula in the regular act. We accomplish this by enabling the Secretary of Agriculture to utilize section 32 funds to peg the basic support for fiscal 1973 at an average of 8 cents per meal served in each State, as compared to the current reimbursement rate of 6 cents per meal. While this is a stop-gap measure, it moves in the direction the administration proposes.

We also in this bill adopt the administration's proposal for establishing a national standard for free and reduced cost meals, based upon family size and income level, and then permitting a certain amount of flexibility for the States to go above this basic standard. For free lunches the States can set an income standard 25 percent above that set by the Secretary, and can serve reduced price lunches to children whose family income is 50 percent above the income poverty guideline set by the Secretary for free lunches. This provides for a desirable degree of flexibility to take account of higher living costs in some areas, but without leaving the program open to abuses.

As Chairman PERKINS has explained, this bill has many other desirable features, including the opening of the school breakfast program to the participation of all schools in order that the children in such schools who need the breakfast program may participate, even though they are a small percentage of the total school enrollment. This bill moves in the direction of making nutrition programs available to all needy children.

Mr. Speaker, 3 years ago President Nixon sent to the Congress a special message on hunger. In it he noted that America has long shared its bounty with hungary people in all parts of the world, but that—

> The moment is at hand to put an end to hunger in America itself for all time.

The President has moved dramatically to achieve that goal, and it is one of the great accomplishments of his adminis-

tration that we have come so far in so short a time.

The President's budget for fiscal 1973 proposed 9 times as much money for food stamps and 7 times as much money for school lunches for needy children as was allocated in fiscal year 1969. The number of participants in the food stamp program has nearly trebled. The number of children receiving a free or reduced-price school lunch has increased from 3.5 million in March of 1969 to 8.3 million in March of 1972. While we still have a way to go to reach all those who need help, the President deserves high praise for these very great accomplishments.

This bill is another step toward the goal set by the President. I urge its approval.

Two parts of this bill I especially urge support for. One is the utilization of the existing food service facilities in the amendment to section 13(a)(2). It does not make sense for schools with their lunch facilities to stand closed all summer and the same scandalous activity by private feeding programs continue as last year.

The second is section 7 of the bill pertaining to sale of nutritious food through vending machines. The USDA will write the regulations of what is nutritious food. Presently many schools that want to permit the sale of nutritious food through vending machines are denied that right one-half hour before the lunch period till one-half hour after the lunch period. Experience with some of the schools in my district with apples show that apples improve the nutrition available at only a minimum level by the school lunch. The profit goes to the student council. From this many students receive valuable business experience.

Some say this will interfere with the school lunch program. Just the reverse is true says one school. Participation increased after the installation of the apple machine. In this regard, let us leave the schools free to make their own decision about the use of vending machines to dispense nutritious foods.

Mr. MEEDS. Mr. Speaker, I rise to speak for H.R. 14896.

Since 1946, when Congress first passed a School Lunch Act, we have accepted increasing responsibility for feeding hungry children. We have learned that not only do hungry or malnourished children function poorly in school, their total mental and physical development is adversely affected.

The school lunch program is the Federal Government's most important and widely accepted means of combating malnutrition among the young. Our bill today seeks to strengthen the program by spelling out to the Department of Agriculture Congress intent and insisting on guidelines which will carry that out.

This is a compromise bill. I feel it is a necessary one at this time and I urge your support. By extension of my remarks, I will explain some of the benefits, as well as the limitations in this legislation. I see a clear need for in-depth hearings at a later date with a view to a complete overhaul of the school lunch program.

Mr. Chairman, H.R. 14896 is, like all legislation, the product of compromise. Some of its provisions will clearly improve our food programs that aid impoverished children. Other provisions, however, represent sharp departures from past policies which have proved to be beneficial.

A significant improvement in the school breakfast program is accomplished by section 3 of the bill which amends section 4(a) of the Child Nutrition Act of 1966 to establish the rule that the Secretary of Agriculture and the States must immediately provide Federal funds for each school that applies for the breakfast program without regard to any priorities based upon need, distance traveled by the pupils or any other criteria. This mandate will be implemented through the appropriation of whatever amount of funds are necessary to see to it that every school making application for the program will obtain it. The funds are made available by section 3's repeal of the limitation on appropriations that is contained in section 4(a) of the Child Nutrition Act and the replacement of that limitation with an open-ended authorization. This open-ended authorization will make it possible for the Secretary to utilize all the funds he needs to both bring new schools into the program and maintain a uniform Federal reimbursement rate for all breakfasts served. In fact, to carry out the mandate of these new amendments to section 4(a) the Secretary must provide such a uniform Federal per meal reimbursement rate throughout the school year for all breakfasts served in accordance with an announcement by him prior to the beginning of school, thus allowing each new school entering the program to receive the same minimum reimbursement rate as all other schools.

Subsection 4(a) of the bill provides an additional 2 cents in Federal reimbursements to support all the meals served in the national school lunch program. Thus, every full price, reduced price and free lunch served will receive a total of 8 cents from section 4 of the National School Lunch Act.

Subsection 4(b) of the bill contains a rule requiring the Secretary to see to it that as the school lunch program is expanded, it reaches the neediest children and the neediest schools first. Additionally, this subsection requires the Secretary to insure that Federal funds are paid to the States as speedily as possible. In the past, many State agencies have pointed out that the delays they encounter in receiving payments from the Department are a severe hindrance to the effective operation of the program. To carry out this requirement of paying funds expeditiously, the Secretary should transfer funds to the States no later than 15 days after any claim is made.

By virtue of the joint resolution that we adopted unanimously last October, Public Law 92–153, all free and reduced price lunches are supported by uniform Federal reimbursement rates. In the language of the joint resolution these rates are, "40 cents or the cost per meal of providing such meals, whichever is less" for free lunches, and "40 cents or the cost per meal of providing such meals less the highest reduced price charged whichever is less" for reduced price lunches. The joint resolution provided the Secretary with the authority to use funds from section 32 of the act of August 24, 1935—7 U.S.C. 612(c)—for the purpose of maintaining those rates. That borrowing authority expires this July 1, 1972, but, the requirements to provide minimum reimbursements according to the 40-cent formula for all free and reduced price meals, was a permanent amendment to section 11 of the National School Lunch Act. Nothing in the measure we are now considering would repeal or amend the mandate to provide section 11 reimbursements according to the joint resolution's formula.

Section 5 of the bill brings about a major change of dubious value in the school lunch program. From the program's inception, the law provided that State agencies and local school authorities having State agency approval had the power and the right to set eligibility standards for free and reduced price lunches at any level they chose. That rule was amended by Public Law 91–248 in 1970 to establish the rule that the States and localities could not set their standards lower than the "income poverty guideline" as promulgated by the Secretary based upon the OEO–HEW poverty index. No provisions in that law or subsequent legislation altered the power of the local authorities, having State agency approval, and the State agencies themselves to establish standards at a more liberal level than the Secretary's "income poverty guideline." Last October's Joint Resolution, Public Law 92–153, reiterated what had always been the law: State agencies and local school authorities having State agency approval may establish free and reduced price lunch eligibility standards at any level higher than the Secretary's "income poverty guideline" and still receive Federal reimbursement for all lunches served pursuant to those criteria. Although the joint resolution only reiterated the statutory policy that States and local school authorities had the right to establish higher free and reduced price lunch eligibility criteria, and still receive Federal reimbursement, it was an essential congressional action since the Agriculture Department was then threatening to usurp local discretionary authority in establishing free and reduced price eligibility standards.

The bill we are voting on today would unfortunately limit State and local authorities' discretion, for the first time, in setting eligibility standards. I would prefer to maintain the policy Congress prescribed in 1946, and has maintained for 26 years, that State and local school authorities should have full discretion in establishing free and reduced price lunch eligibility standards, as long as those standards are equal to, or higher than, the "income poverty guidelines" we established in 1970 through Public Law 91–248.

The bill today will limit the power of the local school authorities, having State

agency approval, to set free lunch eligibility criteria no more than 25 percent higher than the Secretary's "income poverty guidelines" and to set reduced price lunch eligibility criteria no more than 50 percent higher than the guideline.

Another new provision in this bill, though, will benefit many poor children. That is the new requirement, also found in section 5, that all children coming from families whose incomes are below the Secretary's "income poverty guideline" will be guaranteed the right of receiving a free lunch. Previously, at the discretion of the States these children were charged a reduced price for their meals.

Section 7 introduces a new element to school food programs which, if not administered very strictly, could certainly be injurious to the nutrition of the Nation's school children. This new provision will allow the installation of food-vending machines in a manner that will result in competition for the federally funded school food programs. To guard against the worst abuses, this bill provides that the machines cannot substantially interfere with school food service programs nor can they be used to sell food which is not nutritious. It is perfectly clear that the Secretary, to carry out the intent of Congress, must promulgate regulations that will forbid the sale of food which is recognized by qualified nutritionists as either lacking the nutrients needed to help the child acquire his "recommended dietary allowance" of nutrients or having an excessive caloric content.

Finally, the bill establishes new appropriation authorizations for summer feeding programs, special food programs for children in service institutions, the national school breakfast program and for the nonfood assistance program under section 5(a) of the Child Nutrition Act.

The authorization for the nonfood assistance program is set at $40 million for fiscal years 1973, 1974 and 1975 and $20 million for subsequent fiscal years. There should be no doubt that these amounts are not adequate to complete the task of bringing the lunch program to all the schools in the Nation with reasonable speed. In recognition of this, the bill instructs the Secretary to conduct a survey among the States and school districts to determine what additional amounts of equipment, as provided by the nonfood assistance program, they require. To truly carry out our intent, the Secretary must actually seek out the opinions of the local school authorities and not simply rely upon routine reports made by local authorities and State agencies.

Mr. BADILLO. Mr. Speaker, I rise to urge passage of H.R. 14896.

I do this, not because I am happy with the provisions of this legislation, but because I hope that by voting for the measure we shall assure the availability of funds for the summer feeding programs which are to begin very shortly throughout the country.

There are many aspects of this legislation and the current program which are contrary to the needs and the best interest of the Nation and consequently need correction. To name but a few, the rules under which the summer feeding programs are currently being administered penalize, despite the Nixon administration's avowed intention to feed all needy children and expand the program, sponsors who ran successful feeding projects last year. Three priorities are included in the rules promulgated by the Department of Agriculture for the administration of this program: first, first priority is given as far as refunding goes, to sponsors who ran successful programs last year, but who do not ask for additional moneys this year either for the purpose of expanding the program or covering the cost of inflationary cost rises; second, the second place in the hierarchy of eligibility is given to sponsors who develop new programs for this year; and only after these two sets of classifications are satisfied are sponsors of programs considered who ran a successful program last year but ask for more moneys in this fiscal year in order to increase the scope of their projects or to cover inflationary costs. If the set of priorities I have just enumerated is a demonstration of the administration's eagerness to feed all needy children, all I can say is that perhaps the administration should not be quite so eager.

In view of the above, I am naturally deeply concerned about the genuinesness of the effort described in section 3 to "initiate, maintain, or expand nonprofit breakfast programs in all schools which make application for assistance—." This language would indicate that there is a mandate to feed all hungry children. To really do this, however, we would need an appropriation of at least $150 million. Last year, the Department of Agriculture spent $18.5 million on this program nationwide—approximately the same amount it expended to feed children receiving free lunches in the Borough of the Bronx. Incidentally, the $18.5 million did not reflect the level of appropriations available for this program. An additional $6.5 million earmarked for this program was not utilized by the Department of Agriculture.

Also, if we intend to have a meaningful breakfast program, we need to do three things: First we will have to set a reasonable level of authorization; second, we will have to write into the law a minimum reimbursement rate of 30 cents per free breakfast served, with appropriate reductions for breakfasts which are partially paid; and we will have to specify that the breakfasts served the children must provide one-third of the recommended dietary allowance appropriate for the youngsters.

The eligibility requirements, section 5, are, of course, basically unsatisfactory. I have with others voted in the committee to change the language in order to stipulate that, while the Secretary is to establish a national minimum below which no State may go when setting eligibility requirements for free lunches, States should have the privilege of setting their own ceilings when evaluating youngsters for free meals. In my judgment such a latitude is very necessary because of the wide variance in living costs and needs throughout our Nation. School lunch programs have been operating under this principle since the 1940's and from the amounts spent on this program and the numbers of children still going unfed, it appears highly unlikely that these powers are in danger of being exploited. Quite the contrary. The 1970 amendments to the School Lunch Act asked the Secretary to establish a national minimum because there was concern in Congress about the lack of utilization of the program.

Last but not least, there are presently 18,544 schools throughout the Nation that lack the facilities to enable them to participate in the program. These schools enroll an estimated total of 5,597,380 children who are presently doing without the benefit of the hot, nutritious meals Congress intended them to have. Thus, if we really want to enable schools to participate fully we need to raise the amount available for equipment to at least $80 million for the coming fiscal years of 1973 and 1974. In addition, since the 25-percent matching fund requirement presently discriminates against the poorest districts that most desperately need the program, we need to clearly stipulate in the legislation that all title I schools are to receive 100-percent Federal grants for their equipment needs. The same provision should be extended to schools with heavy concentrations of needy children and which are presently eligible for maximum Federal assistance, or 80 percent of the costs of the program.

Mr. Speaker, I have outlined only a few of our needs and a few of the shortcomings of the program. There are many more and much care needs to be taken with this legislation. I only hope that we shall have the time and opportunity to provide for these needs and changes before the school year starts. In the meantime, let us hope that the passage of this bill will assure a timely and orderly start of the summer feeding programs so desperately needed by the youngsters of our Nation.

Mr. SCHEUER. Mr. Speaker, the legislation we are considering today is part of an all-too-familiar pattern. It represents the latest in a series of congressional responses to the increasingly widespread demand for child nutrition services, a demand which this administration seems willing to all but ignore. The national school lunch program has 26 years of snowballing success behind it, and this legislation is designed to allow that sucess to continue. Beginning with only lunches served in a few schools to needy youngsters, this program has expanded to include breakfasts and lunches, often on a year-round basis in a wide variety of social institutions catering to the needs of our Nation's children. I have been actively involved in many of these extensions of the school lunch program and have been deeply gratified by the enthusiasm with which these new additions have been greeted around the country, especially in the past few years.

However, as extensive testimony before the Committee on Education and Labor has made clear, many gaps and inadequacies in funding these nutrition

programs remain. H.R. 14896 is a combination of a variety of corrective legislative measures recently introduced in the Congress to close those gaps. The bill provides the Department of Agriculture with sufficient authority to fund greatly expanded school breakfast programs, summer lunch programs run by various recreation activities and child-care centers, and programs for nonfood assistance to enable new schools to acquire the equipment necessary to operate feeding programs. These are desperately needed provisions, for in the city of New York alone some 15,000 children are currently threatened with going hungry this summer due to lack of funds. Similar needs exist across the country. Surely this would be a senseless way for the Federal Government to economize. I can think of few better ways for our Federal dollars to be spent than in feeding millions of hungry children. I have no doubt that this Congress will enact this important legislation without hesitation or delay.

Mr. VANIK. Mr. Speaker, the committee is to be commended for bringing this legislation before the House. It is desperately needed, and needed now before we get further into the summer.

One of the most important features of the bill is that it authorizes—and expresses the intent of the Congress—for a $50 million summer feeding program under the special food service program, section 13 of the National School Lunch Act. The League of Cities and Conference of Mayors have polled their membership, and it is clear that at least $50 million will be needed to meet the needs of worthy applications during the current summer. The section 13 program, which provides food assistance in summer camps, day care centers, and special summer programs is desperately needed to fill the nutritional requirements of our Nation's low-income children during the period in which the regular school lunch program is not in effect.

The bill before us also establishes certain standards and guidelines relating to eligibility for the program. These guidelines are needed to mandate the fact that the Congress wants these low-income children to have the opportunity for adequately nutritous meals. The sad fact is that over the past several years, the Department of Agriculture has issued an ever increasing and complex set of regulations designed, in my opinion, to discourage applicants and reduce the number of children in the feeding programs.

Most importantly, Mr. Speaker, the bill authorizes "such sums as are necessary" for each of the next 3 fiscal years, to feed eligible children from low-income families. For the first time, this program, so vital to the health and well-being of these children, is freed from the restraints of unrealistic authorization ceilings. It is now the goal—and duty—of the Department of Agriculture to provide assistance to all eligible applicants. The need for the regular school year section 13 program has been estimated at about $100 million per year. Only about 20 percent of that need has been met in the last 2 years. It is my hope, Mr. Speaker, that this open authorization and the clear intention of the Congress that these children should be served will finally be acted on by the Department of Agriculture. It is my hope that the Department will stop its policy of discouraging applications and accept all worthy projects, including Headstart projects and centers for whom this legislation was originally designed.

Mrs. MINK. Mr. Speaker, H.R. 14896 is a measure relating to special summer food service programs, the school lunch program and the school breakfast program. Several of its provisions authorize new funds for various aspects of those programs while other provisions bring about some fundamental changes in their operation.

The changes are as follows: An expansion in the school breakfast program from pilot status to a fully funded nationwide undertaking in which every school that applies for the program is immediately entitled to implement it; an increase in the amount of Federal reimbursements provided for each full price, reduced price, and free lunch from 6 cents per lunch to 8 cents per lunch; a restriction upon the power of State agencies and local school authorities to establish income-eligibility standards for children receiving free and reduced price lunches and an authorization for the sale of nutritious foods through vending machines placed in the school buildings.

The mandate for expanding the school breakfast program to every school in the Nation that desires to participate is established in two fundamental ways. First, the $25 million limit on appropriations contained in section 4(a) of the Child Nutrition Act of 1966 is repealed. Instead, an open-ended authorization is provided which will allow the Secretary to obtain all the funds necessary to convert the program into a full scale national undertaking free of any fiscal restrictions. Second, section 4(a) is amended to require the Secretary and States to immediately institute the breakfast program in every school that applies for it. The amendment makes it clear that the Agriculture Secretary and the States must immediately provide Federal funds for each school that applies for the program without regard to any priorities based upon need, distance traveled by pupils or any other criteria. Further, it is the intent of the committee that each breakfast served throughout the Nation shall be supported by a uniform minimum per meal Federal reimbursement amount as announced by the Secretary prior to the beginning of each school year. Therefore, in apportioning funds for any fiscal year the Secretary must provide each State with amounts large enough to permit an expansion of the program and the maintenance of a uniform minimum reimbursement rate for each breakfast served. Accordingly it is the committee's expectation that, during the coming fiscal year, every school in the country that wishes to establish a breakfast program will do so.

Because of the rising cost of food and services, it is necessary to increase the Federation reimbursement payment that is provided by section 4 of the National School Lunch Act to support all school lunches. This reimbursement, which supports full price lunches as well as reduced price and free ones, is presently set at 6 cents. The committee has determined that it is essential to provide an average reimbursement of not less than 8 cents during fiscal year 1973. Subsection 4(a) of this bill will accomplish that. In addition subsection 4(b) insures that the Secretary will apportion Federal funds among the States in such a way as to allow for maximum expansion of the program to reach the neediest children and the neediest schools and to insure that Federal funds are transferred to the States as expeditiously as possible, which the committee intends to be not more than 15 days after any claim is presented by a State agency.

Nothing in this subsection or in any part of this bill is intended to amend or repeal the provisions of section 4 of Public Law 92–153 which established that national, uniform, minimum, Federal per meal reimbursement rates of "40 cents or the cost per meal of providing such meals, whichever is less," must be provided for every free meal served and, "40 cents or the cost per meal of providing such means less the highest reduced price charged whichever is less," must be provided for every reduced price meal served under the authority of section 11(e) of the National School Lunch Act.

A major change in the school lunch program will be brought about by section 5 of this bill which circumscribes the unlimited power presently held by State agencies and local school authorities to set eligibility standards higher than the Secretary's "income poverty guidelines"—the national minimum standard that is annually prescribed by the Secretary and that is equal to the HEW-OEO poverty index.

This power, which was historically provided by the act and which was reiterated by Public Law 92–153, the joint resolution passed last October, enabled local school authorities to set eligibility standards for free and reduced price lunches as high above the "income poverty guideline" as they deemed necessary so that all children who were unable to afford the full price of a meal would be fed. The law also provided that all meals served pursuant to these locally liberalized eligibility standards would be supported by Federal reimbursements. This new section that we are considering today provides that local school authorities, having State agency approval, may not set free lunch eligibility standards higher than 25 percent in excess of the "income poverty guidelines" and may not set reduced price lunch eligibility standards higher than 50 percent in excess of the "income poverty guidelines."

The committee expects that each State having eligibility standards lower than those authorized by this new section will immediately increase its standards to the full extent now permitted.

Finally, this section requires that all

children from families whose incomes are below the income poverty guidelines shall be provided free lunches instead of the reduced price lunches that were authorized in the past. Previously, local school districts were permitted to provide either free or reduced price meals to children coming from families with incomes below the "income poverty guidelines." Now such impoverished children will no longer have to pay anything for their meals, but will be entitled to free midday nutrition.

The last major change is to be found in section 7 which will allow local school authorities to permit the sale of nutritious food through vending machines where they would decrease participation in the school food programs or otherwise interfere with such programs. It is the firm intent of this committee that no foods which are low in nutritional value such as candies, soft drinks, potato chips, cookies, and so forth, are to be sold.

Finally, the bill provides new funding for the special summer food service program, authorizes the continued funding of the special food program for children in service institutions, and increases the authorization for the nonfood assistance program that enables school authorities to purchase needed equipment.

The authorization for the summer food programs will be $25 million as provided by section 1 in the bill. This amount is badly needed by the hard-pressed programs.

The authorization for special food programs in Headstart centers, day care projects and the like is to be open-ended for the fiscal years ending June 30, 1972, June 30, 1973, and June 30, 1974.

The authorization for the nonfood assistance program, as established by section 5(a) of the Child Nutrition Act of 1966, is set at $40 million for fiscal years 1973, 1974, and 1975 and $20 million for each year thereafter. These sums are modest indeed considering the large number of schools that need this help to buy equipment for their food service programs. In order to determine how large the unmet need is, the bill instructs the Secretary to conduct a survey among the States and school districts to determine what additional amounts of equipment assistance the State and local officials, in their opinion, deem necessary. The Secretary is to report his findings to Congress by December 31, 1972.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky that the House suspend the rules and pass the bill H.R. 14896, as amended.

The question was taken; and the Speaker announced that two-thirds had voted in favor thereof.

Mr. SCHERLE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

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

The SPEAKER. The Chair will count.

Two hundred and thirty-seven Members are present, a quorum.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill as amended, was passed.

A motion to reconsider was laid on the table.

RETIREMENT OF GENERAL WESTMORELAND

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

Mr. ALBERT. Mr. Speaker, on July 1, 1972, Gen. William C. Westmoreland will retire from active duty after more than 36 years of dedicated and faithful service to our Nation. General Westmoreland is an individual who has unquestionably and consistently given his sterling best. It can be said that few, if any, who ever wore the Army uniform had heavier responsibilities over a longer period. Only a relatively few men in our history have achieved similar effectiveness in discharging such great responsiblities.

Forty years ago, then-Senator James Byrnes appointed one of South Carolina's sons to the U.S. Military Academy at West Point. Recognition of "Westy" came early at the Academy, by his appointment as a regimental commander and first captain. Upon graduation in 1936, he was commissioned as a second lieutenant in the field artillery. His record is most unusual, even for an Army Chief of Staff. A combat veteran of three wars, he has commanded every unit from a platoon at Fort Sill to an international force, in what has been termed by many as "the toughest war" in which our Nation has ever been involved. His progressive rise to tasks of great responsibility has been phenomenal. In 1952, he received his first star at the age of 38 and 4 years later he became, at that time, the youngest major general in the Army. But of greater lasting significance is his sustaining shining example of character, integrity, intellect, professionalism, leadership, innovativeness, and accomplishment.

General Westmoreland's real emergence on the international scene and his relationship with this Congress came into full force with his appointment as the commander of our military effort in South Vietnam. Probably never before in the military history of our country has a commander been involved in such a unique conflict.

The Vietnam situation has been characterized by many and varied restraints which tended to shape our general strategy and conduct of the war. As our military commander in South Vietnam, he was subordinate to the American Ambassador; he advised and assisted, but did not command, the Republic of Vietnam Armed Forces; he worked closely with, but did not command, the Free World Military Assistance Forces of our other Allies; and he was continuously required to develop military solutions to matters influenced by the most complex political, economic, social and psychological modifying factors.

Despite this great challenge, General Westmoreland and the forces under his command were able to recapture the initiative from the Viet Cong and the North Vietnamese, curtail the tide of Communist aggression, prevent the Communist overrun of the Republic of Vietnam, and assist the Government and people of the Republic of Vietnam to develop improved capabilities for their own security and growth.

Congress and the people of our Nation can expect no more from a military leader than General Westmoreland gave. History may well rank his accomplishments among our finest.

The overall performance of the United States Army in South Vietnam has been superb, but its great accomplishments have not been without costs and sacrifices. General Westmoreland recognized that the strains and turbulence caused by the Vietnam war—building to over a million and a half without sizable mobilization; 12-month tours with resulting instability; much public disenchantment with an unpopular war in which the Army carried the heaviest load and suffered the bulk of the casualties—resulted in some degradation in the quality of leadership and in the standards of professionalism that have traditionally marked our Army.

Therefore, during his tour as Chief of Staff, he has taken numerous far-reaching initiatives and made many bold decisions to reverse this trend and set the Army on the road to new standards of professionalism.

In effect, he has turned the Army around. He has given it vision, versatility, and the "lift" that it needed. He has shepherded the move toward a modern volunteer Army with the basic objectives of developing top professionalism, improved service life and personal opportunity. He has been tireless in telling the Army story. As Chief of Staff, he carried the Army message not only to each of the 50 States, but also to many of our allies as well. This final period in General Westmoreland's career cannot be surpassed in terms of leadership, solid achievement, and sound contributions to the Army, to his country, and to his countrymen.

During General Westmoreland's long, proud career—eagle scout, cadet, and later Superintendent of the U.S. Military Academy, participant in three wars, and Chief of Staff—his words and deeds have established him as a great leader. His personal bearing and conduct have marked him as an exemplary soldier. All Americans are in his debt for his dedicated service to his country.

Mr. ARENDS. Mr. Speaker, it is an honor to join in the remarks of my eminent colleague, Speaker ALBERT, in praise of General Westmoreland.

As Chief of Staff, General Westmoreland embarked on a program to make the Army better—better in every respect. He directed that the Army take innovative steps to insure that all soldiers are used purposefully in a way which fully develops both their skill and motivation—in short, gets soldiers back to soldiering, initiates challenging and interesting training, and reduces the sources of dissatisfaction. This program is progressing very well. The soldiers are better for it, the Army will be better for it, and the country will be better served because of it.

Dedicated and selfless service to his country has been General Westmoreland's primary motivation. This has made his profession a way of life rather

than just a job. A grateful Nation will ever be in his debt.

General Westmoreland is not the kind of man who will depart the active arena. He will be heard from again, and the friends who know him best and respect him most hope that it will be soon.

Mr. DORN. Mr. Speaker, Gen. William Childs Westmoreland is among the ablest, greatest, and most dedicated of our Nation's military leaders of all time. Inded, he is one of the most outstanding officers of the free world. His splendid career and many achievements have been a particular source of pride to us in South Carolina, for he is one of our most distinguished native sons.

General Westmoreland was born in Spartanburg County in South Carolina, and attended The Citadel, the military college of South Carolina, for a year before being appointed to the U.S. Military Academy at West Point. The Honorable James F. Byrnes is reported to have said that the most significant of his contributions to the cause of freedom in our Nation was his appointment of William Childs Westmoreland to West Point. The impact and significance of such words from a man who was a Governor of South Carolina, a U.S. Congressman for 14 years, a U.S. Senator, an Associate Justice of the Supreme Court, Secretary of State, and who played a pivotal role in advising President Roosevelt during World War II, are inestimable.

General Westmoreland has served our Nation with honor and distinction. He has commanded combat units in three international conflicts. He served with the greatest distinction in North Africa, Sicily, France, Belgium, and Germany during World War II. He served in Korea, where the Republic of Korea awarded his unit the Distinguished Unit Citation. He served as commander in Southeast Asia under some of the most difficult strategic and tactical conditions with which any military officer has ever had to contend. It was a personal pleasure for me to visit in Saigon with General Westmoreland while he was U.S. commander. Under the most demanding and difficult of circumstances he represented our country and its allies and commanded superbly.

General Westmoreland was quick to grasp the grand Communist strategy of gaining control of the Mekong Delta and eventually all of Southeast Asia with its oil, rice, rubber, tin, and unlimited resources. General Westmoreland thwarted this diabolical scheme. He realized that the fate of Western Europe would be determined in Southeast Asia and that Western Europe was only a peninsula on the great Afro-Eurasian land mass. The road to Paris is indeed through the Far East, as Lenin stated more than half a century ago.

General Westmoreland utterly defeated during the Tet offensive the most sinister aggression in modern world history. An aggression of terror, torture, and subversion was designed to seize all of South Vietnam and outflank Cambodia and Laos. As a result of the gallant defense by American troops under General Westmoreland, Thailand, Indonesia, and Malaysia remain free.

General Westmoreland is a man of courage and integrity, in the line of those great generals whose outstanding personal qualities parallel their exceptional military capabilities. The list of his decorations and citations seems almost endless. This week President Nixon awarded the general his fourth Distinguished Service Medal. Since 1968 he has served ably in the Army's highest post as Chief of Staff.

We, in South Carolina, are hoping that the general, his beautiful and charming wife, "Kitsy," and his three wonderful children will eventually return to South Carolina. The general, affectionately known as "Westy" to his friends and associates, comes from one of the greatest and most distinguished families in our State. Gen. William Westmoreland has been dedicated to keeping America strong and to preserving world peace. The general has seen clearly that peace can only come through strength and that it is national weakness which leads to the terror and destruction of war. This is a greater and stronger Nation and the cause of freedom is more secure because General Westmoreland has served in our Army, and has served so very well.

Mr. Speaker, the following is a brief biography of the distinguished career of General Westmoreland:

GENERAL WILLIAM CHILDS WESTMORELAND, U.S. ARMY

William Childs Westmoreland was born in Spartanburg County, South Carolina, March 26, 1914, and graduated from Spartanburg High School in 1931. He attended the Citadel, the military college of South Carolina, for one year and was then appointed to the United States Military Academy, West Point, New York. At the United States Military Academy he was first captain and regimental commander and was commissioned as a Second Lieutenant in the Field Artillery upon graduation on June 12, 1936.

His initial assignment was with a regiment of horse-drawn 75mm guns, the 18th Field Artillery, at Fort Sill, Oklahoma. In March 1939, he joined the Eighth Field Artillery of the Hawaiian Division at Schofield Barracks, Hawaii. Here he served as battery officer, battalion staff officer, and battery commander. In May 1941, as a captain, he was assigned to the just organized Ninth Infantry Division at Fort Bragg, North Carolina, as operations officer of the 34th Field Artillery Battalion (155mm Howitzer).

In April 1942 he assumed command of the 34th Field Artillery Battalion and moved with it later that year to Morocco, North Africa. He commanded the battalion in combat in Tunisia and Sicily. During combat in Tunisia, his battalion was awarded the Presidential Unit Citation.

During the campaign in Sicily, General Westmoreland's battalion was successively attached to the 82d Airborne Division, and the 1st Infantry Division before returning to its parent division. In March 1944 he was named executive officer of the Ninth Infantry Division Artillery while the division was staging in Southern England preparatory to the invasion of the Continent. Following D-Day, he fought with the Ninth Infantry Division through France, Belgium, and into Germany. In October 1944 he was named chief of staff of the division, serving in that capacity in continuous combat from the German border to the Elbe River.

In June 1945 General Westmoreland assumed command of the 60th Infantry Regiment in Germany and in January 1946 was transferred to the 71st Infantry Division and, as commander of that division, returned it to the United States for inactivation.

Following training at Fort Benning, Georgia, he earned the Parachutist and Glider Badges and assumed command of the 504th Parachute Infantry of the 82d Airborne Division at Fort Bragg, North Carolina in July 1946. In August 1947 he was named chief of staff of the 82d Airborne Division, serving in that capacity for the next three years.

He was appointed an instructor at the Command and General Staff College at Fort Leavenworth, Kansas, in August 1950. Later that year he was designated an instructor at the newly organized Army War College, also at Fort Leavenworth, and in June 1951 moved to Carlisle Barracks, Pennsylvania, with the Army War College, serving as a member of the faculty until July 1952.

On August 1, 1952, he assumed command of the 187th Airborne Regimental Combat Team in Korea. While under his command, the unit was twice committed to combat and during the interim was deployed to Japan as theater reserve. The Republic of Korea awarded his unit the Distinguished Unit Citation. During this period he was promoted to brigadier general at the age of 38. In August 1953 he was awarded the Master Parachutist Badge.

In November 1953 he reported for duty as Deputy Assistant Chief of Staff, G1, for Manpower Control. In 1954 he attended the Advanced Management Program of the Harvard Business School in Boston, Massachusetts. He was named the Secretary of the Army General Staff in July 1955.

On December 1, 1956, the Chief of Staff of the Army, General Maxwell D. Taylor, pinned a second star on General Westmoreland, making him at that time the youngest Major General in the Army.

General Westmoreland assumed command of the 101st Airborne Division "Screaming Eagles" at Fort Campbell, Kentucky, on April 2, 1958.

In July 1960, General Westmoreland was appointed Superintendent of the U.S. Military Academy at West Point. He was transferred to Fort Bragg, North Carolina in July 1963 at which time he became Commanding General, STRAC and XVIII Airborne Corps.

In January 1964, he reported to duty at the U.S. Military Assistance Command, Vietnam. He was assigned first as Deputy Commander, then Acting Commander and finally, in August 1964 was made Commander, U.S. Military Assistance Command, Vietnam.

General Westmoreland became the Chief of Staff of the Army on 3 July 1968.

PERSONAL DATA

Date and Place of Birth: March 26, 1914, Spartanburg County, South Carolina.

Parents: Mr. and Mrs. J. R. Westmoreland (Deceased).

Marriage: Date, May 3, 1947; Wife, Katherine Van Deusen Westmoreland; Children, Katherine Stevens Westmoreland; Margaret Childs Westmoreland; and James Ripley Westmoreland, II.

EDUCATION

Spartanburg High School, Spartanburg, South Carolina, graduate, 1931.

The Citadel, Charleston, South Carolina, one year, 1932.

U.S. Military Academy, West Point, New York, graduate, BS, 1936.

Army War College (Instructor) 1950–1952.

Harvard University, Advance Management Program #26—1954.

Temple University, Honorary Doctor of Law Degree, June 1963.

The Citadel, Honorary Doctor of Law Degree, June 1966.

University of South Carolina, Honorary Doctor of Law Degree, April 1967.

Norwick University, Honorary Doctor of Military Science, May 1969.

Howard Payne College, Honorary Doctor of Law Degree, October 1969.

CHRONOLOGICAL LIST OF PROMOTIONS

2d Lieutenant, June 12, 1936.
1st Lieutenant, June 12, 1939.
Captain, temporary, Sept. 9, 1940; permament, June 12, 1946.
Major, temporary, Feb. 1, 1942; permanent, July 1, 1948.
Lieutenant Colonel, temporary, Sept. 25, 1942; permanent, July 7, 1953.
Colonel, temporary, July 28, 1944; permanent, June 12, 1961.
Lieutenant Colonel (reverted), temporary, June 30, 1947.
Colonel, temporary, June 29, 1951.
Brigadier General, temporary, Nov. 7, 1952; permanent, Feb. 1, 1963 (DOR July 14, 1962).
Major General, temporary, Dec. 1, 1956 (DOR March 3, 1952); permanent, Aug. 12, 1965 (DOR May 20, 1963).
Lieutenant General, temporary, July 31, 1963.
General, temporary, Aug. 1, 1964.

CHRONOLOGICAL LIST OF ASSIGNMENTS

Battery Officer, 18th Field Artillery, Fort Sill, Oklahoma, June 1936 to March 1939.
Battery Officer, Battalion Staff Officer, and Battery Commander, 8th Field Artillery, Schofield Barracks, Hawaii, March 1939 to May 1941.
Operations Officer, 34th Field Artillery, 9th Infantry Division, Fort Bragg, North Carolina, May 1941 to April 1942.
Battalion Commander, 34th Field Artillery Battalion, 9th Infantry Division, Fort Bragg, North Carolina; Morocco, North Africa (in combat in Tunisia and Sicily) to England, April 1942 to March 1944.
Executive Officer, 9th Infantry Division Artillery (Combat in France, Belgium and Germany), April 1944 to October 1944.
Chief of Staff, 9th Infantry Division (combat in Germany), October 1944 to June 1945.
Regimental Commander, 60th Infantry Regiment in Germany, June 1945 to January 1946.
Chief of Staff and Division Commander, 71st Infantry Division, Germany and return with it to the United States, January 1946 to May 1946.
Assistant Chief of Staff, 82d Airborne Division, Fort Bragg, North Carolina, May 1946.
Student Officer, The Infantry School, Fort Benning, Georgia, May 1946 to June 1946.
Regimental Commander, 504th Parachute Infantry Regiment, Fort Bragg, North Carolina, July 1946 to August 1947.
Chief of Staff, 82d Airborne Division, Fort Bragg, North Carolina, August 1947 to August 1950.
Instructor, Department of Instruction, Command & General Staff College, Fort Leavenworth, Kansas, August 1950 to October 1950.
Instructor, Army War College, Fort Leavenworth, Kansas, October 1950 to June 1951.
Instructor, Army War College, Carlisle Barracks, Pa., June 1951 to July 1952.
Commander, 187th Airborne Regimental Combat Team in Korea, August 1952 to August 1953.
TDY to HQ Prov Corps, Japan, HQ, Armed Forces, Far East, October 1953 to November 1953.
Deputy Assistant Chief of Staff, G1 for Manpower Control, Washington, D.C., November 1953 to September 1954.
Student, Advance Management Program, Harvard Business School, Boston, Massachusetts, Sept., 1954 to Dec., 1954.
Deputy Assistant Chief of Staff, G1 for Manpower Control, Washington, D.C., Dec., 1954 to July, 1955.
Secretary of the Army General Staff, Washington, D.C., July, 1955 to Mar., 1958.
Commanding General, 101st Airborne Division & Fort Campbell, Fort Campbell, Kentucky, Apr., 1958 to June, 1960.
Superintendent, U.S. Military Academy, West Point, New York, July, 1960 to July, 1963.
Commanding General, STRAC & XVIII Airborne Corps, Fort Bragg, North Carolina, July, 1963 to Jan., 1964.
Deputy Commander, U.S. Military Assistance Command, Vietnam, Jan., 1964 to June, 1964.
Acting Commander, U.S. Military Assistance Command, Vietnam, June, 1964 to Aug., 1964.
Commander, U.S. Military Assistance Command, Vietnam & Commanding General, U.S. Army, Vietnam APO SF 96222, Aug., 1964 to July, 1968.
Chief of Staff, U.S. Army, July, 1968.

LIST OF DECORATIONS

Distinguished Service Medal w/2 OLC.
Legion of Merit w/2 OLC.
Bronze Star Medal w/OLC.
Air Medal w/9 OLC.
American Defense Service Medal.
American Campaign Medal.
EAME Campaign Medal w/17 Campaign Stars.
WWII Victory Medal.
Army of Occupational Medal (Germany).
National Defense Service Medal w/OLC.
Korean Service Medal w/2 Campaign Stars.
Vietnam Service Medal w/2 Campaign Stars.
Legion of Honor (French Government).
French Croix de Guerre w/Palm.
Belgium Fourragere.
Korean Ulchi Distinguished Service Medal w/Gold Star.
Order of Military Merit Taeguk (Korea).
Order of Sikatuna (Rank of Lankan) (Philippines).
Chuong My Medal (Vietnam).
National Order of Vietnam, First Class (Vietnam).
Gallantry Cross with Palm (Vietnam).
Army Distinguished Service Order, First Class (Vietnam).
Air Force Distinguished Service Order, First Class (Vietnam).
Navy Distinguished Service Order, First Class (Vietnam).
Armed Forces Honor Medal, First Class (Vietnam).
Civil Actions Honor Medal, First Class (Vietnam).
The Most Exalted Order of the White Elephant (First Class—Knight Grand Cross—Thailand).
The Order of National Security, First Class (Korea).
Vietnamese Gallantry Cross Fourragere.
Order of Military Merit, Degree of Great Officer (Brazil).
Medal of Cloud and Banner with Grand Cordon (Republic of China).
Order of the Rising Sun, First Class (Japan).
Order of Guerrilleros Lanza, Degree of Grand Master (Bolivia).
Grand Cross of the Order of Military Merit (Spain).
Knight of the Grand Cross (Italy).
United Nations Service Medal.
Vietnam Campaign Medal.

CITATIONS

Presidential Unit Citation (34th Field Artillery Battalion, Tunisia 1943).
Republic of Korea Unit Citation (187th Regimental Combat Team 1953).

BADGES

Combat Infantryman's Badge.
Master Parachutist Badge.
Glider Badge.
General Staff Identification Badge.
Armed Forces Master Parachutist Badge (Vietnam).
Joint Chiefs of Staff Identification Badge.
Army Aviator Badge.

PERSONAL BACKGROUND MATERIAL

Sports: Tennis, Squash, Water-skiing, Golf.

Mr. MANN. Mr. Speaker, I think that it is most appropriate that Congress should take this time to pay special tribute to a man who has served this country so ably and so unselfishly for more than three decades.

William Childs Westmoreland, a native of Spartanburg County, S.C., located in the Fourth Congressional District which I now have the privilege of representing in the Congress, is a man who has distinguished himself as a scholar, an author, a soldier, and a statesman.

Westmoreland, the son of a successful textile plant executive in Spartanburg was born in Spartanburg County on March 26, 1914 and was graduated from Spartanburg High School in 1931. He attended The Citadel, also my alma mater, for 1 year before receiving an appointment to the U.S. Military Academy at West Point. James F. Byrnes, another distinguished South Carolinian, had taught young Westmoreland in Sunday school and it was he who, while serving as a Congressman helped to get the young man his appointment to the Academy. At West Point, "Westy" made first captain, the school's high mark for leadership, and upon graduation on June 12, 1936, he was commissioned as a second lieutenant in the field artillery.

When the United States entered the Second World War, Westmoreland saw his first action in North Africa as a major commanding the 34th Field Artillery Battalion in the Ninth Infantry Division. His reputation as a tactical innovator in the artillery, as a rapid displacer of his unit, and as an aggressive forward commander, began to spread. Later, as Division Artillery Executive Officer in the 9th Division, he fought in Sicily, France, and Germany and ended up as Chief of Staff of the 9th Division.

The rest is a steady success story. After the war, Westmoreland began an immediate and rapid rise—more immediate and more rapid than that of anyone else in his class—alternating between command and staff duty and attending service schools, including Command and General Staff and the Army War College. In 1960, at the age of 46 and a Major General, Westmoreland was appointed Superintendent of West Point, his alma mater. Only General MacArthur had been younger when appointed to this post. Characteristically of the General, he served the post ably and in an innovative manner.

In 1963, however, he left to take over the 18th Airborne Corps which he called "freedom's fire brigade." In January, 1964, he reported to duty at the U.S. Military Assistance Command, Vietnam. He was assigned first as Deputy Commander, then Acting Commander, and finally, in August 1964, was made Commander, U.S. Army, Vietnam. He was sent to Vietnam with a command of 16,000 which grew to over 50,000. He was sent, moreover, with orders hardly more specific than "save this country for the Free World."

One of the striking elements in the story of the Vietnam war is the deep, and mutual, loyalty that ran between Westmoreland and his Commander in Chief Lyndon Johnson. It was to Westmoreland that President Johnson confided in November 1967, that he did not "plan" to run for reelection in 1968. The President chose to confide these intentions to Westmoreland because he needed to be assured that his deciding not to run would

not be seen by American troops in Vietnam as his abandoning them and therefore do harm to their morale.

Westmoreland is supposed to have responded that he was sure the troops in his command would not see Johnson's failure to run as a desertion of the colors, that they would "understand." Probably no field commander in our history had ever been presented such an opportunity to influence American politics as Westmoreland at that moment, but he confined himself to a proper soldier's answer.

This was typical of the man because he was not an individual who was concerned with the exercise of personal influence but rather chose to act and react in a manner which was best for the good of the country. Perhaps the Westmoreland manner explains one of the strange facts of the Vietnam war controversy: Westmoreland continued to enjoy a relatively good press. This is strange when one considers that the war has divided friends, political parties and nations, but in spite of all of this, General Westmoreland generally had his way with newsmen and U.S. officials.

An Air Force lieutenant colonel serving under Westmoreland once stated that "If you wanted to make a model of a four star general, you would make it to look like General Westmoreland." Not only would you make it to look like Westmoreland, you would make it to perform as Westmoreland has performed. This was truly a man unique to his time as well as to history.

While military historians will judge Westmoreland as a strategist and an excellent tactical commander, his style as that of a reasoner, an exemplifier, a problem solver, rather than a martinet will be remembered. Other historians will surely record the General's popularity with the populace as well as within the military. Within the Army Westmoreland was a figure more popular than feared. Among the civilian population he was a figure more admired and respected than criticized.

This native of South Carolina reflects credit upon the Palmetto State as well as upon the United States of America. I am pleased to be able to offer this humble tribute to him on the occasion of his retirement. I commend this gentleman for his distinguished service to America and I, as shall all Americans, remain in his debt for his untiring and selfless services to this country.

GENERAL LEAVE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks with reference to the service of General Westmoreland.

The SPEAKER pro tempore (Mr. BROOKS). Without objection, it is so ordered.

There was no objection.

THE ANIMAL HEALTH RESEARCH ACT OF 1972

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

Mr. MELCHER. Mr. Speaker, I am introducing on behalf of myself and Congressmen ABBITT, BERGLAND, DENHOLM, LINK, MAYNE, NELSEN, RARICK, SISK, SMITH of Iowa, WAMPLER, WHITEHURST and ZWACH the Animal Health Research Act of 1972 to authorize increased funding of animal disease research work.

I shall include in the RECORD with this statement an explanation of the bill and its background by Dr. Frank A. Todd, Washington representative of the American Veterinary Medical Association.

In introducing it, and on behalf of the need for increased research in animal diseases both to protect human health and to protect our meat, dairy, poultry and egg supplies, our principal source of protein food.

Research in veterinary medicine has led to many breakthroughs in curing or preventing human diseases. Mankind has benefited from basic research on animals, and the most recent example of this is the development of a vaccine for a form of cancer in poultry that has sparked the efforts of human cancer researchers to develop similar vaccines against the dreaded disease in men. Dr. Harvey Graham Purchase, a young veterinarian at Michigan State University, who is also a U.S. Department of Agriculture veterinary medical officer, was awarded the 1971 Arthur S. Fleming Award for his development of the vaccine to control Marek's disease, a form of cancer in poultry.

The Purchase vaccine is expected to save poultrymen $200 million a year but this will prove to be a minor benefit from his discovery if it leads to successful vaccines to prevent cancer in humans.

Many communicable diseases are transmissible from animals to man. Animals are sometimes vestors or carriers of diseases which affect human beings so that animal health research is both directly beneficial to humans, and indirectly beneficial through examples of successful work such as Dr. Purchase's.

The present furor over meat prices is basically a result of a tight supply, and particularly beef. Our capacity to produce beef has not kept up with the demand for the product. Expansion of beef supply to meet the requirements of an expanding population is going to be dependent, among other things, on our solving such threats to the beef herd as the "weak calf syndrome" recently featured in the Wall Street Journal which has appeared in the Bitterroot Valley in my home State and threatens productivity in a sizable cattle area. It will depend on better means of eradicating anaplasmosis, diagnosing bovine vibriosis, and keeping herds healthy in every way.

The same sort of problems, of course, continuously threaten pork, dairy cattle, lamb, mutton, and poultry.

I commend the American Veterinary Medical Association—and I am one of its members—for developing this legislation.

At the same time I want to make it clear that I, and others who have cosponsored it, may want to make changes in the bill as a result of discussions and hearings this measure is intended to stimulate. It is not presented as a finished product, ready to pass, but as a bill to initiate hearings and future action.

Some of us who are from States whose universities do not have colleges of veterinary medicine, but do have a large livestock industry and urgent research needs, are very likely to propose changes in the formula for distribution of funds.

I have taken the liberty of amending the association's draft, in the copy I am introducing, by reducing the percentage of funds to be distributed on the basis of existing research capacity from 48 percent to 38 percent and making the 10 percent difference available for distribution on the basis of research need, to indicate my reservations in this respect.

My own State does not have a college of veterinary medicine, but we do have excellent research workers in veterinary medicine and the capacity and facilities to increase the research if funds are available. We do have this alarming new weak calf syndrome, which calls for immediate study, an increasingly serious problem of anaplasmosis and others. They are not just our problems. They are the problems of consumers as well as the livestock industry itself, for both the efficiency and the adequacy of meat and dairy production in the Nation depend on minimizing losses of both dollars and volume to unnecessary animal and poultry diseases.

EXPLANATION OF THE ANIMAL HEALTH RESEARCH ACT, BY DR. FRANK A. TODD, D.V.M

If enacted, the animal health research efforts in each of the states would be expanded significantly.

The proposed act would provide funding for the colleges of veterinary medicine and the departments of veterinary science or animal pathology or similar units conducting animal health research in the state agricultural experiment stations. The basic distribution of funds to the institutions would be on a formula administered by the Secretary of Agriculture in consultation with an advisory board taking into acount the livestock and poultry values and the research capacities in each state.

Authority also would be provided for the Secretary to support the funding of needed research facilities. The funds for facilities also would be apportioned among the research institutions in the several states, except that, to meet special needs, the Secretary could request additional funds for facilities at one or more of the eligible institutions, after consultation with the advisory board.

The advisory board, appointed by the Secretary, would be composed of members representing livestock and poultry associations, the colleges of veterinary medicine, and the appropriate animal health research units of the agricultural experiment stations. The advisory board would recommend priorities for the conduct of animal health research and otherwise advise the Secretary in administering the provisions of the act.

The American Veterinary Medical Association has developed this proposal in consultation with the Association of American Veterinary Medical Colleges and the directors of the state agricultural experiment stations.

There is an urgent need for more research in the entire field of animal health. Estimates of losses of livestock and poultry because of diseases and parasites come to nearly three billion dollars each year. We must give high priority to the protection of the wholesomeness of the nation's supplies of meat, milk, and eggs. To do this, food producing herds and flocks must be protected against disease.

The handling of diseases affecting both man and animals becomes increasingly difficult, primarily because of the lack of sufficient research-produced information. The recent outbreaks of Venezuelan equine encephalomyelitis (VEE) of horses and exotic Newcastle disease of poultry are examples.

Domestic animals and birds that provide recreation and companionship, especially for our younger and older citizens, must be kept healthy if they are to serve their purpose without hazard to their owners.

These needs were recognized in a 1972 report "New Horizons for Veterinary Medicine" issued by the National Academy of Sciences. One of the recommendations in the report urges the U.S. Department of Agriculture to expand its extramural research programs to support research in institutions conducting animal health research throughout the United States.

The President's Message on Science and Technology reaffirms the need for support of research in the universities.

The Secretary of Agriculture has recognized the need to step up the level of animal health activities.

With your long standing interest in a viable animal agriculture, healthy animals, and wholesome foods, we hope you will wish to introduce legislation as outlined in the attached draft. Please be assured that our Association will give the measure its full support.

Please call upon this office if we can provide additional information.

Sincerely,

FRANK A. TODD, D.V.M.,
Washington Representative.

JAPANESE-AMERICAN 22D BIENNIAL CONVENTION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Hawaii (Mr. MATSUNAGA) is recognized for 60 minutes.

Mr. MATSUNAGA. Mr. Speaker, "For better Americans in a greater America"—that is the refreshing motto of the Japanese American Citizens League, a national civic organization with over 100 chapters in 32 States, now holding its 22d biennial convention here in Washington, D.C.

The JACL, as it is better known, staged a banquet in honor of the Members of Congress last night at the Shoreham Hotel. Despite the late hour at which the House adjourned, a considerable number of the Members of the House were in attendance to break bread with their Japanese-American constituents. Today, the approximately 600 delegates to the convention are spending their time on Capitol Hill to meet with their Senators and Congressmen and to tour the historic Capitol, the Supreme Court, and the Library of Congress.

Mr. Speaker, the story of the Japanese American is an inspiring one and one which should be told and retold. It is for this reason that I have reserved this hour, along with another 2 hours reserved by my good friends, the distinguished gentlemen from California (Mr. HOLIFIELD and Mr. MILLER) to pay tribute to our Americans of Japanese ancestry.

Although Japanese-Americans constitute only a minute part of our Nation's population—fewer than 600,000—their story is an important one, consisting in large part of adversity, challenge and, eventually, a degree of success and triumph. The implications, however, reach far beyond one ethnic group, particularly today, when America faces grave problems involving the denial of full equality and justice to large segments of our population.

Just 3 years ago, the centennial celebration of Japanese immigration to the United States was observed. Perhaps, no other immigrant group encountered higher walls of discrimination and prejudice than did the Japanese—the denial of the right to citizenship, denial of the right to own land or enter certain professions, and eventually complete exclusion. No other ethnic group experienced the dramatic and emotional crisis of being uprooted from their homes and herded into American concentration camps, complete with barbed wire fences and armed guards. Few have shown greater loyalty to the United States or greater willingness to make sacrifices for their country on the battlefield or at home.

As the late Barratt O'Hara, when a Member of this House, put it in a floor speech in 1963:

I do not know of any group in the history of our country who has suffered so much without justification and has come out of it to make such a great contribution with never a scar of resentment or faltering their love of and loyalty to country.

Although 1869 has been generally regarded as the date when the first Japanese immigrants arrived on the mainland United States, the first organized group of immigrants arrived in Hawaii, then a kingdom, on June 19, 1868. They had been recruited to labor on Hawaii's sugar plantations.

Shortly thereafter, due partly to the slavery-like treatment these first laborers received on the plantations, Japan forbade emigrant workers from going to Hawaii. But Hawaii's need for farm labor grew enormously following the U.S. agreement to permit Hawaiian sugar to enter the mainland United States duty-free. This was at the same time that the native Hawaiian population, afflicted with various diseases brought by Captain Cook and his crew in the late 18th century, was actually shrinking.

To save Hawaii's sugar industry, King Kalakaua journeyed to Japan in 1881 to seek an agreement with the Japanese Government to permit Japanese laborers to migrate to Hawaii to work on the sugar plantations. He was successful, and thousands of Japanese migrated to the islands before the turn of the century. Most of them, however, considered their stay in Hawaii as temporary, and fully intended to return to Japan as soon as their contract with the plantation company was fulfilled, normally 3 years. They came as "contract laborers," and the contracts were harsh ones indeed. The Hawaiian planters provided free but inadequate housing and paid their new employees as little as $9 a month, and imposed on them restrictions touching every facet of their lives.

In 1900, when Hawaii was annexed to the United States, the "contract labor" practice ended, and the Japanese began to make their way up the economic and social ladder in Hawaii.

The "Issei," or first generation immigrants, however, never realized their dream of amassing a fortune in Hawaii and returning to a life of ease in Japan. They were forced to remain in Hawaii with no fortune in sight. Their struggles, industry, and perseverance gained for them the respect of their employers, but unlike other immigrants before them, they were denied the right to become American citizens and denied the right to own any part of the land which they tilled.

Undaunted by discriminatory laws passed against them at both the Federal and State levels, the Issei abandoned their earlier goal and built a dream of hope not for themselves, but for their children—the Nisei. No sacrifice was too great. They were determined that by the sweat of their brow every Nissei child was going to have the highest possible education for a life of decency and dignity in America. This became the Issei's life goal—to prepare their children for a life they themselves were denied.

I am the son of one of those immigrant plantation workers—and I have benefited from the hardships endured by the first generation of Japanese in America.

By and large, the Isseis were successful in attaining this one goal. Until a few years ago, statistics showed that Americans of Japanese ancestry constituted the highest educated of all identifiable minority groups in the United States. Although the Nissei were themselves subjected to acts of discrimination —such as being denied certain types of employment, both in the public and private sectors—things were beginning to improve. One early success was Kikutaro Matsumoto, who arrived in Hawaii in 1891 at the age of 24. Starting as a laborer in a fertilizer plant, he later became a building contractor and is cited as the first Japanese American millionaire.

As the son of one of these immigrant plantation workers—and one who has benefited from the hardships endured by the first generation of Japanese in America—I am convinced that American Democracy—an idea dedicated to the freedom and dignity of the individual, regardless of race, color, or creed—can be made to work. It is this commitment to a dynamic, progressive democracy that I would most like to transmit to other Americans of minority groups, particularly the younger generation.

As a child in school, I was taught that under our American system of government all men are created equal, endowed with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness. I was taught that as an American, regardless of race, color, or national origin, I could aspire to the highest office in the land. This I believed as a child, and of its truth I am convinced as a man.

My belief, however, was not without severe testing during the period shortly after December 7, 1941. I had already volunteered for military service and was serving in the Hawaii National Guard which had been federalized. When the invasion of Hawaii was believed to be imminent, all Americans in uniform, regardless of race, stood side by side in beach dugouts and trenches, fully prepared to repel the enemy.

After the battle of Midway was won, however, and invasion of the Hawaiian Islands by the military forces of Japan became a remote matter, our fellow Americans suddenly turned to us of Japanese ancestry and looked at us with a suspicious eye, almost as if to say "Why, he's a Jap."

Shortly thereafter, in June 1942, all of us of Japanese ancestry who were in American uniform were ordered to turn in our weapons. Then, without even a chance to say goodbye to our loved ones, we found ourselves on board a troopship sailing for the mainland. Speculation was rife that we were headed for a concentration camp.

When we arrived at our final destination, after more than a week of travel by ship and train, one of the first things that we saw was a barbed wire enclosure. You can imagine our feelings. The pessimists were right—we were headed for imprisonment in a concentration camp.

We then learned that our destination was Camp McCoy, Wis. The barbed wire fences, we subsequently discovered, enclosed the two Japanese prisoners of war captured in the two-man submarine off Waimanalo Beach, Hawaii on December 7, 1941, We were not placed behind the fences with them, but speculation again arose as to what was in store for us. Since our unit was called a "provisional battalion," we speculated that we were to be a battalion of forced laborers. Nevertheless, we wrote home of our great desire to prove our loyalty to the United States. We learned later that our letters had been censored and, because of their tenor, the War Department decided to give us an opportunity to prove our loyalty.

It was with this spirit that the men of the 442d Regimental Combat Team and the 100th Infantry Battalion, of which I was a member, fought and died in World War II and carved for themselves an unforgettable place in American history. When peace was won, they had amassed for themselves among other awards, seven Presidential Unit Citations, a Congressional Medal of Honor, 52 Distinguished Service Crosses, 560 Silver Star Medals, more than 4,000 Bronze Star Medals with more than 12,000 Oak Leaf Clusters. Gen. Mark Clark described them as the "most fightingest and most highly decorated unit in the entire military history of the United States."

But the hardships of Japanese Americans did not end with the activation of the 442d Regimental Combat Team. While we were fighting and dying in Europe to save American democracy, 110,000 Americans of Japanese ancestry—some of them parents of members of our unit—were being evacuated from their homes on the west coast and thrown into so-called "relocation camps," which in essence were concentration camps, complete with barbed wire fences and armed guards. If ever any group of Americans had been driven to a point of despair and rebellion, it was the Japanese Americans during World War II. They would have been fully justified in the eyes of the world had they turned against the country they called their own.

But they did not! Why? Because even in the height of adversity, they had faith in this thing we call American democracy.

That our faith was not misplaced is abundantly in evidence today, for Americans of Asian ancestry enjoy a much better life than they ever did before World War II. Primarily through the untiring efforts of the Japanese American Citizens League, and its amazing legislative representative, Mike Masaoka, some 500 National, State, and local laws which were once directed against Asian Americans have been removed from the statute books, the Oriental Exclusion Act of 1924 has been repealed, and an act to permit the naturalization of immigrants from Asian nations was passed by Congress in 1953. Only last year this Congress repealed the abhorrent Emergency Detention Act of 1950, which stood as a grim reminder of the deplorable experience of World War II.

One of the most striking examples of the Nisei advancement can be seen in Hawaii governmental officials. As my colleagues well know, three of Hawaii's four Members of Congress are of Japanese ancestry—my distinguished colleague in the House, Mrs. MINK, Senator DAN INOUYE, in the other body, and myself. Of the 75 members of the Hawaii legislature's two Houses, more than half are Americans of Japanese ancestry, including the Speaker of the House, Tadao Beppu. About half of the heads of State government departments are Japanese Americans, as is the Lieutenant Governor, George Ariyoshi. Shunichi Kimura is mayor of the county of Hawaii. The most remarkable little known aspect of the rise in political success among the Niseis in Hawaii is that the Japanese Americans constitute only 27 percent of its population. And then, of course, there is the well publicized story of Norman Mineta, Mayor of San Jose. Dr. Edwin O. Reischauer, of Harvard University, has aptly referred to the success story of the Japanese Americans as "A Horatio Alger tale on an ethnic scale."

The Japanese American Citizens League helped to write much of this great American success story, and I take this opportunity to pay tribute to its members and to all Americans of Japanese ancestry.

Mr. STRATTON. Mr. Speaker, would the gentleman from Hawaii yield to me?

Mr. MATSUNAGA. I am happy to yield to the gentleman from New York (Mr. STRATTON).

Mr. STRATTON. Mr. Speaker, I am honored to join with my colleague from Hawaii today in paying tribute to Americans of Japanese ancestry, particularly on the occasion of the meeting here in Washington of the 22d biennial convention of the Japanese-American Citizens League. I do not believe that I have very many Americans of Japanese ancestry in the 29th Congressional District of New York, but my association with Americans of Japanese descent occurred during the war. I had the opportunity as a naval officer first to learn Japanese in the Naval Japanese Language School in Boulder, Colo., and that experience conducted in Colorado was largely at the hands of the teachers who were Americans of Japanese ancestry, many of whom, as a matter of fact, had come to the Naval Japanese Language School from the various relocation centers either in Colorado, Utah, or in other parts of the Far Western section of our country.

I do not think that many of us at that time appreciated exactly what our Japanese-American friends had had to endure, but in spite of those hardships, I must say that they did a magnificent job in trying to train many Americans for meeting the complicated language problems that we faced as a result of World War II.

Subsequently after graduating from that school, I went to the Southwest Pacific where important intelligence activities had to be conducted by people familiar with the Japanese language. The Navy, for reasons best known to itself, did not employ Americans of Japanese descent, Nisei, to conduct these intelligence activities. They tried to train Americans in using the Japanese language. The Army, on the other hand did employ Nisei, so General MacArthur, recognizing that in spite of all the educational opportunities that Americans might be exposed to, could never really become as fluent and as efficient in the Japanese language as those of Japanese descent, combined the Army and Navy teams in the Southwest Pacific Theater.

I had occasion through 2 years, extending all the way from Australia through to Japan, to serve with an organization where we served alongside many Americans of Japanese descent. I must say had it not been for their ability and skill and expertise and courage too, I do not think we could have solved many of the problems we faced.

Of course, our activities were not nearly as heroic or glamorous as those of the distinguished battalion from Hawaii of which the gentleman from Hawaii was a member, and also the distinguished Senator from Hawaii was a member, but it bore, nevertheless, the same kind of indication of patriotism and courage of these great Americans of Japanese ancestry.

I am delighted to be able to take this opportunity at long last to pay my tribute to them.

Mr. Speaker, under leave to extend my remarks, I insert a paper prepared by the staff which discusses these contributions in somewhat greater detail and particularly the contributions of the Americans of Japanese descent in the New York and New England area:

CONTRIBUTIONS OF THE AMERICANS OF JAPANESE DESCENT

There is little doubt that the economic miracle of the past quarter century has been the industrialization of Japan. From the defeat and devastation of World War II, Japan has emerged as the third major industrial complex in the world. And, the bilateral trade between the United States and Japan has become the greatest overseas commercial operation in history, with the combined trade total between these two countries amounting to more than ten billion dollars.

When we think of the history of the Japanese in America, we think in terms of California and the West Coast. We think of the Japanese for their contributions to agriculture and to horticulture, to railroading and mining, etc.

Too often we ignore those Japanese pioneers who first came to New York in the decade after the War Between the States and laid the foundations for this tremendous trade between our two countries.

Ryoichiro Arai, Toyo Morimura, and Momotaro Sato arrived in New York in March, 1876. They were the first known Japanese in New York, who may be regarded as Issei (literally, the first generation, a term often applied to migrants who became permanent or long term residents in America), although from the 1850s a number of Japanese had visited or temporarily stayed in the city. Then as now, New York was America's greatest commercial and financial center, and significantly, Arai, Morimura, and Sato had come to begin direct trade between the United States and Japan and to build the foundations of what has now become the largest overseas trade for both countries.

From the opening of Japan to the outside world, following the 1854 negotiations, Western traders residing in Japan had monopolized Japan's foreign trade. As late as 1877, they controlled 94 per cent of the exports and 95 per cent of the imports. The Japanese in Japan had almost no direct part in international trade, although they realized that they had to trade to survive.

His contemporaries regarded Momotaro Sato as the founding father of the direct trade between the United States and Japan. Soon after his arrival in New York, he established the Japanese and American Agency to import such Japanese products as tea, silk cloth, and other consumer goods and to export American products to Japan. With Morimura, Sato helped to organize the Hinode Company which initiated trade in a wide variety of products. Arai and Sato formed the Sato Arai Company, which engaged in the silk trade. Sato's long-term influence is better seen in these two firms, and their successor companies, than in his Japanese and American Agency. This company was soon in financial difficulties, because his creditors in Japan who knew nothing about American business or trade imposed impractical conditions on its business.

In time, raw silk became Japan's largest export to the United States and cotton became a major American export to Japan. Ryoichiro Arai pioneered in the trade in both commodities. As F. W. Taussig, a leading authority on capitalistic economy, observed, the development of a reliable source of silk in Japan was a major factor in the rapid growth of the American silk manufacturing industry. Both countries, Dr. Taussig further noted, benefited greatly from this trade. Yet, before Arai came to New York, no direct trade existed. The United States used almost no Japanese silk, aside from insignificant purchases from dealers in Europe. The resident Westerners in Japan who controlled the exports inspected, packed, and shipped the silk to Europe. The Japanese growers had no way of knowing what happened to their silk once it was delivered to the Yokohama warehouses of the Westerners.

Arai's initial experiences in New York would have crushed anyone less resolute than he was. He frequently encountered serious discrimination, even while searching for a room, partly because the West Coast anti-Chinese organizations were then conducting a national anti-Chinese campaign which influenced some New Yorkers. Even visits to silk manufacturers and importers could at times be unpleasant. The Americans had extremely poor opinion of the Japanese silk and of the Japanese producers and they expressed their views to Arai in no uncertain terms, although they had never once dealt with any Japanese and had no real basis for judgment. The wide prevalence of these derogatory stereotypes among the business circles which the early Issei encountered personally was a major obstacle to normal trade. The Issei had to change these views little by little through exemplary integrity and patience. Japanese officials and even businessmen in Japan were, of course, unaware of the serious situation and hence still less able to appreciate what the New York Issei did to overcome it.

Although Arai realized that most Japanese had little or nothing to do with the origin of these stereotypes, he also saw that the Japanese silk industry had an enormous task to do to improve the outlook of the New York importers and to establish a solid reputation for reliability. Whether the New Yorkers impressions were right or wrong was, unfortunately for the Japanese, secondary to their detrimental consequences for the Japanese.

An immediate problem was the differences in the type of silk required by the handicraft weavers in Japan for whom the Japanese growers had traditionally produced and by the American manufacturers. Arai regarded as a major responsibility the task of trying to educate the Japanese producers on the silks American factories could use. From New York and during his visits to Japan, he kept hammering away that the American high-speed machinery had to have standardized silk of high uniformity. In the meantime, the Japanese leaders in the silk industry and in the government began to realize the magnitude of the problem and to carry out what became a successful national program for modernizing the silk production. As a result, Japan became the largest source of silk used in America.

American silk manufacturers began to change their opinion about the Japanese silk and producers, because they became impressed by the integrity of men like Arai who was the first Japanese with whom they had ever dealt with directly. He was followed by other Japanese who were also concerned. As permanent residents, they were able to maintain continuing discussion on problems of mutual interest and assume personal responsibility for the quality of the silk shipped directly by the Japanese producers. The manufacturers in turn kept Arai and others abreast of new developments and thus enabled them to inform the Japanese producers about the future requirements.

Arai suspended the operations of the Sato Arai Company in 1880 and became the New York representative of the newly formed Doshin Company. It had much greater resources than his own firm and more extensive contacts with the producers. Subsequently in 1893, Arai and Ichizaemon Morimura, Toyo's older brother in Japan, organized the Morimura Arai Company to conduct trade on a larger scale in silk and other commodities. It pioneered in exporting American cotton to Japan which became a major market. In 1901, the American silk leaders elected Arai to the Board of Governors of the Silk Association of America, an expression of their esteem for his personal qualities and his dedication to the well-being of the industry.

Toyo Morimura, the third member of our original trio, soon had the Hinode Company, which was renamed Morimura Brothers and Company, in a flourishing condition. Nevertheless, Morimura faced similar obstacles to those that Arai had confronted. He also, together with his brother Ichizaemon in Japan, had to struggle to persuade the individualistic Japanese craftsmen to standardize their products to the specifications of the American importers and to maintain uniform quality. Works of art, of course, remained individual.

Morimura and Ichizaemon in Japan had to encourage the craftsmen to change their manufacturing processes radically to assure greater standardization. In some cases, they had to set up new companies or plants to make the desired porducts, although such factories usually required a long period of prior experimentation before they could produce goods of specified quality. The Morimura firm in New York exported American machinery and industrial products, both for their own account and for others. Toyo Morimura's experiences, as in the case of Arai's, again illustrate why only permanent residents could successfully build American confidence. One had to be at hand to assume personal responsibility for the imports, to maintain continuing contacts with the American importers and manufacturers to meet the changing needs, and to keep the Japanese producers informed of the American trends.

New York was not only the largest American commercial center, but also a leading cultural center. Dr. Jokichi Takamine, the distinguished chemist, was significantly a scientist of international renown, an industrialist in the American tradition, and an outstanding exponent of personal friendships and closer cultural relations between the Americans and the Japanese. As a chemist, he was an authority on fermentation and distillation and contributed substantially to the improvement of these processes in American industry. He was even better known for the development of Taka-diastase, a basic ingredient in the medication to improve digestion, and was especially famous for isolating pure adrenalin, the hormone so vital in many medical cases. The Parke Davis Company manufactured some of his products. On the basis of his discoveries, Dr. Takamine established several manufacturing companies in the United States.

Not only did Dr. Takamine have a wide circle of friends, American and Japanese, but he also urged other Japanese and Americans to become personally acquainted with each other. To promote better cultural relations, he gave generously of his time and funds for artistic, scholarly, and scientific exchanges. He also arranged for licensing and exchange of patent rights between American and Japanese firms. All these activities were encouraged and shared by Mrs. Takamine, the former Caroline Hitch, daughter of Colonel and Mrs. Eban Hitch who were well known in New Orleans.

Takamine was an organizer of the Nippon Club. It should be emphasized that he thought of the club primarily as a place where Japanese could entertain Americans rather than as a Japanese social center. Many Japanese in New York, he had observed, were only temporarily in the city and without their families or had only limited means. They needed a club to entertain Americans. Another organization with which Takamine was associated in founding was the Japan Society. Today, it is even more active than in his days and recently completed a handsome building to house its programs. Takamine tried to persuade Japanese industrialists to contribute funds to establish and maintain a permanent news and information agency in New York, but it lasted only several years. Not enough Japanese leaders at that time understood its importance as he did.

Prominent Japanese artists decorated the Takamine apartment in New York which the Takamines used to introduce many visitors to Japanese art. Their famous Merriewold (New York) home, the Sho-fu-den, was designed by Japanese architects and built by skilled craftsmen. For many guests, the home and its gardens were revelations of the beauty and grace of the Japanese artistic heritage. They served as models for many other gardens and buildings.

Limitations of space prevent the discussion of many other scientists, but we should at least mention in passing, as examples, such well known names as Dr. Hideyo Noguchi, the internationally honored bacteriologist of the Rockefeller Institute who contributed so greatly to the research on and the control of such diseases as the Rocky Mountain spotted fever, spirochetes, and yellow fever; Dr. Kanematsu Sugiura of the Sloan Kettering Institute, a prominent biochemist who is particularly noted for his research on the chemistry of cancer; and the famous pathologist at the Mount Sinai Hospital and professor of pathology at the Mount Sinai School of Medicine, Dr. Sadao Otani, equally known for his research and as a teacher of prominent pathologists.

A number of the Issei were prominent in the construction industry. Like others, Yasuo Matsui faced extraordinary difficulties because before 1953 an Oriental could not become a citizen by naturalization. Yet the law and the professional societies required citizenship for license and membership. An authority on steel skyscrapers, Matsui was associated in the design and construction of many major New York buildings, either as an individual consultant or through his firm of F. H. Dewey and Company, of which he was president.

We should not completely neglect to mention however briefly several representative names of the Issei who contributed greatly to the enrichment of American cultural and intellectual life as artists and humanistic scholars. Yasuo Kuniyoshi was a colorful artist who was the recipient of many awards. His paintings are permanently hung in the leading museums throughout the United States, among them the Metropolitan Museum of New York, the Library of Congress, the Art Institute of Chicago, Cleveland Museum, Detroit Museum, Cranbrook Academy, Carnegie Institution, Albright Gallery, Addison Phillips, and Whitney Museum. In showing his collected works in 1948, the Whitney Museum signally honored him when for the first time in its history it staged an one-man exhibition of a living artist.

Perhaps the best known scholarly interpreter of Zen and Buddhism among the serious Western students is Dr. Daisetsu Suzuki. His was a profound philosophical and religious approach, best stated in his scholarly publications and lectures. No discussion of the New York area residents is complete without referring to Ryusaku Tsunoda, the *Sensei* (respected teacher) to generations of Columbia University students in Asian studies. He sought to develop the Asian programs at Columbia and left many prominent scholars who were his students. No one did more to show the Western culture-bound American scholars that a true university must grapple with the vigorous, though ancient, cultures of Asia.

NEW ENGLAND

Since the days of Commodore Perry, many Japanese have regarded New England in general and the Boston area in particular as a major center of American culture and education. Some of the earliest students sent abroad by the feudal domains and by the government attended New England colleges. The first Japanese to obtain all his substantial higher education in the Western world was, however, Joseph Hardy Niishima. He came alone in 1864 when it was still illegal to leave Japan. Thanks to the friendship of the Hardy family, he was able to attend Phillips Andover Academy and then Amherst College and Andover Theological Seminary (now Andover Newton Theological School). Niishima became an outstanding Meiji era educator and maintained his ties with New England.

It is difficult to do justice to the contribution of the Issei and Japanese scholars and scientists to New England. Much of their work was known and appreciated only by their generation of colleageus. One exception was Kakuzo Okakura, a leading interpreter of Japanese culture to the West of his days, involved in the Boston area cultural and intellectual life, and a member of the Boston Museum of Fine Arts staff. A number of his books and articles are still read widely. A later Issei with somewhat more systematic approach to the Asian arts is Kojiro Tomita, now Curator Emeritus of the Oriental arts at the Museum.

Dartmouth was probably the first American college to have an Issei as a full-time faculty member, when in 1902, Kwanichi Asakawa was appointed an instructor. It was at Yale, however, where he was professor for many years that Dr. Asakawa became an internationally recognized authority on feudalism and early Japanese history.

One of the better known early Boston Issei was Bunkyo Matsuki, a former Nichiren priest. He owned an art shop to earn his livelihood, but he was primarily interested in art, religions, and Japanese cultural history. When he became a lecturer at Columbia, he gave up his store. No doubt, he found teaching more congenial than trying to be a businessman. Perhaps symbolic of the Japanese feeling that Boston was more a cultural than a commercial center is that the leading surviving Issei businessman, Harumichi Yatsuhashi, is a professional art assessor and critic. Yatsuhashi joined the Yamanaka and Company organization and in 1908 was sent to Boston. He became the national manager of the Yamanaka Company which had art stores in a number of cities.

Boston, like Brooklyn, had a rather unique group of Issei United States Navy employees. They had originally come to the United States as crew members on American warships and after arrival in Boston were employed at the Charleston Navy Yard. After 1907, the Navy regulations limited employment to citizens. Since the Issei were then ineligible for naturalization, they had to find work elsewhere.

In the post-war years, the Nisei and post-war Issei have been prominent in scientific and scholarly fields. Among them is Hideo Sasaki, for some years past Director of the Harvard School of Landscape Design, a Kennedy appointee to the President's National Arts Council, and now head of his own firm. He has designed and directed numerous landscaping projects throughout the United States. Professor Jin Kinoshita of the Harvard Medical School is a leading authority on the biochemistry of the nerves and eye. A recipient of the Jonas Friedenwald Award of the Association for Research in Opthamology for his distinguished research, he has been further honored by his election as the president of the national eye research society. F. Robert Naka, now Assistant Secretary of the Air Force, is a prominent electronics engineer who was for several years the chief scientist at the MITRE Corporation before accepting his present position. These three Nisei mentioned at random illustrate some of the ways the Nisei and the post-war Issei are contributing to New England and to America. We might have referred to a number of others had space permitted.

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

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

Mr. GONZALEZ. Mr. Speaker, I take advantage of this opportunity of joining my distinguished colleague, the gentleman from Hawaii, in commemorating the great contribution and achievement of this great body of American known as Americans of Japanese descent.

In fact, I cannot think of a better symbol or personification in extolling the virtues of this great race than by alluding to the performance of our distinguished colleague, the gentleman from Hawaii (Mr. Matsunaga), who has sought this special order today.

Mr. MATSUNAGA. All the attributes of loyalty and of patriotism and of service and of dedication to discharging the obligations of citizenship are well exemplified here in the person of our colleague.

On a larger score this is also represented most dramatically by the tremendous contribution that the Americans of Japanese descent have made to America's wealth, to its progress, and to its stability.

I think the experience of this great body of Americans is unmatched in our history, even taking into account such other groups as the indigenous or original inhabitants of this continent known as the American Indians, because despite a systematic assault and deprivation of the basic rights not only of an American, but also of any human, the Americans of Japanese descent have not muttered, have not rioted, and have not cursed their country, but rather have completely bridged this tremendous chasm which existed for a brief period during the excitation and passion of war.

I think throughout the world the merits of this great group are widely recognized.

At this time it is a real privileged and an honor to join my colleague, even though briefly, in commemorating and extolling the virtues of this great body of our countrymen, the Americans of Japanese descent.

Mr. MATSUNAGA. Mr. Speaker, I thank the gentleman for his kind remarks.

I thank the gentleman from Idaho for his contribution.

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

Mr. MATSUNAGA. I am happy to yield to the gentleman from South Carolina.

Mr. DORN. I wish to join my colleagues this evening, and particularly my distinguished and beloved colleague in the well, in paying tributes to Americans of Japanese descent.

I want especially to point out that the greatest example of this outstanding group of Americans is the gentleman with whom it has been my great honor to serve, as well as to serve with the others who have represented the great State of Hawaii as delegates from the territory of Hawaii.

I thank the gentleman and I commend him, and I join him in this just tribute to a great American group.

Mr. MATSUNAGA. I thank the gentleman for his kind words.

Mr. MILLER of California. Mr. Speaker, as my distinguished colleague from Hawaii, SPARK MATSUNAGA, has remarked, we have requested these special orders

this afternoon in order to pay tribute to the many and great contributions of the Japanese to the development of America.

As many of you know, I have known the Japanese and worked among them for many years and have the greatest respect and admiration for them as individuals and as a nationality group. And I am proud to have been able to cooperate with the JACL ever since I came to Congress in 1945 in securing legislation which would, in a small way, make up for the many discriminations and prejudices which they suffered over the years.

As the gentleman from Hawaii has stated, the first immigrants from Japan were to Hawaii. Thereafter, they moved eastward through the Golden Gate and on to the continental mainland of the United States.

This afternoon, my remarks will have to do with the early history of the Japanese in northern California, since this is the area in which they first settled in any numbers.

In the first year of the Meiji Restoration, 1868, 153 Japanese arrived in Hawaii as laborers, the first group to emigrate out of Japan after 300 years of the nation's self-imposed isolation. Then for 17 more years, there were no further immigrants from Japan.

In 1869, John Henry Schnell brought some 20 Japanese political refugees from Aizu Wakamatsu to El Dorado County. In Gold Hill, Schnell purchased 600 acres to farm mulberry bushes for silk worms, bamboo shoots for food and craft, tea, grapes and other plants from Japan. Many of the colonists died of fever epidemics, and the colony folded in 1870 due to lack of capital. Some colonists stayed, but most returned to Japan.

A 19-year-old girl named Okei, who came as a nursemaid for the Schnells—he was said to have married a Japanese woman and had a child—died in 1870 and was buried at Coloma. The site of the Wakamatsu Colony was declared a State Historical Site in 1969.

Among other early Japanese in the United States is one Umekichi Takahashi, whose grave is found in a Reno, Nev., cemetery. The grave was discovered in 1961, and information on it says he arrived in the United States in 1868 and died October 8, 1907, at the age of 61. The grave marker also stated that he was considered the first Japanese to have landed in the United States. No other information is available on Takahashi.

Both the Japanese Embassy in Washington, D.C., and the Japanese consulate in San Francisco were set up in 1870. An 1873 report by Vice Consul Saburo Takagi puts the Japanese population in California at 68 males, eight females, and four children. They were mostly servants in Caucasian homes. Pay for those with experience was about $15 a month. Schoolboys were paid room and board and a small amount of spending money.

To help provide a social outlet, help the young men learn English and exert wholesome influence on them, the Fukuin Kai, a Christian evangelical association was formed in San Francisco in 1879, the first Japanese organization in the United States. From about 1875 on, students looked forward to getting together every Sunday at the Powell Street Union Church under the leadership of a Reverend Gibson, who was superintendent of the Chinese Mission in San Francisco. The Fukuin Kai later operated a hostel and looked after the newcomers, finding jobs for them, and so on, until the 1906 earthquake.

Japanese who arrived between 1882 and 1890 generally stayed long years in the United States and built the foundation for the Japanese communities to come. They were young men, full of ambition to succeed, who were attracted by the extraordinary growth of California. They were to concenrate their efforts in agriculture.

The 1890 census put the number of Japanese in the United States at 2,039 mainly in San Francisco, with other growing centers in Portland, Tacoma, and Seattle.

Since passports were not required of sailors in those days, many jumped ship in groups of five and 10, mainly at New York and Philadelphia in the East and at San Francisco and Portland in the West. Prostitutes began to follow about 1886.

To combat the unhealthy influence of the latter, many Christian congregations were established around that time. The San Francisco Presbyterian Church was established in 1885, followed by the San Francisco Methodist Church in 1886, the Oakland Methodist Church in 1887, the Fresno Methodist Church in 1887, and the San Jose Methodist Church in 1892.

Rather unusual was a group of about 40 Japanese craftsmen who toured the United States in 1884 under the aegis of a British art store owner. The men elected to stay here and went into the foodstore, bookstore, billard parlor, and restaurant businesses in San Francisco, Pasadena, and Los Angeles.

From 1892 on, an increasing number of Japanese came to the United States from Hawaii. An immigration treaty had been signed by Hawaii and Japan in 1884 to provide labor to the sugar industry after the Chinese Exclusion Act was passed the year before.

The first group of 956 workers, recruited mainly from the prefectures of Hiroshima, Yamaguchi, Kumamoto, and Niigata, came to Hawaii in 1885. In a few years, they were sending 2 million yen back to Japan annually.

Between 1893 and 1900, immigration contracting companies sent 40,208 workers to Hawaii. The process came to a halt when Hawaii became a territory of the United States. The bubonic plague epidemic which swept through Hawaii at the time also alarmed both the Japanese Government and the United States.

Labor shortages soon persuaded Hawaii to ask for more Japanese immigrants, who were sent 60 at a time in 1901. From 1901 to 1905, 36,493 Japanese emigrated to Hawaii. From 1906, 1,000 a month were allowed to leave Japan. From 1902 on, many of them reemigrated to the U.S. mainland.

Businesses in the United States welcomed Japanese labor, but the increasing numbers met the opposition of native workers. In 1907, the sugar industry lobbied actively to engineer the passage of a law forbiding the Japanese to reemigrate to the U.S. mainland from Hawaii or the Philippines.

The rapid increase in the Japanese population is shown by the following U.S. census figures:

1880, 148; 1890, 2,039; 1900, 34,326; and 1910, 72,157.

Of the total in 1900, 10,151 were living in California. By 1908, there were over 100,000, distributed in almost every State of the Union. The period between 1900 and 1924 may be labeled the golden era of Japanese immigration to the United States.

Many of the immigrants were single young men who came to make their fortune. As they grew older and better established, they wanted families. The more affluent ones went back to Japan for their brides, but a larger number resorted to proxy marriages by photographs. Picture brides did not fit with American customs and mores and provided fodder for much anti-Japanese propaganda, but family responsibilities resulting from these marriages were credited with toning down the earlier wild aspects of young, headstrong male immigrants. The peak year for picture brides was 1915 when a total of 973 young women entered San Francisco and Seattle to meet their future husbands. After March 1920, the Japanese Government declined to issue passports to picture brides.

The immigrants became established in a variety of industries—agriculture, commerce and fishing, to name the main areas of their endeavor.

In agriculture, the earliest instance was the Wakamatsu Tea and Silk Colony mentioned earlier.

In 1875, Kane Nagasawa, a samurai from the Satsuma Clan, arrived in the United States as a student and decided to stay. He came to Santa Rosa and bought 400 acres of vineyard which he later successfully expanded to 2,000 acres. He built a 500,000 gallon-capacity winery and demonstrated the Japanese ability with growing things.

However, he is only one example of an early pioneer. Japanese did not really begin to participate in California agriculture in large numbers until some 20 years later. Once begun, however, their progress between 1895 and 1920 was phenomenal, producing crops worth $40 million annually. In the bonanza years immediately after World War I, that figure even went up to $100 million.

Many reasons can be advanced for their amazing progress. Mainly, the Japanese have always placed great value on argiculture. They had long experience, and their skill, combined with rich American soil, produced the results. The majority of immigrants were from farming families in Japan, and they naturally gravitated to the land. Agriculture became the Japanese American's largest and most productive industry, and through it, they contributed greatly to the development of the West Coast in the United States.

From about 1888 on, agriculture in California changed from grain cultivation to fruit cultivation. The Chinese Exclusion Act created a labor shortage

which white workers were reluctant to fill, their trend being toward the industrialized cities. They did not have the background of careful, precise farming methods so necessary for growing fruits and vegetables.

The main agricultural product of California were fruits, which required hand labor and dexterity from planting to harvest. Since the product was highly perishable, it required quick harvesting, and in quickness, the Japanese even surpassed the Chinese.

Once farmers employed Japanese workers and noted their industry, faithfulness and ambition to improve farming methods, they vied with one another to make them their tenants. Thus passed the first period in which the Japanese worker familiarized himself with the land, learned farming techniques which were suited to the land and the crops, received training and saved his earnings.

Gaining the trust of landowners and land brokers, he progressed to percentage farming in which the harvest was divided between the owner and tenant in accordance with a previously agreed upon percentage. It was a safe method for the tenant because of the small margin of profit or loss. For many landowners, having Japanese tenants was more profitable than cultivating the land themselves.

As independent farming became more prevalent among the Japanese, their financial strength increased and led to outright cash leasing of the farm. This required quite a bit of capital, but with the excellent trust and confidence enjoyed by the Japanese among landlords, they were offered many convenient ways to make up the capital. To lease to the Japanese meant that the value of the farm would eventually increase for the landlord, and brokers, being practically guaranteed handsome profits from superior crops at harvest time, were willing to extend generous credit.

The next step was the dream of all farmers—owning one's own acres. In the early days, it was fairly easy to buy land. Down payment required was one-tenth to one-fourth, with 8 to 10 years to pay off the mortgage. Since payment could be made with crops, it was as easy to own land as to lease it. By 1903, many were able to reach this status. By 1909, Japanese owned 20,000 acres of land in California.

However, the alien land law prohibiting Japanese ownership of land was passed in 1913, culminating over a decade of anti-Japanese agitation by labor unions, politicians and professional patriots. In 1920, even percentage and leased farming were prohibited by a statewide vote on an initiative measure.

The area in which there is the oldest record of Japanese in farming is in Vacaville, Solano County. In 1887, a group of Japanese laborers arrived there with two Englishmen to experiment with growing Japanese Unshu oranges. In 1889, 60 Japanese laborers were there for the harvest. They were paid $1 a day, 90 cents in the winter. The number increased to 300 the next summer and continued to increase until in the summer of 1896, there were 900 to 1,000 workers. Even during the winter, at least 300 stayed on, and gradually the number of permanent residents increased.

In 1894, a railroad workers' strike brought disgruntled white workers to California from the east. They resented the presence of the Japanese and attacked the labor camps in Vacaville until repulsed by vigilantes.

A glance at the Vacaville agricultural picture from 1900 to 1906 shows the following increases in acreage:

Cherry, 7 to 72 acres.
Peaches, 80 to 597 acres.
Grapes, 20 to 187 acres.
Apricots, 50 to 743 acres.
Pears, 10 to 98 acres.
Plums, 95 to 711 acres.
Vegetables, 30 to 131 acres.
Hay, 58 to 0 acres (decrease).
Flowerless fruits, 0 to 9 acres.
Total, 350 to 2,538 acres.

Japanese tenant farmers increased from 45 to 351 in 1905, while white farmers decreased from 1,420 to 1,322 in the same period.

In 1881, the Spreckles Co. put up a sugar refinery in Watsonville and encouraged widespread cultivation of sugar beets in Pajaro Valley. A sudden rise in production enabled the company to increase its productive capacity to 650 tons 4 years later.

In May 1893, Japanese came to work in the sugar beet farms. At that time, sugar beet acreage in the Salinas Valley was only about 50 acres. In 1896, more Japanese contracted to farm sugar beets. A total of 130 workers were employed on about 600 acres by that time. Contract price for sugar beets was then $1.25 a ton.

In later years, Watsonville became famous for strawberries, but its history goes back many years. Strawberries were first sent to the San Francisco produce market from Watsonville in 1880, with a price of from $11 to $20 a crate. At that time, only 14 acres were under cultivation. With the assurance of profits, the acreage increased to 272 in 1893, about the time that Japanese first began taking a hand in its cultivation. By 1895, there were many improvements in irrigation methods. Coupled with technical know-how, it helped double the strawberry crop.

The San Jose area, with its good climate and good soil, early attracted Japanese farmers, although the earliest Japanese worked at the Dixon Cannery on Fifth Street in 1890. Three others leased land and went into the nursery business, one of the earliest instances of Japanese leasing land.

By 1891, there were 100 Japanese workers, which increased to 300 by 1892 and hit 500 in 1893. A noted fruit rancher name Hume first hired Japanese in 1893 and sang such high praises of them that in 1894, there were upwards of 1,000 workers. In 1895, there were 2,300, surpassing the earlier arrivals, the Chinese. This area saw may early Japanese farmers in fruits, strawberry, vegetable and seed farming.

Japanese involvement in agriculture in Alameda County took the form of floriculture, rather than the more conventional forms of farming. It began in Oakland in 1887 with Hiroshi Yoshiike and Kentaro Domoto, the latter quickly succeeding in the business to purchase 4 acres in Melrose.

In other areas of agriculture, it was not until 1897 that the Japanese really came into the picture. Main products of the area were sugar beets, cucumber, tomatoes, green peas, green onions and asparagus, with apricots and plums among the fruits.

With an increasing number of contract farmers, the price of food products declined too much for profit. Since Alameda County was near the big city of San Francisco, with good climate and good soil, land prices as well as rents were high. In addition, the earlier-arriving Portuguese had flourished in the same area, and Japanese progress was more difficult.

The land was especially suited to cucumbers and tomatoes, and soon Japanese farmers were farming them in Mount Eden, San Leandro, San Lorenzo, Hayward, Alvarado, Centerville, Newmark, et cetera.

This, then, is part of the early history of the Japanese in northern California, and especially in the Bay Area. And from this small beginning, the Japanese were able to become, by the time of the outbreak of World War II, among the biggest and most prosperous farmers and horticulturists in the State and the Nation. Even today, when like so many others from rural regions there is an accelerated movement to the city, Japanese Americans are the leaders in the agricultural and horticultural industries of the State.

Mr. BURTON. Mr. Speaker, I commend my distinguished colleague, the gentleman from Hawaii, for giving us the opportunity to join in this special order. I am delighted to join with him in extending congratulations and best wishes to the Japanese American Citizens League on the occasion of their 22d Biennial National Convention.

The JACL has been a positive force in the community I am privileged to represent, San Francisco, and it has been an equally positive force in our Nation and has contributed greatly to the struggle to achieve social, racial and economic justice for all peoples.

Mr. Speaker, for the early immigrants from Japan, the Port of San Francisco was the gateway to the United States. Just as for the immigrants from Europe, America was the land of opportunity for some, of freedom for others, and of haven for still others.

The Japanese have always been known for their love of nature, and of beauty—in flowers, in trees, in landscapes, etc. And, the first immigrants from Japan brought with them this love of beauty—and their contributions to horticulture in California and elswhere have brought beauty to the homes of many who otherwise might never have known flowers and blossoms.

So, another industry in which Japanese had a major impact in California is the floriculture and nursery industry. Their history traces back to 1886, when Yoshiike and the Domoto brothers began

growing chrysanthemums and other flowers in the Oakland area.

The Domoto brothers were pioneers in the plant nursery business. Yonoshin and Kentaro arrived in the United States in 1884 and the next year began to grow plants and flowers—mainly mums and carnations—on an empty lot they leased in Oakland. They later imported camellias, wisteria, spearflowers, and azaleas, and at one time had practically a monopoly on lily bulbs from Japan. In 1887, Motonoshin came, and in 1890, Konoshin. They prospered and purchased 2 acres of land in 1980. By 1904, they had about 40 acres in flowers and sold them not only all over the United States, but in Europe as well.

In those preautomobile days, Kentaro drove his horse and wagon to the front of a flower shop on Sutter Street near Grant Avenue to sell his wares. Gradually other florists gathered in the area and a flower market blossomed on the streets of San Francisco. It was the beginning of the wholesale flower market in that city.

It took an extraordinary effort on the part of the flower growers to overcome problems of management, financing and distribution to establish their businesses. With no connections yet established in the beginning with wholesalers, they went around to each retail outlet, carrying their flowers in the same willow baskets in which they had brought their few belongings when they emigrated from Japan.

Just when things were beginning to go smoothly for them, anti-Japanese agitation was beginning in San Francisco. By 1900, flower growers were made aware that their progress was being watched with fear and envy by their non-Japanese competitors.

The earthquake of 1906 was thought to deal a heavy blow to the flower industry, since flowers were considered a luxury; however, the opposite was true. Flowers were in great demand for visiting the sick and injured and for funerals.

In 1900, the city prohibited the selling of flowers on the street. By then, the need for an association to maintain steady market prices led to the formation of the California Flower Growers' Asociation in 1906.

Discrimination made it extremely difficult to buy a wholesale market place. A building was leased in an alley between Montgomery and Kearney Streets. It was later moved to larger quarters in the basement of a building on Bush Street. Japanese flower growers shared the same building in competition with Chinese and white growers. As the Japanese prospered, the whites went to the owners and urged them to refuse to lease to the Japanese. They told the Japanese that the additional room they needed was already leased by them and demanded that they leave.

The Japanese moved one block away to what was formerly the California theater and opened their market there. Soon the majority of retailers were going to the Japanese market, which was an undisputable indication of the capability of the Japanese flower growers. Later, both markets got together and in 1922 established the wholesale market at Fifth and Howard Streets.

Flowers were first shipped to the east in 1914 when 15 growers established a cooperative to ship some chrysanthemums. An eastern market for carnations was established Chicago in 1927 by Torayoshi Maeda.

The Chrysanthemum Growers' Association was formally organized in 1928, after low market prices resulted in 1927 from overproduction. With headquarters in Redwood City, the association had members from San Mateo, Belmont, San Carlos, Redwood, Menlo Park, Palo Alto and Mount View. By 1939, it had 56 members, who had 90 acres under cultivation with an annual volume of $300,000. By 1940, the association owned a building worth $2,500, a car worth $900 and capital funds of $15,000.

By 1923, 50 shareholders owned 204 shares worth $5,100 each in the San Francisco wholesale flower market.

The real capability of the flower growers in northern California can be noted from the fact that in 1940, about 140 firms were represented in the flower market, with a total annual volume worth $2,110,000. Total greenhouse area covered some 3,500,000 square feet, and the outdoor area covered some 150 acres. About 1,300 workers were permanently employed in the industry, and more than 100 varieties of flowers were grown, particularly chrysanthemums, roses, and carnations.

Unlike agriculture which never attained its postwar status again among the Japanese, the flower growers have prospered even more in the postwar years under second generation management.

In prewar years, fishing was an industry second only to farming in the number of Japanese participating in it. They ranged north to Alaska and south to Mexico and South America.

The early history goes back to 1892 when five or six Japanese were hired in Monterey to catch squids. In 1900, eight independent Japanese fishermen went into salmon fishing. With the establishment of a cannery in Monterey, the fishing industry saw rapid growth.

By 1910, 145 Japanese fishermen were engaged in catching not only salmon but yellowtail, sea bass, smelt, rock cod, sardines and barracuda. They owned about seven medium-sized, gasoline-powered boats and 140 skiffs, sharing an annual income of about $100,000. At one time, Japanese fishermen had a monopoly in Monterey Bay.

Earlier, at Point Lobos, Carmel, Japanese were engaged in gathering abalones from about 1895. One pioneer, Gennosuke Kodani, fought anti-Japanese laws limiting abalone catches by hiring a lawyer to gather signatures for petitions, inviting legislators and newspaper reporters on seagoing picnics to demonstrate the noninjurious nature of abalone collection and even got a Columbia University scholar to testify on the ecological benefits of abalone fishing.

By 1914, Japanese fishermen in Monterey numbered 160 and they owned 65 5-horsepower gasoline boats and 325 ordinary fishing boats. From 1925 to 1926 was the golden age of Monterey fishing, with an annual catch worth $3 million. Japanese fishermen accounted for $100,000 in sardines, $100,000 in miscellaneous fishes and $168,000 in abalone.

As the fishermen aged and there were no more immigrants to take their place, Japanese fishing in Monterey began to show a decline, and by 1940, their annual income was down to between $250,000 and $300,000.

Sardines had always been plentiful off the coast of San Francisco, but uncertain weather kept the smaller crafts fishing on a small scale. In 1930, Katsusuke Hamachi of Monterey began net fishing from larger boats and opened a new field in northern California fishing. Other Japanese, Italian fishermen and others followed Hamachi. By 1940, their annual catch was never less than 25,000 tons. Most of it was shipped out as solid oil and fertilizer. Of the 50 to 60 boats in the San Francisco fishing fleet, 10 were Japanese owned. A total of 1,500 Japanese fishermen were based in San Francisco.

Aside from agriculture, floriculture and fishing, Japanese were engaged in smaller numbers in other industries. Among the more notable of these is poultry farming, which flourished particularly in the Petaluma area. Including other areas on the west coast and Rocky Mountain areas where Japanese were engaged in poultry farming, they owned altogether 3,700,000 chickens with an anual production worth close to $900,000 before the war. With the auxiliary development of the chick sexing industry by the Nisei, it holds an important place in the contribution of the Japanese to the economy of California.

The industry was first established in northern California by Aivu Matsuzaki, who purchased 21 acres in Petaluma in 1900 to go into the business. Others followed and prospered, aided by research at the University of California and help from the Farm Bureau. The large demand during World War I when eggs sold for $1 a dozen gave a solid basis to the industry in Petaluma.

A 1940 survey there showed 30 families engaged in poultry farming. The majority owned their land, 304 acres in all. During the same period, Japanese poultry farmers owned 2,560,000 chickens, an average of 8,800 chickens to a family. The largest of them had 30,000 chickens. They produced about 30,730,000 eggs a year, and at 20 cents a dozen wholesale, their annual production was worth $614,000.

The outstanding characteristics of Japanese poultry farmers was that they produced two to three times more eggs than other farmers, they hatched more chickens and more of them lived—90 percent or more—they worked longer hours and every member of the family participated.

Hard hit by World War II evacuation, as were Japanese everywhere on the west coast, the Japanese poultry farmers are once more back on their feet and flourishing.

As in other areas of California, Japanese who were not engaged in farming,

floriculture or fishing and their related industries generally clustered in little Japanese towns in urban areas, engaged in providing goods and services to one another.

Among the earliest San Francisco pioneers is Tsurukichi Tanaka, who arrived in 1867. His family was a "hatamoto," direct retainers of the Tokugawa shogun. Tanaka worked as a house boy for the president of a shoe company. He returned to Japan after learning the process of making salt by solar evaporation, but failed in the business there. He came back to the United States in 1887 to organize a colony, but separated from his partners and thereafter worked 30-odd years as an assistant accountant for the Orpheum Theater, avoiding contact with other Japanese. He died in 1925 at the age of 71.

Another early arrival was Chuemon Akabane, who came to San Francisco in 1874 with a tire pump salesman whom he met in Yokohama. He worked as a houseboy and later opened a restaurant about 1883. It was a combination restaurant-hotel, catering to sailors on Stockton Street. He died at the age of 79, after living 48 years in the United States.

In 1887, a group of Japanese tried to establish a pioneer colony in the Valley Springs area of Calaveras County, but lost title to the 20 acres they purchased. One man from the colony, Matsunosuke Tsukamoto, went into the laundry business in San Jose, prospered, expanded to San Francisco and lived to the ripe old age of 100.

The first Japanese art goods store was established on Sixth Street in San Francisco in 1886. By 1904, the San Francisco Art Goods Association had 50 members. In addition to art goods, these stores, later located primarily on Grant Avenue, sold dry goods, chinaware, handicraft, toys, kimono, and even some furniture. Their annual business ranged from $20,000 to $100,000, depending on their size.

A unique enterprise was the Japanese tea house built in Golden Gate Park in 1893 by Makoto Hagiwara. The family operated it until World War II.

Goldfishes were first imported by Ginnosuke Mori in 1890. By 1911, Ko Murata's goldfish farm in San Francisco was doing a $200,000 a year business.

Importing, breeding, and training pet birds was another business in which a few Japanese excelled. An Ekita Yasui formed the Japanese American Roller Canary Club in San Francisco in 1919. His birds cost from $50 to $100 each. Later, Tazo Ishida formed the St. Francis Roller Canary Club in San Francisco, which worked to improve the quality of the birds through annual competitions.

These were businesses aimed mainly toward non-Japanese customers.

Those aimed toward Japanese customers included Japanese food stores, which by 1940 numbered 500 in California; kimono and dry goods stores, 200 in 1940; jewelry and watch stores, 52; book stores, 30; agricultural supplies, 45. By 1940, there were more than 150 business associations with Japanese membership in the United States. The largest was the San Francisco Chamber of Commerce, which by 1940 had a 25-year-old history and 300 members.

The laundry business pioneered by Tsukamoto in San Jose and an Enomoto in Tiburon across from San Francisco in 1890 grew so rapidly that by 1907, anti-Japanese agitation began with a vengeance. Tsukamoto was arrested and jailed more than 20 times, but customers continued to increase for the Japanese, whose skill and trustworthiness overcame discrimination. By 1913, there were 211 Japanese laundry businesses with 312 owners and 1,675 workers employed by them. Among the pioneers are many who became quite well-to-do.

It was natural for many Japanese to go into the hotel business to provide the temporary first stopping-off place for new immigrants. The first was established at 505 O'Farrell Street in San Francisco in 1885 by Hiko Wada, who had a hotel in Yokohama. By 1899, Masakichi Suzuki was operating a 41-room, brick-built hotel on Stockton Street which was considered the largest at that time.

Many catered to a white clientele, and by 1940, there were 180 in Seattle, 210 within the area served by the San Francisco consulate and 220 in the Los Angeles region.

The cleaning and dyeing business also had enough Japanese in it to form an association in San Francisco in 1909. In 1915, there were 123 Japanese cleaning and dyeing firms in California. The number increased to 580 in 1940.

Barbershops were another service that practically every community with a sizable Oriental population supported. In 1940, more than 500 Japanese barbershops were counted in the United States.

Another occupation which followed the rise and fall of Japanese immigration was tailoring. Hannosuke Sawada was the first to open a tailoring shop, located on Mission and Seventh in San Francisco in 1891. In 1905, there were over 50 tailors busy fitting the shorter-statured Japanese with new western-style suits. The business reached its peak in 1917 at the height of the picture bride immigration when 126 tailors were in the business.

Shoemaking was one of the earliest industries in westernized Japan. Domination by financiers made many skilled workers eager to try their luck outside the country. Tsunetaro Jyo was the first to arrive here in 1888, followed by Chukichi Sekine in 1889. Together they opened a small store at Mission and Third in San Francisco. Introduced to a white shoe manufacturer who recognized their skill, the two called their fellow shoemakers over from Japan the same year. The manufacturer set up a factory of all Japanese workers, which soon caught the wrath of the white shoemakers' union. In 1893, the Japanese set up their own factories in San Francisco and Alameda. Their association eventually grew to have 300 members. Increased mechanization, the post-World War I recession and general anti-Japanese discrimination caused the industry to decline, and the once flourishing association was forced to disband in 1929.

There was scarcely any manufacturing of note by the Japanese, who lacked capital. An exception was the California Mission Furniture Co., which was begun in 1906 just when anti-Japanese agitation was beginning in earnest. In 1911, with an investment of $120,000, a 1½ acre factory was set up in West Berkeley, employing 70 to 80 Japanese. Annual production hit $250,000, but constant harassment by anti-Japanese forces brought about the firm's closure in 1928.

As the early immigrants who came over as laborers saved a little money and began thinking of going into business, financial institutions began to be organized to provide capital. First to be organized by the immigrants was the Nichi Bei Financial Co. in 1899, which formally incorporated as the Nichi Bei Bank under California law in 1903, increasing its assets to $20,000. By 1905, assets were increased to $150,000. In the same year, Nippon Bank, with assets of $100,000 was also established in San Francisco and the Toyo Bank, with assets of $50,000 was formed in Seattle.

Several smaller banks were established in Sacramento and Vacaville, but the 1908–09 recession caused many of them to close.

For smaller financing, the Japanese relied on "tanomoshi," a kind of mutual trust credit union, often affiliated with organizations like the prefectural groups or churches and temples. In the post-World War II era, many Japanese financed their larger purchases like homes and cars through credit unions affiliated with the national JACL, churches and temples, and others. The largest of these is the Southwest Los Angeles Japanese Credit Union with over 5,000 members and assets over $2 million.

San Francisco in many ways may be considered the "home" of JACL. The first of all meetings which brought together several Japanese American clubs in northern California was held before JACL launched a national association in Seattle in 1930. San Francisco was JACL's national headquarters at the time of the outbreak of war, and after being relocated to Salt Lake City, Utah, during the World War II years, it returned to the city by the Golden Gate where it remains today.

JACL is, as many of my colleagues know, the only national organization of Americans of Japanese ancestry in this country. Indeed, it often seeks to protect and promote the welfare of other Asian American minorities. Though like many other old-line organizations, it has its critics and its faults, its record of accomplishment is outstanding and its potential for even greater works in the future seems brighter than for most.

As one who has worked closely with JACL chapters and members I am proud of my association with it and of my friends who are also JACL members.

Mr. WALDIE. Mr. Speaker, although I am a relative newcomer to the House when compared to the distinguished gentleman who preceded me, like most native Californians, I am familiar with the history of the Japanese in this country. But I do know that this story is not too well known, if at all, in most sections

of the Nation outside the west coast and possibly the intermountain States.

The history of the Japanese in the United States is not an example of democracy at its best. Indeed, at times like during World War II when loyal Japanese Americans were evacuated and placed in concentration camps American-style, it may be among the most shameful chapters. Still, it is an epic that needs to be retold over and over again, for it demonstrates that in our country an immigrant minority, small though it may be in numbers and subject to the cruelest discriminations and prejudices, can overcome such obstacles and gain dignity and opportunity such as the group never knew and enjoyed before.

My contribution to this tribute to the Japanese in America will be to carry on from what Congressman MILLER has told you about this early history.

In the Sacramento Valley, Florin, about 10 miles south of Sacramento, developed into a virtual Japanese farming town. They first arrived at about 1895, and the early strawberry cooperatives were hostile to them, not only refusing them credit but actively discriminating against them. However, a man named Oppenheim recognized their skill in growing strawberries and not only extended credit but helped them in many ways. The Japanese made amazing progress, and Oppenheim prospered accordingly. The Japanese had 400 acres in strawberies by 1899–1900.

Hearing of their progress, the Japanese consul general in San Francisco decided to help organize a cooperative for Japanese strawberry growers. The news brought more Japanese to Florin. By 1901, 1,000 acres were in strawberries. Overproduction lowered their prices by 1904, and many gave up by the end of the year. The acreage dropped to 723 in 1905, balancing supply with demand.

A bitter lesson was learned, and many turned to grapes. The 400 acres devoted to grapes in 1904 increased to 450 acres the next year. The fact that strawberries and grapes do not require much capital and lent themselves readily to contract farming may have helped Japanese progress in the area.

The delta area of the Sacramento River may be called the vegetable treasure house. With naturally fertile soil and good water supply, the area attracted many investors who bought land, built levees and drained the land to make ideal farm lands.

Some 50 Japanese laborers were imported to pick hops in the New Hope area about 1889, marking the arrival of the Japanese in the area. From 1891, many of them began tenant farming asparagus on the islands in the Isleton area. Others began growing fruits and vegetables in the Courtland area.

From 1904 to 1905, the total acreage being tenant farmed by the Japanese increased from 17,855 to 20,408. the number of Japanese farmers increased from 356 to 558.

As their skill and trustworthiness became recognized, Japanese farmers showed phenomenal progress. By 1905, eight-tenths of the farms in Walnut Grove were being cultivated by the Japanese. In the Isleton area, four-tenths was Japanese, five-tenths Chinese, and one-tenth white. In 10 years, Japanese-farmed acreage increased to over 20,000 acres.

Placer County, Penryn, Newcastle, and Loomis had Japanese settlers from their earliest days, but tenant farming started about 1905–06. In 1905, cash leased and sharecropped land by Japanese totaled 898 acres in Newcastle, 916 in Penryn and 332 in Loomis. With high food prices, many farmers were able to buy land.

In Marysville, Biggs, and the Chico area, a fairly large number of Japanese farm workers were present by 1904, but there were comparatively few tenant farmers.

In 1904, a farm development company was organized in the Colusa area, which leased 1,200 acres for beans and corn. A few years later, Japanese farmers tried rice farming in the area. Fertile land and a suitable climate made the experiment a huge success, and there were not a few nouveau riche rice farmers in the area around the time of World War I.

In northern California, Japanese farmers demonstrated that rice could be grown on land formerly thought hopeless because of the large amount of inorganic salts in the soil. These wastelands were suddenly turned into golden fields of waving grain, a historic contribution to the development of agriculture in California.

The Stockton River delta is another famous farming area. Many islands scattered in the San Joaquin River make up the delta. The Japanese first arrived there in 1895. In those days, the whole area was a vast, watery swamp, with cattails growing wild all over. It seemed to have no value as farmland.

Later a solid levee was built and resulted in the appearance of islands from several hundred to several thousand acres wide, and the swampland made a complete change into some of the richest farmlands in California. Among the pioneers in developing the area were men like Kinya Ushijima and Manki Matsumoto, who made great contributions in opening up the area.

Developed by the Japanese, the Stockton Delta was first farmed by sharecropping. Around 1901, 45,000 acres were under cultivation. The main crops were potatoes, onions and beans. Most of the Japanese were settled on such islands as Sargent, Canal, Bradford, Byron Victoria, and so forth.

With the passage of the Alien Land Law in 1913, the Delta Land Corporation, which until then had cordial relations with the Japanese, let them go all at once. An attempt was made to replace them with white workers, but it failed because of the inconvenient location of the farms and lack of health services and utilities there.

Forced out of the Delta area, the Japanese looked to the Stockton suburbs where farms were owned mainly by Italians. About 1914, Japanese colonies were established in French Camp and Race Tract.

About 1902–03, it became known that the Lodi area was suitable for grapes, and they were widely cultivated. The Japanese had only about 2,300 acres, but there were many brokers. The Lodi grapes were of good quality, particularly the Tokay.

The years from 1905 to 1929 may be regarded as the years of progress for Japanese in California agriculture. The growth from 1905 to 1908 was particularly amazing. A 1908 survey showed that 154,802 acres were being farmed by Japanese, who owned 5,140.5 acres, cash leased 55,971.5 acres. It was a total increase of 23,510 acres compared to 1907.

Statistics show that 2,400 acres were owned by the Japanese in 1905. By 1908 that figure was 14,600, about six times as large in a period of 4 years. Cash leased land increased from 35,000 acres to 44,500 acres in the same period, a 20-percent increase. Sharecropped acreage increased from 19,500 to 53,900 or three times as much. Contract farming increased four times over, from 4,700 to 20,900 acres. Total acreage increase was from 62,000 to 134,000 acres or more than twice as much.

The blow from the passage of the Alien Land Law in 1913 was not crucial. Land ownership in the name of Nisei children who had citizenship by birth increased, as did tenant farming.

A 1918 survey shows that in 1917, Japanese produced about $51 million worth of crops, about 1.1 percent of California's total $500 million from agriculture.

All of California's farms—about 12 million acres in all—were worth on the average about $42 an acre. Japanese farms were worth on the average about $141 an acre, attesting to their productivity and the skill of Japanese farmers.

Japanese farmers numbered 8,000, about one-eighth of the total in California. Where the average farm acreage was 200, for the Japanese it was 3.75. While white farmers had on the average about 185 acres under cultivation, Japanese farmers averaged only about 48 acres or 20.6 percent. At the time, Japanese owned only about 14,000 to 15,000 acres of farmland throughout California.

While gross income for the Japanese farmers was about $55 million, their profits were small. Expenses included rent (25 percent or $13,750,000); workers' wages (40 percent or $22 million); harvesting and packing costs (20 percent or $11 million); maintenance and board (7.5 percent or $4,120,000), leaving profits at about 7.5 percent or $4,120,000.

Small profits owed mainly to the high cost of rent. If the $13,750,000 spent for rental were applied to buying land at $134 an acre, 100,000 acres of land would have come under Japanese ownership annually. In other words, all 8,000 Japanese farmers would have been able to buy from 6 to 9 acres of land annually; however, most of them preferred to lease, since they neither desired to stay permanently in the United States then nor felt they were welcome to stay.

The 1920 alien land law was a major blow to Japanese in agriculture. The distribution of Japanese in various occupations in a 1924 survey indicate that of 36,000 families—93,000 persons—of Japanese ancestry in California, 9,100 families—24,000 persons—were engaged in

farming and another 11,500 were farmworkers.

The 1920 law prohibited even leasing land or contract farming. Except for those who already owned their farms, Japanese farmers had to find other means of making a living. About the only way open to Japanese tenant farmers was to contract with a landowning company whose majority stockowners were American citizens or work lands for white landowners on a verbal agreement basis. But these methods were not only cumbersome but too often left the tenants at the mercy of the landowners.

A 1929 survey showed that there was an increase in Japanese farm foremen who accounted for one-third of the acreage farmed by the Japanese. Japanese farmer acreage in northern California decreased by about 10 per cent by 1923.

White-owned farms operated by Japanese foremen continued on a large scale, particularly in the production of asparagus in the lower deltas, lettuce in the Salinas and Watsonville areas. Acreage devoted to rice, potatoes and seeds showed a decrease by the 1930s.

While Japanese farmers did not escape the effects of the great depression, they felt the blow less than others because of the solidity and strength of their business.

A 1938 survey showed that 97 percent of the strawberries in northern California were grown by Japanese farmers, 82 percent of the onion, 59 percent of the celery, 45 percent of the asparagus, 36 percent of the potatoes, 25 percent of green vegetables, 21 percent of the tomatoes, 20 percent of the peas and 17 percent of the lettuce.

The effect of World War II, the evacuation of Japanese Americans from the west coast and the subsequent choice of other occupations by the Nisei is reflected in the fact that Japanese agricultural activity in the San Joaquin Valley is one-half of what it was before the war.

Mr. SISK. Mr. Speaker, Agriculture is the theme of the contributions of Japanese immigrants to the history and development of the great central valley. It is a theme played with many variations, all against the harrowing odds of racial discrimination, often with the stamp of approval of the government upon it.

A 1959 survey of the five central California counties of Madera, Fresno, Kings, Tulare and Kern estimated the population of Japanese at 14,000. Of the 848,943 acres planted in cotton and grapes, Japanese owned 40,000 acres, or a little over 4 percent. Approximately 1,500 families were estimated to be engaged in business or in the professions. A contrast to the pre-World War II situation is the growing number of Japanese American white-collar workers.

To take the history of the area town by town, the first Japanese arrived in Fresno, the population center of the central valley, about 1880. Two youths from Tokyo accompanied an electrical engineer back to Fresno on a 3-year contract to work in his muscat grape vineyard for about $17.50 a month. They went back to Japan but returned to the United States in 1887 and developed and worked 93 acres in the Sanger area as vineyards.

Later, a John Smith heard that Japanese were hard workers and asked a friend in Sacramento to send six workers down to him, which was done. About the same time, a Kinzo Watanabe on the staff of the Ushijima Potato Farms in the Stockton area came down to investigate the central California area for working conditions and went back to urge his fellow Japanese to go down to Fresno. Two promptly did, but so poorly dressed that they were arrested as vagrants when they were seen roaming the streets of Fresno, unable to speak the language and completely lost. Such was the hard lot of the early pioneers.

Japanese gradually increased in number, and in 1904, a Buddhist priest named Asaeda inquired of Secretary of State Jordan if Japanese could own land. The answer in those early days was yes, and Reverend Asaeda organized the San Joaquin Land Co. and purchased 160 acres in the Bowles area.

By 1929 in Fresno County, Japanese owned 13,809 acres. The Japanese population was estimated at 4,372, composed of 940 families, of whom 314 owned land.

With World War I, the price of grapes rose, and many Japanese in the area attained sudden prosperity.

In the city of Fresno itself, there were 160 Japanese families in 1940, of whom 130 owned their own businesses.

Produce farming was begun in the West Fresno area about 1900 by Masuzo Tanimoto and his brother. The area became known as "Produce Town." By 1940, there were 40 Japanese families truck farming there, forming the backbone of the Fresno produce market.

Japanese began settling in the Biola area, famous for strawberries, in 1918. By 1940, 16 out of 19 families owned land, about 780 acres of it.

Ten miles southeast of Fresno is Fowler, noted mainly for its vineyards, but Japanese were beginning to engage in produce and strawberry farming there before World War II in increasing numbers. In 1940, the Japanese population was estimated at 5,000, with 100 families, 36 of whom owned land totaling 1,140 acres.

To provide investment capital for Fresno County farmers, the Japanese Investment Company was established in Fowler in 1920, with 170 stockholders throughout the county and a capitalization of $21,150. As the only Japanese financial institution in the Central California area, it did yeoman service and prospers to this day.

Japanese in Selma have a fairly old history, arriving about 1896. They engaged mainly in growing grapes, owning 707 acres and leasing 2,300 more in 1940. There were about 75 families, totaling 404 persons.

The Kingsburg area is noted for its watermelon, winning the title from Dinuba. Of the 2,000 acres devoted to this product, in 1940 the Japanese owned 1,063 and sharecropped about 600 more. The first pioneer Japanese arrived in 1899, and by 1940, there were about 350.

Pioneer Japanese footsteps in the Sanger area go back fairly far to 1885 when a Tanaka Sasajima developed a plum orchard along the Sanger River. By 1940, there were 77 Japanese families numbering 358 persons, who owned 1,580 acres and leased 3,000 more. The area is famous for its superb table grapes, citrus fruits and carrots.

The only Japanese orange packing company was located in Sanger, as well as the only nursery in central California. The latter did some $15,000 business in a half-year season.

Japanese first came to Reedley in 1900 and were able to purchase land 7 years later. By 1940, there were 70 families of 345 persons growing grapes and other fruits. Thirty-six persons owned 1,730 acres in 1940, and another 5,600 acres were leased by other Japanese.

Parlier has been known as the Japanese town of central California. Noted for the top quality of its grapes, the area's vineyards were mostly developed by Japanese hands. Year after year, Parlier grapegrowers got top prices of 25 cents or more per crate above the market on their crops. Rich soil also make Parlier's raisins among the best.

Contributions of the Japanese in central California would not be complete without detailing the birth and growth of an outstanding and peculiarly Nisei industry in the Sunnyside area. This is the industry of chick sexing, where newborn chicks are separated into male and female soon after they hatch to the immense benefit of poultry farmers, who save on feed by keeping only the hens for egg-laying purposes.

The skill was well-developed in Japan by 1933 when two chick sexors were invited from that country by Motojiro Hattori, who had long operated a poultry farm and hatchery in Fresno. The two held demonstrations at the University of California, Petaluma, and Hayward and evoked the first interest in the possibilities of the trade. The interest was further fanned when three sexors held demonstrations later in the year at the National Poultry Farmers' Convention in Grand Rapids, Mich.

In the next year, Hattori invited four Japanese chick sexors to hold demonstrations again in Petaluma, Los Angeles and Wisconsin. After 31 such demonstrations, interest in the industry finally began to pick up in earnest.

The four spent over 2 months teaching their skills to 30 students in the Fresno area and 26 more in the Los Angeles area before returning to Japan.

In 1935, four Nisei went to Nagoya, Japan, to learn chick sexing at its point of origin and returned to the United States to become the first Japanese Americans to go into the business of chick sexing.

In 1936, the U.S. Chick Sexing Association was organized in Fresno under the leadership of Hattori and Rokuro and Kiseto Saiki. A 2-month study course was held at the Hattori Poultry Farm, with 20 students enrolled. Schools were held annually after that to send out more trained Japanese American chick sexors to the poultry farms all over the United States.

Hattori returned to Japan in 1940, and the business has been continued by the Saikis as the International Chick Sexing School, which continues to this day.

In August, 1938, a similar school was

established in Los Angeles—the Southern California Chick Sexing Association, with Takao Hayashi as manager. In October, the Los Angeles Chick Sexing Association was born, with Masashi Sato as manager. In the same year, the American Chick Sexing Association was formed in San Pedro by Kiyoshi Nitta. Two or three similar groups were also formed elsewhere.

During that period, some 10 Nisei returned from Japan as skilled chick sexors, and thereafter, 14 or 15 Nisei learned the skill annually in Japan and returned to take the test for chick sexors set up by the State Department of Agriculture. The nimble fingers of the Nisei were responsible for the high accuracy of their work—94 percent of those taking the tests passed.

By 1940, there were about 330 licensed chick sexors, and it was estimated that about 100 more were practicing without a license.

Their activities spread throughout the United States. On the west coast, 90 percent of the hatched chicks were differentiated according to sex; in the Rocky Mountain States—Nevada, Utah, Colorado, Idaho, and Wyoming—75 percent; in the Northwest—Oregon, Washington—80 to 90 percent; in the Midwest, 80 to 90 percent; in the South, about 80 percent; in the Northeast, 50 percent; and in the East, 60 to 70 percent. The figures showed that the supply of chick sexors had a long way to go in catching up with the demand in sections of the country.

The percentage of hatched chicks who grew to maturity after the sex differentiation was excellent, and farmers all over the United States demanded the services of the Nisei chick sexors. Invitations came from as far away as England and Belgium to send them 10 or so Neisi chick sexors.

The Nisei sexors posted an accuracy rate of 99 percent and could differentiate 500 to 700 chicks in an hour. In one season—about 4 months—they could handle 200,000 to 300,000 chicks.

Depending on their ability, their incomes varied from $700 to $3,000—an average of $1,500 a season before the war.

With World War II and the evacuation of Japanese from the West coast, the chick sexing schools moved eastward. The International Chick Sexing School moved to Mankato, Minn., sending out from 100 to 150 chick sexors to North and South Dakota, Illinois, Wisconsin, and Iowa as well as Minnesota in the spring. For a few years after 1950, it imported 15 to 16 chick sexors from Japan as special skilled technicians to supplement the supply of the school's own graduates. The school has been moved back to Fresno after the war, where it continues to this day.

The American Chick Sexing School moved to Lansdale, Pa., and has branches in the northeast, midwest, and south. The National Chick Sexing Association moved to Chicago and sends out its members throughout the Midwest and South. There are also smaller schools in Iowa, Arkansas, Louisiana, and Georgia operated by Nisei.

Of the 1,000 or so chick sexors in the United States in 1960, 80 percent were Nisei. Since the season generally lasts only from March to August or September, many make a prosperous income then and spend the remainder of the year at another job or in operating their own businesses.

Mr. MATHIAS of California. Mr. Speaker, I would like to continue this discussion by outlining the outstanding contributions of the Japanese in my area—California's 18th Congressional District.

In Tulare County, some 50 miles south of Fresno, the main population centers are Visalia, Dinuba, and Tulare, and Japanese lived mainly in and near the triangle formed by these three towns. in 1940, they numbered 1,200—800 more, if seasonal farmworkers were included.

Japanese owned 3,287 acres, leased 4,000 more and were in charge as managers over 4,000 more, making a total of 12,287 acres under their management. Japanese farmers produced citrus fruits, grapes, watermelon, peas, and tomatoes.

In the Visalia area, some 70 Japanese families grew mainly grapes and vegetables, although some had citrus orchards totaling several hundred acres. To the west of Visalia, near the mountains, is a town called Ivanhoe, where noting the small amount of frost, Japanese began to harvest and plant peas ranging over several thousand acres. Jealous white farmers tried to dispossess them by bringing up the Alien Land Law, but the fair-minded district attorney declined to prosecute.

Japanese were pioneers in experimenting with the planting of tomatoes in the Orosi area in 1913. Early test plants failed, but undaunted, they were tried again until success came 15 years later in 1928. Since then, the area has been noted for its tomatoes.

While oranges were the chief crop of the Lindsay, Japanese farmers in the area concentrated on growing strawberries, noted for their quality and color, although the plants did not need transplanting for as long as 15 years. Over 200 acres of it were cultivated by many of the 40 Japanese families in the area. Peas and tomatoes are other crops.

While Japanese came to Kings County as early as 1896 and by 1920 numbered nearly 200 families, the post-World War I depression caused about half of them to move to southern Califorina by 1940. Those who remain have done fairly well, owning 700 acres, leasing 835 acres and sharecropping almost as much to have about 2,000 acres under their cultivation. Crops are about the same as Fresno—grapes, peaches, and apricots.

Bakersfield is the main population center in Kern County, and in 1940, there were about 50 families in the area engaged in farming, producing mainly sweet potatoes, melons and asparagus. Two large Japanese labor camps were located in Arvin.

The first Japanese came from the Fresno area in 1904 and became an overseer for the Kern County Land Co.'s 800-acre vineyard. By 1911, the first Japanese were purchasing land. By 1922, the town of Delano was the scene of violent anti-Japanese demonstrations, with signs at the north and south entrances to the town displayed, saying, "No Japs Wanted." Hurt and dismayed, but not discouraged, Japanese community leaders talked things over with town leaders and persuaded them to have the signs taken down.

By 1940, there were about 50 Japanese families farming in the area. They owned only 300 acres, but leased 3,000 more and were producing melons, watermelons, lettuce, peas, beans, and other vegetables. Eight Japanese labor camps operators provided from 400 to 1,000 workers, and the Delano Agricultural Association, the Delano Farmers' Exchange and Kinichi Sakai, a shipper, provided the distribution of the produce.

In Madera County, there were 23 Japanese families farming in 1940. They owned 1,007 acres and leased 200 more and grew grapes, fruits, cotton and produce. More Japanese arrived about 1918–19 and bought land to farm, but many lost it again during the post-war recession. Nevertheless, those who remained mostly owned the land they worked and it has been one of the more prosperous communities of Japanese in the area.

In the Turlock area at the south end of Stanislaus County, the Japanese arrived around 1900. The area is noted for its watermelon and cantaloupe. In 1940, the Japanese population of about 500 persons owned 534 acres and leased 1,098. In the early 1920's, there were overt acts of anti-Japanese discrimination, but the town later came to acknowledge its Japanese citizens as among its pioneer developers.

Contribution of the Japanese in South Dos Palos is represented by the spectacular success of Kihei Ikeda and Keisaburo Koda in establishing the State Farming Company in 1927, growing 5,000 acres of rice. By 1940, 3,000 more acres were leased. Koda himself invented an incomparably efficient harvester and drier. During World War II, while the Koda family members were interned in wartime concentration camps, the agent entrusted with the management of their farm sold over two-thirds of the land and the rice refinery. U.S. government compensation to the Kodas came after long litigation and was among the last to be settled. The amount was far from the original worth. Beginning again after the war, the Kodas are again making the area one of the prime rice producers in the State, demonstrating their faith in the United States and demonstrating the capacity of the Japanese to bounce back from misfortune and blind prejudice against them to work with perseverance and determination to make the American dream come true for them.

The Cortez area is another that was developed mainly by the Japanese. Until they arrived to establish a colony there, the area was almost a desert, with only a lonely Santa Fe Railroad Valley line to show that man had even been there at all.

Twelve Japanese families settled there in 1919. They fought incredible hardships to clear the land and make it productive. By 1940, there were 38 Japanese families who owned some 2,000 acres and leased 500 more and were producing grapes,

peaches, vegetables, and strawberries from the once arid land. The agricultural association established in 1925 built a packinghouse and through cooperative selling of their produce and buying of raw materials, saved over $18,000 of capital. By 1940, the association had fixed assets of $13,000 and negotiable assets of $18,000 and was able to negotiate loans for its members at an annual interest of 2 percent, payable in 5 years from the U.S. Central Bank, which demonstrated the confidence that the financial institutions in the area had in the Cortez Japanese farmers.

The Livingston area was another where a Japanese colony settled. The Yamato Colony, developed by Kyutaro Abiko, was established in 1910 and prospered to 69 families by 1940. Japanese owned 3,708 acres and leased 444 more and produced grapes, peaches, plums and almonds. The top agricultural product was eggplants, with 50,000 crates shipped out annually. Sweet potato was the next in amount.

The Japanese people have made many contributions to my area and I am glad to have had this opportunity to pay tribute to them today.

Mr. HOLIFIELD. Mr. Speaker, 30 years ago I campaigned for the first time for a seat in the Congress. During that campaign in the fall of 1942, many of my constituents remembered that earlier that same year I had spoken out against the mass military evacuation and internment of all persons of Japanese ancestry from the West Coast. I knew then that those of Japanese origin in California and elsewhere in the United States were loyal and patriotic citizens.

When I first came to Washington as a Member of this body, I was among the few—there were only three or four of us then—who were willing to stand up and be counted where the Americanism of the Japanese American was concerned. I was called a "Jap lover." It was politically harmful to be known as a friend of the Japanese American then, and often economically ruinous.

But I stood for principle and fair play. And, today I have been vindicated in my belief and faith in Americans of Japanese ancestry.

That was one reason why I joined with my good friend from Hawaii, Congressman MATSUNAGA, in cosponsoring legislation last year which repealed title II of the Internal Security Act of 1950, the so-called Emergency Detention Act. The concentration camps authorized by the old law reminded me of the war relocation camps into which Japanese Americans were placed after World War II. Another reason was that I did not want any other American, either as an individual or in a group because of race, color, creed, or national origin to face the threat of concentration camps simply on the basis of suspicion that espionage or sabotage might be committed.

At this time, I would like to remind my colleagues of the history of the Japanese in the United States, and particularly in southern California and especially the Los Angeles area. Today, there are more Japanese Americans in and around the Los Angeles metropolitan area than in any other mainland America community. As a matter of fact, in this vicinity today there are more Americans of Japanese ancestry than were evacuated from the entire Pacific Coast 30 years ago.

But, this was not always so.

In a corner of a cemetery in the east side of Los Angeles in what is now a predominantly Chicano area is a large cluster of stone monuments that mark the final resting place of many Issei—Japanese immigrants who in the flush of youth some 100 years ago looked eastward to a country where they heard that a man could make his fortune if only he were willing to work hard enough.

They came with a dream, as did all the immigrants to this "country of immigrants," as President Kennedy characterized this land. Symbolically, there was no Statue of Liberty standing in the port of Seattle or in San Francisco Harbor to welcome the "tired and the poor" from the Orient to these shores.

The Japanese immigrants came to a land where earlier arrivals spoke a different tongue, where notions of white supremacy often took the form of violent antipathy to the yellow man, where discrimination against him often had the sanction of government upon it.

And although they worked hard, they could not become citizens of the land if they so desired, nor could they own the land they tilled or even lease land to till and make a living. When war clouds broke out between Japan and the United States, all that they had worked a lifetime to build was overturned and all but destroyed as they found themselves and their children, who were citizens of the country by birth, summarily expelled from their homes and interned in concentration camps.

In spite of natural hardships and human barriers, many Issei did realize their dream in America and made outstanding contributions to the economic, cultural and social life of this country.

Many also did not see their dream come true, timing and circumstances not having been in their favor. Their success was in having fought the good fight and passing their dreams on to their children, the Nisei, for whom they were willing to make the greatest sacrifices in order that for their generation, perhaps, the dream could come true. In spite of a harsh and oftentimes unrewarding life, they never lost pride in their rich ethnic background, always conscious that whatever they did, good or bad, reflected not only them alone but on all other Japanese.

They came to make the land fertile in wasted areas where others were unwilling or unable to farm. They came to lay the railroads, mine the coal and minerals, harvest the lumber on the land and the fish in the sea. They came to grow flowers and plants to beautify the homes, they came to work as cooks and houseboys and gardeners and laundrymen.

Even in the harshest circumstances, they never felt that the world owed them a living without their working for it, and they kept their pride when pride was the only thing they had worth keeping.

Now they rest at Evergreen Cemetery. Their graves are never without fresh flowers as they rest in the honored memory of those who are the heirs of their dreams.

It is generally supposed that the first Japanese arrived in Los Angeles in 1878, but recent research into the city's early history reveals that two Japanese lived in Los Angeles as early as 1870. Apparently they were sailors who landed and started restaurants.

The next ones of whom there are definite records are a Kohei Tanaka, who landed in San Diego and worked as a cook for a family there, and Masanari Kaneko, who arrived in 1888, worked for the Hearst family in San Francisco, returned to Japan in 1890 to marry and came back to the United States the same year to go to work for an executive of the Southern California Water Supply Co. Kaneko was given several shares of the company's stock which climbed in value like the proverbial Japanese eel. He was soon able to purchase some land in Redlands to go into the orange growing business. He was the first Japanese to own land in Southern California.

The two are typical of the early Japanese immigrants to California who went into schoolboy work to learn the language and customs of the land which would turn out to be their lifelong home. There in American homes they learned the skills of cooking, gardening, and laundry which would stand them in good stead when they struck out for economic independence.

By 1893, there were about 40 Japanese in southern California. A Gunji Morita had contracted to supply trees for the roadsides of San Bernardino, returned to Japan to get the trees but took sick and died there. His partners and workers scattered to Riverside and Los Angeles.

There is a record that on the emperor's birthday in the same year, 41 Japanese gathered at a Japanese restaurant on Spring Street in Los Angeles to celebrate the occasion.

It was also in 1893 that a man named Kimura opened the first restaurant serving Japanese food near Plaza Park, a modest precursor to the many successful establishments to follow in the area.

A Japanese book published in 1907 noted that two Japanese—Kichinosuke Nakamura, who operated a restaurant on East Fifth Street, and Sanhichi Akita, who ran a billiard parlor near Plaza Park—had resided in Los Angeles longer than 30 years then.

By 1897, there were between 10 to 20 Japanese-owned restaurants near Plaza Park, all quite prosperous in spite of the anti-Japanese feeling running high by then. By that time, there were about 400 Japanese residents in southern California.

In 1898, the Santa Fe and San Pedro Railroad Cos. began to hire Japanese for laying new lines in the area, and by the next year, 2,000 Japanese were calling Los Angeles home. They ran hotels, provided translation service for new arrivals, made shoes, cut hair, printed a mimeographed vernacular newspaper called "Shin Nippon," and opened a department store called Asia Shokai, organized on a membership basis, with one share worth $10,000.

A Japanese source in 1904 placed the Japanese population in Los Angeles at 2,795 persons, of whom 142 were women and 49 were children.

A 1906 survey by a Japanese newspaper showed a total of 13,040 Japanese in southern California, about half of them living in the Los Angeles area. Of the total, 12,012 were men, 806 were women and 222 were children. One reason for the sudden increase was the San Francisco earthquake, which left many Japanese homeless and jobless in 1906. They looked to the growing agricultural industry in southern California for a new start.

Japanese were engaged as farmworkers in southern California as early as 1900, mainly in the orange orchards and sugar beet fields. Of the 5,000 or so Japanese workers in 1905, 200 were fruit pickers, 1,000 were sugar beet workers, 800 in celery, 600 in strawberries, 600 in vegetables and 1,500 working on the railroad.

Most Japanese immigrants came from farming families in Japan and knew something about intensive land cultivation. They also did not mind the extra care necessary for truck farming, which was a Chinese monopoly in the area until about 1907. The Chinese Exclusion Act of 1883 decreased their number, and the Japanese eventually took over.

Japanese truck farming began on a small scale in the Los Angeles suburbs of Tropico, Newmark (now Montebello), Green Meadows and West Adams and grew with the rapid population growth in Los Angeles. It later extended to Whittier, Sherman, Hollywood, Garvanza and Eagle Rock.

Japanese farmers in the Gardena area began specializing in strawberries about 1900 and expanded to nearby Tropico and Moneta in 5 or 6 years. Crops of excellent quality increased the demand, and growth was rapid. Strawberry production doubled between 1904 and 1905 in Tropico and Moneta. About 600 acres were under cultivation at that time.

Celery was another crop in which Japanese farmers excelled. Those grown around the Smelzer area in Orange County became famous throughout the United States as Smelzer celery. Also beginning about 1900, the industry had little competition from other areas. By 1905, the Japanese were producing 80 percent of the celery in southern California. Acreage invested in the crop by the Japanese more than doubled from 690 acres in 1904 to 1,550 acres in 1905.

Acreage distribution by crops for Japanese farmers in southern California in 1905 was as follows:

Sugar beets, 2,400 acres; celery, 1,849; vegetables, 1,280; strawberries, 687; melons, 345; livestock feed, 292; livestock farming, 134, for a total of 7,031 acres.

With anti-Japanese agitation gathering strength year by year, Japanese farmers saw the necessity to organize for mutual benefit. In 1913, the year which saw the passage of the Alien Land Law in California, the California Central Farm Association was organized in San Francisco. A branch was established in southern California, which became independent of the parent organization the next year. It provided moral support and gave service in the trying years that followed by advising on farm planning, pest control, provided cooperative purchasing and selling, and established a credit union.

Smaller associations were formed in 1913 in Covina (60 members), San Gabrieli (50-plus members), Imperial Valley (50 shareholders, $50,000 capitalization), Talbert (50-plus members), Garden Grove (40-plus members).

Others were formed the next year in Signal Hill, Puente, Burbank, Wilmington, El Monte, Hawthorne, Lowland, Moneta, Fruitland, and Anaheim. The Moneta association had 220 members.

The alien land law of 1913 prohibited Issei, the first generation immigrants from Japan who were barred from naturalization, from owning land. It also limited their land lease period to 3 years. A stronger alien land law passed in 1920 prohibited Issei from even owning stock in a landowning company, one of the means by which they tried to cling to one of the few ways open to them to make a living in a strange land.

The alien land law was a blow to Japanese tenant farmers, whose acreage dropped from 336,000 to 131,000 acres between 1918 and 1923. They were back to sharecropping and depending on the good will of white farm owners to pay them a decent wage to manage their farms.

That they continued to prosper and grow owed mainly to their patient perseverance, hard work, and innate farming skills. The period from 1910 to 1929 may be called the "period of progress," and the years from 1930 to 1941 may be called the "golden period" of Japanese farming in California.

A 1929 survey shows that in southern California, Japanese farmers owned 5,837 acres, were tenant farming 77,836 acres, managing 44,550 acres for a total of 128,223 acres under Japanese cultivation.

They were producing 97 percent of the vegetables—bunched goods—96 percent of the cauliflower, 95 percent of the lettuce, 93 percent of the strawberries, 92 percent of the celery, 83 percent of the tomatoes and 51 percent of the melons. Even in the depression years, the total volume was worth some $15 million.

As the depression worsened, however, it affected farmers and wholesale produce merchants, too. A need was felt for a strong central organization to control distribution and maintain the market price. The Southern California Central Agricultural Association was organized in 1931, with an annual budget of $20,000. With the addition in 1935 of the powerful San Pedro Agricultural Association organized in 1915, it became a federation of agricultural associations and not only sponsored a daily market report on radio but helped solve the strike by Mexican and Filipino farm workers in that same year.

Distribution of farm produce is handled in southern California by two major wholesale produce markets in Los Angeles.

The Ninth Street Market, also called the Los Angeles City Market, was organized in 1908 by a group of about 150 Japanese, Chinese and white farmers who were dissatisfied with the market then located at Third Street and Central Avenue. By 1930, the market handled produce whose annual worth was over $20 million. The major part of it was transacted by the 18 Japanese firms and 40 individual Japanese wholesalemen who were members. Japanese members organized the Southern California Agricultural Association there when the market was established in 1908.

The Seventh Street Market was financed by the Southern Pacific Railroad Co., which invested $2.5 million to build a market on a grand scale reputed to be the largest in the world. The Japanese position at the market was not as strong as that at the Ninth Street mart, since none owned stock in the market, but up to 80 percent of the produce handled there was transacted by the six Japanese firms and about 30 individual Japanese wholesalemen. By 1940, the market was annually handling produce worth $8 million. The Japanese at the Seventh Street Market organized the Nikka—Japan-California — Agricultural Association in 1908.

The advent of World War II completely upset the foundation for Japanese agriculture in southern California, a foundation it had taken a generation's blood and sweat to build.

Japanese tenant farmers and sharecroppers who could realize some cash from their crops before the war came were the fortunate ones; the majority had planted their crops, but were evacuated from the West Coast without realizing any income from them. Those who owned their own land were fortunate if they had a good manager on whom to depend while they were spending up to 3 years in the wartime concentration camps. Many sold their land at rock-bottom prices, while others had to let their mortgage payments lapse and lost their land eventually.

On January 2, 1945, while the war was still going on in Europe and in the Pacific, the U.S. Government allowed the return of Japanese on the West Coast. Two large farmers, Shosuke Nitta of Orange County, and Yorio Chikasawa of West Los Angeles, were allowed to return 1 year earlier with the help of the War Relocation Authority to help provide more food for the war effort and to demonstrate to other Japanese that they could return to their homes without harm.

However, post-war demand for housing in southern California severely limited the acreage available for leased agricultural land. With little capital, the small farmers and those who were tenant farming and sharecropping before the war turned to gardening or to the nursery business which needed little capital and guaranteed an assured income.

The Nisei, the second generation American-born Japanese, had come of age during the war, and many who grew up on the farm now preferred work in other fields after the war.

The Japanese farms which remain in southern California now are mainly big

business operations, located in Talbert, Huntington Beach, parts of Santa Ana in Orange County, San Luis Rey, Vista, Fallbrook, and Oceanside in San Diego County, Oasis and Thermal in the Salton Sea area of the Coachella Valley, new Oxnard in Ventura County, and in Santa Maria, Guadalupe and San Luis Obispo.

Return of the Japanese to the wholesale produce markets took longer, but at present, there are altogether about 50 firms and individuals located there.

So, Mr. Speaker, this is a part of the story of the Japanese Americans in our country. A people who form a "minority group" but who have refused to remain in a minority status. These industrious and intelligent people have lived the American Dream. They have moved ever forward and upward with the stream of American society and, while doing so, they have enriched our society and institutions by their examples of family life, industry and loyalty.

Mr. ROYBAL. Mr. Speaker, although the Japanese are best known for their contributions to California farming, most think of these contributions in terms of fruit and vegetables, and of flowers. Truly, the Japanese brought a touch of beauty to the lives of most Americans through their introduction and sale of beautiful plants and flowers at prices most Americans could afford to pay.

But the Japanese also were outstanding in poultry and even pig raising, as my comments to the history of the Japanese in southern California will show. Introduction of the horticulture to southern California followed northern California's by 8 years.

The first flower growers in Southern California began in 1892. Established in and around Los Angeles, they numbered 160 firms by 1940, owning a wholesale flower market in which they had invested $100,000 and doing an annual business close to $3 million.

The first Japanese to succeed in the floriculture and plant nursery business was Sotaro Endo, who established his field at the corner of Jefferson Boulevard and Main Street in Los Angeles. The industry grew with the rapid growth in population and homes in Los Angeles, particularly from 1920 to 1925. The Southern California Japanese Nurserymen's Association was organized in 1927 to systematize the distribution of plants as well as to provide cooperative purchase of fertilizer and other business necessities.

The wholesale flower market was first established by Shintaro Shima in 1908 at Broadway and Seventh Street. While the number of growers continued to increase, the lack of organization caused problems in distribution. The Southern California Flower Growers' Association was organized in 1912, and in 1914 the Southern California Japanese Wholesale Flower Market was formally incorporated.

With a 50-year lease, a $50,000 building fund and an investment of $20,000, the Japanese flower industry was finally able to stand on its own. In 1928, members spent about $100,000 in cooperative purchases of fertilizers, seeds, chemicals, food and sundries.

A 1929 survey showed that within a 20-mile radius of Los Angeles, there were 147 firms or individuals owning or leasing 1,517 acres for growing flowers (500 acres owned outright by Japanese growers themselves), representing an investment of $1,750,000, employing a corps of 700 workers and realizing an annual production worth $1,500,000.

The industry distribution according to area in 1929 was as follows:

Los Angeles, 40; Montebello, 15; Roscoe, 10; Gardena, 10; Redondo Beach, 10; Compton, eight; Hermosa Beach, six; Tujunga, five; Hawthorne, four; San Fernando, three; San Gabriel, three; others, 23.

Another industry in which Japanese were active was poultry farming. It was established in 1900 in southern California when Hyakumatsu Ike purchased 5 acres of land on San Fernando Road in Los Angeles to go into business.

Japanese poultry farmers were later located in Gardena, San Pedro, Inglewood, Norwalk, Artesia, Orange County—Placentia, Riverside and Rialto in San Bernardino County. The majority were large businesses with from 30,000 to 40,000 chickens per farm, doing an annual business of $3 million.

A similar industry which had many Japanese entrepreneurs was pig farming, first begun in 1894 on Figueroa Street near Exposition Park on 9 acres of land leased by Fusataro Adachi, who later went into the floriculture business. Another Japanese, Yaichiro Kinoshita, established a pig farm on West Riverside on 30 acres of leased land.

The real pioneer group which established the foundation of the industry had their farms in Fruitland at about 1909. Four men, each owning about 300 pigs, made good use of garbage from the city of Los Angeles. Another group was established about the same time in a gravel pit near Baldwin Park.

In 1914 the city council decided to burn the city garbage for sanitary reasons, and the industry moved to Santa Barbara, Long Beach, and later on to San Diego. Others moved to San Bernardino, Santa Monica, and into the Imperial Valley around 1913.

When oil was discovered in Long Beach in 1921, the city grew by leaps and bounds, and the pig farming business prospered with the increased garbage. Unfortunately, widespread hoof and mouth disease caused most of the animals to be slaughtered by the Government in 1924.

Although the farmers were compensated, it was not until 1927 with the formation of the Pacific Pig Farming Co. that the industry was on its feet again to begin its second period of growth. Large farms were located in Artesia, Bellflower, and Buena Park. The year 1931 saw the formation of the Southern California Pig Farming Association. The Pacific Pig Farming Company, after many hardships, was incorporated in 1932 with $100,000 in capital. It moved in 1937 to Talbert, west of Santa Ana and purchased 60 acres of land. The farm had nearly 10,000 pigs, for which 70 to 80 tons of garbage and three tons of wheat were provided as daily feed. Aside from the Fontana Pig Farming Co. which had 60,000, Pacific was among the largest pig farms in the United States.

World War II brought an abrupt end to the industry for the Japanese and it has never revived after the war.

But, nowadays, the Japanese American is in almost every sphere of human activity, and doing as well. And Little Tokyo is more the center of Japanese American civic and business enterprise than even before the 1942 evacuation. With Federal, State, and city funds, there is a Little Tokyo redevelopment project going on which will soon result, hopefully, in a cultural center for the Japanese arts second to none in the United States.

So, there is a future for Japanese Americans that is more promising than it was before World War II, and California should be grateful to those of Japanese origin for having contributed so much to the wealth and beauty of the Golden State.

Mr. ANDERSON of California. Mr. Speaker, in my district there are probably more resident Americans of Japanese ancestry than in any other in this country, with the exception of Hawaii; and all of my life I have been closely associated with Japanese Americans.

From my days in the California State Assembly and as the Lieutenant Governor of California, I have worked closely with JACL in their worthy efforts to improve the lot and life of the Japanese American in my home State, and thereby helping to promote the welfare of all citizens. The Japanese Americans know, as do I, that only when all citizens are secure and prosperous are they, the Japanese American, also secure and prosperous.

In the House of Representatives, I have continued my interest and concern for those of Japanese ancestry. This past session, I introduced with my good friend and colleague from Hawaii, SPARK MATSUNAGA, a bill that would establish a meaningful and effective Cabinet-Level Committee on Asian American Affairs. The various proposals were suggested by JACL, and those of us who are sponsoring this legislation are grateful for their cooperation.

Though the history of the Japanese in America is an exemplary and outstanding one, consider what it might have been, or would be, if there were no racial prejudice against the Japanese Americans, and they were accorded every opportunity and afforded every grant given to other minorities which, though they may be more numerous, are not more deserving than are the Japanese and other Asian Americans. That is the reason for the proposed Cabinet committee.

Looking way back in California history, fishing, along with farming, was an industry with which the Japanese were familiar in the old country, and they eventually came to participate in it prominently in this country.

The earliest pioneer fisherman in Southern California was Hatsuji Sano, who began fishing from the Port of Los Angeles in 1900. Prior to that time, there was some abalone harvesting off White Point around 1887.

Since there were not many Japanese in the area in 1900, the demand for fresh fish was not that great. However, with the immigration of Japanese from Hawaii, the advent of the picture brides, and the emigration of Japanese from the San Francisco area following the 1906 earthquake, the fishing industry began to boom. The Port of Los Angeles eventually had 16 fishing companies employing 60 fishermen. They later split, with eight remaining at the Port of Los Angeles, four going to San Pedro, one to Playa del Rey, one to Oxnard, and two to San Diego. They built the foundation of the Japanese fishing industry off Southern California and Mexican shores.

San Pedro became the major port for Japanese fishermen, many of whom shined shoes and worked as domestics until they saved enough money to purchase boats.

In 1908, an abalone canning factory was established by the Toyamas, with the products sold principally in Hawaii and the shells exported to Germany. It closed in 1910, after a State law liimted the size of abalone catches. Company officials then tried to set up a fish market, which met with violent opposition from two or three other established markets operated by local fishermen.

The anti-Japanese reaction was extended to the Japanese fishermen, and rock-throwing incidents were followed by demands of the ouster of all Japanese from San Pedro Harbor.

Before things could come to a head, the San Pedro Fish Canning Co. was established on the opposite shore on Terminal Island and began canning not only abalone but tuna, which was said to be limitless off the southern California and Mexican shores.

Japanese fishermen moved to Terminal Island by the score from San Pedro as more canning factories were started, and what was once a haven for rattlesnakes became a thriving Japanese fishing village. In 1940, there were more than 3,000 Japanese living on Terminal Island.

The Japanese fishing industry in southern California saw its greatest growth around 1915, as shown by the following statistics:

	Number of boats	Fishermen
San Pedro-Terminal Island	100	350
Port of Los Angeles	12	42
San Diego	28	85
Oxnard	2	7

Their annual catch around 1915, was estimated to be worth between $750,000 and $1 million for an average family income of from $7,000 to $10,000.

In order to combat unfair anti-Japanese fishing laws, the Southern California Japanese Fishermen's Association was formed in 1916, with 250 charter members and an annual budget of several thousand dollars. It became one of the strongest Japanese organizations in the area, with membership increasing to 821 in 1920.

During 1929–30, the tuna catch began to dwindle, and Mexico applied an export tax to tuna caught off its shores. In addition, frozen tuna was being imported from Japan to the tune of 5,000 tons annually. At the same time, 100,000 boxes of canned tuna were being imported from the same source, bringing hot opposition from the U.S. fishing industry.

With the Japanese Exclusion Act of 1924 and the increasing age of the Issei, the Japanese fishing industry was beginning to see a downtrend even before World War II almost wiped it out completely. By 1935, the number of fishermen had decreased to 550.

However, with the advent of the Nisei in the industry, the boats were being converted to larger, deepsea fishing vessels costing from $100,000 to $250,000 each. At the time of Pearl Harbor, the fishermen's association had 600 members, who owned 90 boats.

With Terminal Island closed to private dwellings after the war, the returning fishermen scattered to Long Beach, Wilmington, and San Pedro. Few Nisei returned to fishing, preferring other jobs which would not keep them away from their families for long periods of time.

One of the occupations that the Japanese entered in large numbers in the post-war era was gardening, which required little capital and utilized their skill for growing. However, as early as 1905, Japanese were gardening in southern California when 179 persons listed it as their occupation in a Japanese survey. In 1910, it is recorded, a group of gardeners and house servants held a meeting to try to work for higher wages, the first instance of organization among the gardeners. By 1920, 500 persons were working as gardeners. By 1929, the number had doubled and perhaps even tripled. A gardeners' association was formed in Riverside and others followed in Hollywood and the Uptown area in 1929. A federation of these associations was formed in 1938.

The name of the City of Gardena, Calif., a community with a large number of Japanese Americans, was derived from an earlier reference to the area as a garden spot. Because of a fresh water slough that ran through the area, the Gardena Valley was often the only oasis of green in the grey and brown landscape from Los Angeles to the Harbor Area.

The Mayor of Gardena is Kiyoto "Ken" Nakaota, a good friend of mine who happens to be of Japanese American ancestry.

In the post-war boom, it is estimated that by 1946, 3,000 Japanese gardeners existed in southern California. Pasadena was the first area to reorganize a gardeners' association in 1947. By 1950, the number of gardeners was estimated to be over 6,000.

The Southern California Gardeners' Federation was formally incorporated in 1956 with 15 member associations encompassing some 3,000 members. The number of gardeners grew still more, and in 1960, the federation had 4,000 members, estimated to be half of actually 8,000 engaged in the occupation. The gardeners' combined income in 1960 was estimated to be in the neighborhood of $30 million. Their average monthly income was between $400 and $800, with some, who had contracted choice routes, earning as much as $1,000 a month.

The Southern California Gardeners' Federation currently has about 5,000 members. Last year, the federation completed its $300,000 headquarters building at 333 South San Pedro St. in Los Angeles. This organization promotes the social, educational, health, and legislative aims of the groups. It publishes a bilingual monthly magazine, holds annual conferences, and provides a credit union as well as group insurance.

An occupation in which not many participated but which made a unique contribution to U.S. industry is the Pacific Goldfish Farm, established by Kiyoma Akiyama in Lancaster, Los Angeles County. A farmer who began raising goldfish as a side business, Akiyama persevered after early reverses caused by marauding birds. The need for better equipped fishponds and his patient research gradually enabled him to expand until he was operating the largest goldfish farm west of Chicago. Recent encroachment by housing and business developments have caused him to move his business from Lancaster.

Mr. Speaker, when the Japanese first came to America, they clustered in "Little Tokyos" operating a wide variety of businesses which provided other Japanese with services they were either unable or reluctant to acquire elsewhere.

But today, the Japanese American is successfully engaged in every endeavor; they are living in nearly every community; they are providing leadership in the cities, in the schools, in business and industry. Today, the Japanese American is found throughout the mainstream of life.

While positive steps must be taken to break down all of the barriers of discrimination, the accomplishments of the Americans of Japanese ancestry have made this country a better place for all of us.

Mr. Speaker, it gives me great pleasure to recognize the achievements and contributions of our citizens of Japanse ancestry, especially on the occasion of the 22d biennial convention of the Japanese Americans Citizens League here in Washington.

Mr. ULLMAN. Mr. Speaker, I wish to join my colleagues in recounting and honoring the contributions made by Japanese and Japanese Americans in taming our frontier and developing our nation, particularly in the Pacific Northwest.

Though fewer than in many other areas, the Japanese played a significant role in the growth of the northwest, entering the region primarily through the port of Seattle or working their way up north from San Francisco. I would like to comment particularly on the role of the early Japanese immigrants and their sons and daughters in Oregon.

The contribution of the Japanese in the three northwestern States of Oregon, Washington, and Idaho was first in the sweat of their brows as they came in large numbers at the turn of the century to

work as laborers in the lumber mills and on the railroads. Through diligence and frugality, they saved their money and went on to reclaim land that earlier settlers had overlooked or given up as nonarable. First as tenant farmers and gradually as farmers owning their own land, they made their distinct mark in the developing history of the Northwest.

In spite of many Americans who appreciated their ethic of hard work, frugality and enterprise, the Japanese immigrants in the Northwest, however, shared with their brothers who settled elsewhere in the western sections of the United States the hard facts of racial prejudice, based on ignorance and economic jealousy.

The earliest record of Japanese in Oregon is found in 1834 before the area became a State. A Japanese fishing boat had drifted on the black current and ended up near Marshfield. Of three survivors, one Kinzo Suzuki arrived in Vancouver, Oregon Territory. Suzuki stayed for 6 years, learned English and is said to have boarded an English ship for China.

History also records that in 1868, a Kyusaku Ishikawa came from the south and lived in Portland.

In 1880, an American named Andrew McKennon, who was an agricultural adviser in the Japanese prefectures of Iwate and Aomori, returned to the United States with his wife Miyo—Iwakoshi, her brother Rikizo and his daughter Tama. McKennon established a sawmill 2 miles outside of Gresham and named the area Orient, which still exists. The family is a respected pioneer in the area. In 1885, a Shintaro Takagi came with some merchandise to sell from San Francisco and married Tama Iwakoshi in 1891. The couple celebrated their golden wedding anniversary in 1940 under the auspices of the Oregon United Japanese Association.

It was in 1891 that the first Japanese immigrant group arrived. There were seven in the first group and 17 in the next. Unable to speak the language and unused to strange customs, they had no protectors and encountered unspeakable hardships after landing in Portland.

At one time, Takagi, who had opened a dry goods store in Portland, rushed to their rescue when he heard that a group of Japanese were found weeping under a bridge. Such irresponsible immigration policy caused the Japanese consulate representative in San Francisco to speed to Portland and after investigation, prohibit Japanese to land in Portland for a while.

The Japanese immigrants mainly worked as woodcutters and hops pickers. They gradually took the place of the Chinese laborers on the railroads as well. Their diligence and steadiness became recognized in the labor market.

When an understanding was reached anew between the immigration companies and the authorities, Shinsaburo Ban became employed by the former to provide large number of Japanese laborers for the Union Pacific, Southern Pacific, and the Spokane, Portland, and Seattle auxiliary lines. The Japanese worker's industry and productivity further came to be recognized. Until then, the most powerful railroad workers were Italians, but Japanese came to outnumber them eventually.

The farms and businesses now owned by Japanese Americans in Oregon are the result of the sweat of the brows of these early laborers. Following the railroads, they came to be employed by the lumber mills until 1935 and built a good reputation here, too. Since lumber mill wages amounted to 40 percent of all wages in the Northwest, the rapid progress of the Japanese immigrant in the lumber industry, together with the railroad industry, provided the twin bases for his development later in other areas. The golden age of railroad labor was the 10 years following 1897. At one time, 3,000 Japanese were working on the railroads and helped support stores, restaurants, and hotels in Portland.

The 1906 Lewis and Clark Expedition Centennial Fair in Portland, coupled with the influence of the Japanese victory in the Russo-Japanese War, encouraged the growth of hotels, restaurants, barbershops, and grocery stores in Portland. The World War I boom particularly helped the hotels in which Japanese Americans at one time had $5 million invested. They suffered a large setback in the post-war depression, but those who remained sustained their industry with patient endurance and diligent hard work. In 1940, there were 120 hotels operated by Oregon Japanese and more than 80 grocery stores, including the first-rate Modern Store.

The fruits of their labor on the railroads and in the sawmills also became capital to invest in farms, which grew south from Portland down the Willamette Valley to Salem and east along the Columbia River to Hood River and The Dalles.

The number and acreage of Japanese-American farms in Oregon in 1940 were as follows:

Columbia Slough, 27, 540 acres; Montavila, 9, 270; Milwaukee-Oregon City, 25, 375; Gresham-Troutdale, 82, 2,460; Westport, 1, 40; Canby, 2, 70; Sherwood, 13, 555; Banks-Corvallis, 76, 1,040; Guesston, 12, 400; Salem, 36, 720; Independence, 2, 85; Medford, 3, 90; Hood River, 50, 1,500; Parkdale, 21, 462; Dee, 17, 260; Pendleton, 1, 30; Ontario, 12, 1,560; others, 5, 150. Japanese-Americans also owned 2,670 acres and lease-farmed 8,577 acres.

Under the growing anti-Japanese agitation, particularly with the passage of the Alien Land Law, it was understandable that Japanese hesitated to invest in the land; but patient endurance was characteristic of the Japanese pioneers who did put the fruits of their laboring days courageously into farms and other businesses.

Since banks, reflecting the prevailing prejudices, would not loan them money, the farms had to expand gradually. Farmers' associations and shipping coops also found a variety of hardships in their way.

Business associations for the hotel, barbering and laundry industries in Portland strived to maintain cordial relations with their white counterparts. Hotel and grocery owners especially kept close contact with labor unions to keep their operational policies and workers status up to par.

The Japanese American agricultural associations in Oregon emphasized markets outside the State, particularly in the eastern United States. Associations were formed for the growers of radishes, celery, peas, strawberries, cauliflower, and so forth. Quality control and improvement were strictly enforced by them. The associations also encouraged the Nisei to study business administration and agriculture at colleges and universities.

In agricultural areas, the Japanese in Oregon made a special effort to exist and prosper together with peoples of other ethnic extraction. They joined unions, cooperatives and civic groups wherever they could to try to strengthen social, cultural, and economic ties with the general community.

Just for being of Japanese extraction, and for being more industrious than others, however, they were also subjected to discrimination. As early as 1910, in the Hood River area where Japanese immigrant farmers had made the most progress, fear of Japanese economic growth caused the formation of the Oriental Exclusion League. The contribution to American industry by these immigrants was looked on with suspicion and fear.

Propaganda against the Japanese seemed to peak around 1918. In 1921, Kinya Ushijima, the San Francisco area potato king, proposed to buy 2,000 acres to grow seed potatoes, and anti-Japanese activities received renewed fuel. Ushijima was forced to give up his idea.

In 1922, Congress held immigration hearings in Seattle and Tacoma, which encouraged anti-Japanese forces. They became better organized. Attempts were made in 1917, 1919, and 1921 to pass an Alien Land Law, which was finally passed in 1923 and incorporated the worst features of both the California and Washington versions. Japanese Americans lost farms they had made productive. With their livelihood gone, families scattered to the four winds.

In 1925, only a week after the Fourth of July, a mob of 200 persons attacked a Japanese workers' camp at the Pacific Spruce Lumber Mills in Toledo. Five guards were injured, and the mob demanded that the Japanese leave immediately. Twenty-five men, two women, and four Filipinos were kidnaped and taken away. The mill had polled its white workers who expressed little objection to the company hiring 60 to 70 Japanese workers, but the local chamber of commerce and businessmen expressed vocal opposition.

The Oregon Japanese Association immediately investigated and wrote the authorities and the newspapers, correcting the mob's propaganda and asking for fair judgment from Toledo citizens. The Japanese foreign minister and the ambassador in Washington were also notified.

The company pressed for the arrest of mob leaders, but the district attorney refused to prosecute, giving lack of evidence as his excuse.

The Japanese association refused to give up. By patiently collecting evidence,

it sued nine members of the attacking mob for $130,000 damages in September. Church leaders and the Oregon Lumber Dealers Alliance passed resolutions condemning the mob's violence.

The defendants asked for a settlement but would not agree to drop their objection to the Japanese returning to work. They resorted to demonstrations, propaganda, and sought the aid of politicians. On July 12, 1926, in the U.S. District Court in Portland, the Japanese won the case, receiving $2,500 damages and $5,500 court costs judgments.

Gradually, Japanese workers in the sawmills and cannery workers were able to join the AFL or CIO. Japanese American railroad workers had their own local, 1703, in 1921.

Japanese American fishing boats, based in Monterey and San Francisco, Calif., fished off the coast of Oregon, developing the so-called Astoria fishing industry. At first Oregon put a limit on catches and prohibited Japanese from fishing there. But the adverse effect of this limit on the industrial growth of the State was recognized in 1935, and fishing was reopened to these Japanese Americans in the Coos Bay-Astoria region. Fishing was done only during the summer daylight hours with a technique only well-understood by these fishermen of Japanese descent.

All in all, Mr. Speaker, it can easily be said that the Japanese immigrants who first came to Oregon contributed to the State's growth and development in a far greater proportion than their numbers would indicate. Overcoming a deep cultural barrier and stiff prejudice, these Japanese went on to become outstanding American citizens with a strong sense of accomplishment and true pride in this country. Their sons and daughters and grandchildren carry on this tradition today, and I am pleased to salute them.

Thank you.

Mr. ADAMS. Mr. Speaker, we all know that the Japanese American Citizens League is holding its 22d biennial national convention in Washington, D.C. this week. What few may know is that the JACL was founded 42 years ago in Seattle, Wash., the area which I represent.

Japanese Americans have made invaluable contributions to our country. Today I would like to enumerate some of these which have particularly effected Washington State as well as the rest of the Pacific Northwest.

In 1885, when Japan lifted her emigration ban, many young male Japanese to the Pacific Northwest. Some were students, merchants, professionals, skilled workmen, and farmers. At first however, most were laborers. The demand for Japanese labor increased as the supply of Chinese laborers declined. Primarily they worked in railroading and lumbering. In 1892, a thousand Japanese were working on the Oregon Short Line. Lumbering firms were employing 30 percent of the adult male Japanese labor force. These men were paid lower wages than the other workers. Also in the early 1900's, salmon fishing and canning became a booming business. Japanese were providing 20 percent of the canning force in 1912.

Japanese people have made significant contributions to the agriculture of Washington State. The first Japanese farm of record was at Wapato in 1892. Most of the land which the Japanese cultivated had to be brought from its natural state which meant much back breaking toil. Yet, by 1920 the Japanese were supplying 75 percent of the region's vegetables in addition to exporting some. In 1927 these farmers shipped 83 percent of the region's total of lettuce and green peas to eastern cities.

Members of the Japanese community introduced the Japanese oyster to the waters of Puget Sound. In 1919 Emy Tsukimoto and Joe Miyagi formed a group to import 400 cases of Miyagi seed oysters which they scattered over 600 acres of Samish tidelands. The oysters thrived and in 2 years had grown to an unbelievable six inches in length. This was the start of an industry which is valued in excess of $100 million annually.

Some Japanese immigrants applied their talents to a new trade, that of dairying. By 1920, their dairies were providing half of Seattle's milk supply.

All of these accomplishments were made by people who faced strong discrimination and many immigration problems. There was the 1907 act later called the "Gentlemen's Agreement," the Washington Allen Land Acts of 1921 and 1923, and the Immigration Act of 1924. Then with the coming of World War II came the deplorable act of evacuation and detention in concentration camps of all Japanese, aliens and citizens alike. This shameful episode has been called by Supreme Court Justice Jackson, in his dissent on the Korematsu case, as "a great and evil blotch upon our national history." But finally in 1952, the Walter-McCarren Act gave the Japanese a chance, so long denied them, to become citizens and they did so in great numbers.

This country can well be proud of its Japanese members and their ancestors who have contributed so much. In the State of Washington they helped develop the economy in railroading, lumbering, salmon fishing, oyster growing, farming and dairying.

Mr. Speaker, I appreciate having the opportunity today to publicly recognize and applaud the contributions made by Japanese Americans.

Mr. HANSEN of Idaho. Mr. Speaker, probably few areas remain in the United States where traces of the old west and modern America are intertwined so closely as in Idaho. The spirit of pioneers who came in the early 1800's was rekindled in the early 1900's when the first Japanese came to Idaho. These Issei were true pioneers, having come with little or no knowledge of the customs of the land. The cultural shock of a new land was doubly intensified because most of these immigrants did not speak English. Yet, they stayed in Idaho, married, and raised their families, who today are an integral and highly respected part of Idaho society.

I am privileged to call as my personal friends and neighbors many Japanese Americans who live in my home State whose parents and grandparents we honor today in Congress.

The history of the Japanese in Idaho begins around 1891 when Tadahichi Tanaka contracted to supply workers for the Oregon Short Line between Huntington and Granger for the Union Pacific Railroad.

Tanaka moved his headquarters from Nampa to Pocatello and lived the life of baronial splendor in the style of Japanese construction bosses who also had a hand in gambling and prostitution. In the openhanded way of such bosses, he even built a Japanese hospital in Pocatello, but his excesses caught up with him and he later failed.

His work was taken up by others and developed the first era of prosperity for railroad workers in the early 1900's.

The move into agriculture followed later. A Japanese railroad boss named Moto Nishiyama with headquarters in Rock Springs, Wyo., talked the Idaho Sugar Refining Co., into employing Japanese. In 1903, the Nichibei Enterprise of San Francisco sent 150 or so workers from southern California for thinning work at Idaho Falls and Garland.

The first group could not get used to the severe cold weather, but a subsequent group of 16 to Idaho Falls and 20 to Garland fared better and built a reputation for good work that opened the way for other Japanese workers to follow.

In 1903, Nishiyama also got immigrants from Hawaii to work in the coal mines of Wyoming or on the railroads. These workers switched to sugar beet work during its busy seasons and built a foundation for Japanese in Idaho agriculture.

In east Idaho, Japanese started as railroad workers and sugar beet laborers and gradually transferred to growing sugar beets. The first farmers began about 1904. They first succeeded in growing the famous Idaho potatoes around 1911–12. By 1940, Japanese in the Idaho Falls area owned 1,396 acres of land and leased 3,462 more. Some 43 families numbering about 265 persons lived in the area at the time.

In 1912, the Japanese Association in the area moved to establish the right of Japanese aliens to own land, but the right was taken away less than 10 years later by Idaho's Alien Land Law. A 1922 move to take away their leasing rights, however, failed.

Pocatello has the oldest history of Japanese in Idaho, but farming in the area did not begin until about 1912. By 1919, many Japanese were settling around Fort Hall and toward Tyhee, mainly engaged in growing potatoes. They did very well, and by 1926, there were many nouveau riche who owed their fortunes to the lowly spud. They were producing 70 percent of all the potatoes in Bonneville County.

In the Rexburg area, the Japanese came as contract workers for the sugar refineries in 1904, and at one time during the season, as many as 300 Japanese resided in the area. About one-third stayed permanently and went into agriculture.

In southern Idaho, Japanese came as early as 1890 as railroad workers. They did not go into agriculture until 1904 when the area's pioneer, Masazo Jyo helped develop Twin Falls. In 1909, he moved to Castleford and helped develop that area. A sugar refinery was built in

Burley in 1910 which began to employ many Japanese. By 1940, about 150 Japanese lived in the area, cultivating about 2,000 acres of beans and potatoes, 700 of them their own. A faction in 1936 attempted to limit the size of Japanese farms to 80 acres, but the pioneer efforts of the Japanese in developing agriculture was well known, and the effort failed.

As the first headquarters of Japanese railroad workers in the western area of Idaho, Nampa was a swinging town in the 1890's. When the company moved to Pocatello, some workers stayed and opened restaurants and laundries while others turned to farming in nearby small towns.

With the establishment of the sugar refineries and the 1906 San Francisco earthquake, the town saw an influx of Japanese that year. Some 300 Japanese celebrated the emperor's birthday that year with a sumo tournament and other entertainment that had curious Americans come out to watch with picnic lunches.

Farming was begun around 1902, and World War I prosperity helped it grow. Onions, potatoes and celery were the main crops, and the Japanese were the first in the area to ship their produce to the east.

Mr. LLOYD. Mr. Speaker, I am honored to join my colleagues today in paying tribute to the contributions that Japanese Americans have made to this Nation. We who live in the Rocky Mountain area have been fortunate to have as our friends and neighbors many Japanese Americans who have contributed significantly to our localities as fine and responsible citizens.

It is also significant that Salt Lake City, Utah is the hometown of many of the top leaders of the Japanese American Citizens League.

As a Congressman who comes from a State that takes pride in the pioneer ancestors that settled and tamed a desert region to make it blossom ino a fertile haven for is inhabitants, I take special pride today in paying tribute to the pioneer generation of my friends of Japanese ancestry in the Rocky Mountain States who contributed so much to our intermountain States.

In 1900, there were only 395 Japanese in Wyoming. By 1910, the number had increased to 1,503—half of them railroad workers and half coal miners.

The earliest workers went into Rock Springs through a labor contractor named Gen Nishimoto.

In the northeast area in Sheridan, Kinya Okajima came in 1901 as a railroad labor supervisor. By 1910, Japanese laborers were working in seven mines stretching over 20 miles. They were able to join the miners' union in 1907 and earn from $2 to $4 for an 8-hour day, making from 25 to 63 cents a ton, which was good wages for those days.

Railroad workers in Wyoming came a few years after those in Montana, Idaho, and Utah. In 1903, Japanese labor contractors provided 250 workers for the Union Pacific Railroad in the Evanston area near the Utah border. In 1904, the labor contractors moved their headquarters to Cheyenne and sent workers as far out as North Platte, Nebr. They produced such good results that in 1905, Union Pacific sent Japanese to Colorado and eastern Nebraska.

Many Japanese immigrants were reemigrating from Hawaii and Mexico in those days, and at one time the labor contractors had as many as 3,000 workers on their rolls, but with reemigration from Hawaii prohibited in 1907 and railroad workers being attracted to farm and cannery work, the number gradually declined.

However, the excellent reputation established by Japanese on the railroad received recognition as after 1910, many were promoted to foremen.

As for farming, the number is small but the farms are mostly operated on a large scale in Worland and Powell to the north and Sheridan in the northeast. They started out as cattle ranches until in 1915, the Ujifusa Brothers in Worland began cultivating farm produce.

Shuichi Sam Ujifusa came to Worland in 1907 from Denver, intending to cattle ranch in the Big Horn Basin at a time when there were no roads there. He built up his herd to 570 heads. In 1915, he succeeded in growing beans and potatoes and in 1920 he went into sugar beets.

During the war when 10,000 Japanese from the west coast were interned at Heart Mountain near Cody, Ujifusa was called in as an agricultural consultant to help the center residents grow vegetables for their own use which were suited to the Wyoming soil. The vegetable farm begun by the camp internees is being carried on by the Ando Brothers.

The mining town of Kemmerer near Rock Springs has a large Japanese-operated laundry firm, whose large boiler provides the town with steam heat and a time whistle. In its heyday, Kemmerer had some 2,000 Japanese going in and out of town. In 1910, there was a Japanese-operated hotel, barber shop, pool hall, laundry, restaurants as well as a gambling hall and house of ill fame.

How they were recruited and brought over we have no way of knowing, but the earliest Japanese in Montana were prostitutes in Butte of whom there are records from 1884 to 1890. While we may not entirely approve of their mode of making a living, we have to give a nod to their sheer courage in coming to a strange land where very few of their ancestry and sex existed.

Japanese began coming in greater numbers in 1898 when a Japanese labor contracting firm, Toyo Trading Co., agreed to provide workers for the Great Northern Railroad Co. They also contracted with eight other railroads to provide workers and at one time were sending from 3,000 to 6,000 Japanese into Montana, Idaho, and North Dakota.

In Montana, the company had a branch office in Missoula and had from 1,000 to 2,000 Japanese working in the State. As sugar refineries became established all over the State, the Japanese were also welcomed as farmworkers, and some stayed on to work their own farms eventually. However, due to the severe cold, agriculture in Montana did not see the growth it did in other States.

In 1907, there were 1,920 Japanese in Montana, of whom 1,894 were men and 22 were women. The majority were railroad workers living in camps along the Great Northern and Northern Pacific Railroads, mainly in Missoula, Billings and Havre. The number decreased to 1,483 in 1915.

In 1915, Japenese were cultivating a total of 2,080 acres in Montana, all of it on a cash lease basis. The main product was sugar beets, with some pig farming and vegetables grown.

Japanese began growing sugar beets in 1906 when the Great Western Sugar Refinery was established in Billings. Several labor contractors went in together to provide some 200 workers for a 3,000-acre beet farm. About the same time, the Toyo Trading Co. sent a part of the workers it was supplying to railroads to Laurel. Both groups of workers established excellent work records and created a mood in the State to welcome Japanese workers. In 1907, another 50 to 60 workers came to Garbon County from Idaho.

It was in 1907 that Japanese who had confidence in their ability to grow sugar beets borrowed from banks and sugar refiners to begin farming for themselves. Joliet in Carbon County was the place. From about 1910, farmer Yataro Tankak grew beans as well as sugar beets with success, and other Japanese followed suit, growing about 70 percent sugar beets to 30 percent beans.

World War I brought sudden riches to many, but the depression following it plunged as many down. Some farmers changed to growing potatoes, melons, onion and cabbage with some success.

At about this time, Mokutaro Hori and others in Whitefish succeeded in growing celery and lettuce which until then were considered ungrowable in Montana.

In 1940, there were 21 Japanese families farming in the State, of whom 15 were tenant farmers. Altogether they cultivated about 3,360 acres, of which they owned 1,140 acres. Value of their annual yield was about $250,000.

The Missoula area at that time was a hotbed of yellow fever, and the 230 or so graves in the cemetery with Japanese names attest to the fact. The local medical association invited Dr. Hideyo Noguchi from the Rockefeller Research Institute in New York. Dr. Noguchi stayed 2 weeks and developed a vaccine to combat the fever. Kokichi Nakagawa, a pioneer farmer in the area, volunteered to be the first to test the vaccine. His courage convinced others to take the shots, too, and yellow fever deaths declined dramatically. Both Dr. Noguchi and Nakagawa are remembered gratefully by Missoula.

Great Falls, located east of the Rocky Mountains, was long notorious for its persecution of Orientals. At about 1890, three Chinese came to town and opened a laundry. Two were pushed to their deaths in the falls, and one managed to escape the mob.

Japanese came to the area about 1901 when the Toyo Trading Co. sent workers to the Great Northern Railroad. White workers who resented their coming sent a lynch mob of cowboys one night and took the workers to Wolf Creek where they tied them up from the trees, and when the color in their faces changed, pulled

them down and tortured them. Toyo Trading's president appealed to the governor at Helena, who had several of the cowboys arrested, but none were prosecuted.

A little before this time, a similar incident happened in the Cascade area. One Japanese brave named Hinotamano-Bunkichi—Fireball Bunkichi—rode into Cascade by himself to challenge the cowboys, but was chased back to Havre.

By about 1930, however, the situation changed, and newcomers were welcomed; however, in the early 1900's, violence was frequent. There is a record of a large-scale shootout between Japanese railroad hands and cowboys in the town in Chester in the best—or worst—Hollywood western tradition in 1903.

Utah's Japanese history begins about the same way with Wyoming and Montana—that is, there are records of Japanese prostitutes being chased out by more moral Japanese about 1890.

However, Japanese did not arrive in appreciable numbers until 1903, much later than the three west coast States. In 1903, the Nichibei Employment Co. in San Francisco sent a group of workers to Garland as sugar beet laborers, about the same time similar workers were sent in to eastern Idaho. Japanese also began working in the mines at that time.

The first railroad workers also appeared in the early 1900's, working on the Oregon Shore Line, and others soon followed, working for Union Pacific, Southern Pacific, and others. At its peak, there were some 400 to 2,000 working on the railroad until immigration from Hawaii was prohibited in 1909.

Japanese first contracted to work at the Castlegate Mines in 1903–04, and their good record encouraged others to be hired at Sunnyside Mines in 1905, Kennilworth Mines in 1906, Clear Creek Mines in 1908, Moreland in 1909 as well as Winter Quarters, Black Fork Mines in 1911, Pierce Mines in 1917—all coal mines.

They began working at the famous open copper mine at Bingham in 1909. Hayao Oka, who contracted for the workers recalled that when he opened a restaurant in Salt Lake City in 1907, there were only a few Japanese there—two houses of ill fame and a handful of laborers.

Japanese first began agriculture outside Ogden in the Wilson Scene and Birch Creek area in 1902, growing onions, potatoes, and tomatoes. They gradually expanded to Tremonton, Honeyville, Brigham, Layton, Clearfield, and Roy near Ogden and from Salt Lake City to West Jordan, Murray, and Riverton.

By 1910, Japanese farmers were cultivating 5,550 acres of sugar beets, 464 acres of vegetables, 50 acres of hay, 53 acres of wheat, 5 acres of fruits, 10 acres raising chickens plus 207½ acres in miscellaneous products. They owned a total of 779 acres in 1910.

In urban centers, Ogden developed earlier than Salt Lake City, and by 1910, each had its share of businesses catering to the needs of other Japanese.

The years between 1910 and 1920 may be described as the "settling down" years, when Japanese changed from simple laborers to farmers and businessmen and those remaining in the mines and railroads being promoted to gang bosses and foremen. However, a 1930 survey indicates that the largest number of Japanese males were employed by the mines, followed by the railroads, with farming third and those employed in private homes fourth.

A unique pioneer in farming was Yasujiro Kasuga, who arrived in Utah in 1901 and eventually went into farming, specializing in strawberries around 1920. In those days, the berries grown were mainly of the "Marshal" variety, which had a tendency to soften quickly. Middlemen would take advantage of this weak point to dump the crops at low prices. His fighting spirit aroused, Kasuga decided to devote his life to improving Utah strawberries. This was in the depressed year of 1927.

It took him 10 years of experimentation before he developed the superior "20th Century" strain. Although he had a large family to support during the depression years, Kasuga never stinted on a chance to improve his strawberries. When a new plant cost $1 each, he would buy 12 when his family was existing for a whole week on nothing but biscuits.

His perseverance, patience, and determination to grow the best resulted in such notable varieties as "Miss Utah" and "Kasuga." Kasuga provided seed plants to other farmers, not only in Utah alone but in the west coast States, particularly in California. They were also shipped all over the United States and even to Europe. Kasuga also gave discounts to Japanese farmers and encouraged them to set up strawberry cooperatives.

In the Ogden area, a farmer named Oka first demonstrated his ability to contract with the Utah Canning Co. to grow tomatoes. By 1920, 75 percent of the tomatoes canned by the company were grown by Japanese farmers.

A 1909 survey showed that in north Utah, mainly around Ogden, Garland, Logan, and Lewiston, Japanese farmers were cultivating around 6,000 acres.

A 1923 survey showed that in Weber, Davis, Box Elder, and Cache counties, Japanese owned 1,453 acres and lease-farmed 7,379 acres more. They grew more than 20 varieties of crops.

The first Japanese came to Nevada early in 1900 as railroad workers. In Reno, a few Japanese were already working as servants in private homes in 1905. In 1907, Japanese were beginning to be hired at the McGill Copper Mine in East Nevada near the Utah border. They did not begin to show up at Las Vegas until about 1914–15.

Three miles out of Reno in a town called Sparks, which became a center for railroad workers, the Nichibei Employment Co. in San Francisco first sent out several hundred Japanese laborers in 1904.

With the decline in immigration, the Japanese population in the Reno area was reduced to about 30 to 40 families by 1940.

In Eastern Nevada, Japanese were mainly concentrated in White Pine County in the McGill, Ely, and Ruth areas. The Nichibei Co. also provided some 200 workers for the Nevada Northern Railroad to build a new line 140 miles south from Cobre in 1905. By the time the work was completed, there were about 20 Japanese in Ely working as house servants, making high wages for that time of $7 to $10 a day. With the development of the copper mines, there were about 150 Japanese working there. By 1940, however, there were only 15 or so Japanese left.

In 1912, the Japanese first began working at Guggenheim's famous Nevada copper mines, which were opened in 1907. Some 250 workers were sent into McGill and Ruth.

The Japanese population in White Pine County in 1941 just prior to the war was about 40 in McGill, 35 at the Nevada Northern Railroad camp and 35 in the Ely area.

In southern Nevada, the Union Pacific Railroad brought in several hundred Japanese workers from Salt Lake City in 1904, but by 1910, the number had declined to about 40 to 50.

In 1913, a San Bernardino, Calif., farmer named Yonema Tomiyasu, discouraged by the passage of the California Alien Land Law, looked for new areas to conquer in Las Vegas. Finding a welcome, he purchased 40 acres in the desert where no one had even thought of farming. Winding up his affairs in San Bernardino, he returned to Las Vegas in 1915 and began years of painstaking, bitter labor.

In a desert domain like Las Vegas, no one thought there would be a water hole, but Tomiyasu, after years of trial and error, discovered one in the outskirts of town and bought 160 acres to go into farming. He raised vegetables before the war, switched to chicken and turkey farming during the war to supply meat for a nearby Army base and after the war began a nursery. The town named a Tomiyasu Lane in his honor.

On a more personal note, Mr. Speaker, may I conclude by saying that Utah has been blessed by the rich contributions made to our State by our people of Japanese ancestry. They have contributed order, industry, cleanliness, active citizenship, and self-control as individuals in such measure that they have put into our society more than they have taken out and we are the better because of their contributions to the welfare of all of us.

Mr. McKAY. Mr. Speaker, on a bright summer day a slender young man with straight black hair and dressed as a working farmer gazed across the sun-drenched land. By his side stood a wisp of a girl, straight-backed and vibrant. Her eyes eagerly followed his outstretched arm and she heard him say, with hope in his voice and a dream in his eyes, "This will be our home." It was the summer of 1912 in the State of Utah. This young couple belonged to the latest group of immigrants to come to America from far-off Japan.

He was one of several thousand immigrants from Japan who did not settle in the fertile, productive valleys on the west coast but sought the challenges of the more vigorous climate of the Rocky Mountains. Many of his associates went off to work in the coal mines of Price and

Helper, while others sought employment in the copper mines in Bingham Canyon. Some of his friends became railroad men maintaining the vast network of Union Pacific tracks that the Chinese and Irish immigrants had built in the previous century. Some of the more enterprising immigrants became small shopkeepers, rooming house operators, and diverse small businessmen in Salt Lake City and Ogden. A goodly number of the Japanese settlers turned to the land and wrested a meager living by growing crops on the reluctant alkaline soil of Utah and in the process they were instrumental in making the desert bloom.

They all came with high hopes of attaining success in a new land. Some had fled from political or religious oppression, others came strictly as adventurers, but most came to America to improve their economic lot. The women in the group never numbering more than a thousand or so in Utah, came later after the men where established. Many came as picture brides to strange and unknown men in a strange and alien land. Wherever and to whomever they came, these gentle women from the Far East brought warmth and stability and a semblance of family life. Though handicapped by language differences, and confronted with racial and ethnic antagonism, and hampered by the fact that being the latest of the immigrant groups to appear in America, they had to compete with earlier arrivals who had already established themselves, these sturdy, hard working Japanese immigrants contributed significantly to the early development of western America.

In the State of Utah the development of the mines, the establishment of the sugar factories and the tomato canneries, the marketing of vegetable crops and the maintenance of the railroads; all basic industries in the early growth of Utah, were aided and enhanced by the labor and the ingenuity of the first generation Japanese immigrants.

Perhaps more important than the material progress was the transmission of the cultural identity, the spirit and the essence of the East to enrich the great Western civilization. For to these hard-working Japanese men and gentle Japanese women were born sons and daughters in whose veins flowed the cultural heritage and traditions of old Japan, and yet as full fledged citizens of America, who were ready and anxious to participate in the great experiment to forge a new nation dedicated to the principle of individual freedom and dignity and equal opportunity for all. The Nisei—second generation—children learned early in life from their Issei parents the necessity of work, the meaning of honor and integrity, the value of education, the importance of excellence. Though oftentimes unaware of it, there existed in their selves an innate sensitivity to beauty and artistry and gentle spirituality that characterized much of their ancestors' civilization.

In the State of Utah, for nearly a half century, the Japanese immigrants from Japan and their American born family lived in peace and cordiality amongst their Mormon neighbors who also had experienced in their early history extreme persecution and hardship and almost insurmountable odds. So when disaster struck on December 7, 1941, and war was declared between their own country and the country of their forefathers, the Japanese Americans in Utah, with the exception of a few isolated incidents, were given very sympathetic treatment. Unlike the west coast where unreasoned hysteria and economic opportunism forced the government to mass evacuation and detention of all persons of Japanese descent, Japanese Americans in Utah and Idaho were allowed to maintain their family life and their business enterprises with no restriction except those imposed by wartime necessity on all people.

Most young Japanese Americans served in the armed services with valor and honor. The older parent groups, except for the few who were incarcerated as potentially dangerous enemy aliens, worked hard producing the food and fiber for the war effort or in the many service-oriented businesses in which they were engaged. Ogden and Salt Lake City became the mecca for voluntary evacuees from the west coast and for those who came out of the relocation centers, headed for the Midwest and East. National Japanese American organizations such as the Buddhist Church of America and most notably the Japanese American Citizens League established in Salt Lake City their headquarters for the duration of the war. Salt Lake City was the birthplace of the Pacific Citizen, the weekly publication of the JACL. The late Larry Tajiri, with poignant realism, documented and published the plights and the pleas of war tormented Japanese Americans, thereby pricking the conscience of America and also rallying the morale of his people. Here also was organized under the astute and compassionate leadership of Hito Okada, the National JACL Credit Union to alleviate the financial problems besetting the Japanese American population.

Throughout this trying wartime period, the Japanese Americans living in Utah and nearby Idaho as a district council of the JACL contributed immeasurably in terms of finances, manpower, leadership and plain good public relations work to further the cause of the Japanese Americans in America. Today, in 1972, the sons and daughters of the original Japanese immigrants in Utah are involved in every facet of community life. In most vocational and professional fields, in many types of organizations, civic, religious, business, political or service oriented, there are Japanese Americans participating usually with responsibility and often with distinction. As the grandchildren of the original Japanese immigrants, still in school and just now coming of age begin to fulfill their individual destinies, no doubt the contributions of the Japanese Americans in Utah to the total community life will become greater and greater and hopefully more and more significant.

This week, the members of the Japanese American Citizens League are meeting in a biennial convention in the Nation's Capital. Though representing a relatively small segment of the total American population, the JACL through the years has been instrumental in influencing many significant legislations, court decisions, and national policies, especially those pertaining to Japanese Americans and other minority groups. Significantly for Utah and for the original band of Japanese immigrants in Utah, a goodly number of the leaders of JACL both past, present and hopefully the future hail from Utah. In Mike Masaoka, one-time executive director of JACL, war correspondent for the famed 442 all Nisei regimental combat teams, and later Washington representative for JACL, the JACL has had a leader and spokesman of unparalleled skill and devotion. A man of vision, a man with courage for his convictions and a man with unequaled eloquence with which to implement his visionary convictions, Mike Masaoka exemplifies the spirit, the goal, and the success of JACL in the past third of a century.

Presently, Raymond Uno, a Salt Lake City attorney, community leader, and an untiring advocate of a strong and viable JACL, is serving as national president of this organization.

For the future, young David Ushio, a Sansei, whose grandfather tilled the virgin Utah soil, represents, as the new Washington Representative, the potential hope for an organized effort in the Japanese American cause.

Three men of differing age and era, yet devoted to the same common cause and all springing from the loins of the original Japanese immigrants to Utah, honor the memory of those intrepid pioneers, and strengthen the belief that the hopes and dreams and the aspirations of any man or group of men can someday be fulfilled.

Mr. EVANS of Colorado. Mr. Speaker, I welcome the opportunity to speak in praise of our native born and naturalized Japanese American citizens.

We are all aware of the sacrifices under arms in defense of our country these people have made and we are all aware of the sacrifices in rights, dignity and possessions many have made in the past, and I do not refer solely to the period of World War II.

Their industriousness, patience, forbearance, and yet determination in seeking redress of wrongs, does credit to us all as Americans. I speak with specific knowledge of some Japanese Americans residing in my Third Congressional District as well as Colorado in general.

While the history of the Japanese on the Pacific Coast is relatively well known, most Americans are unaware that the Japanese also made many and great contributions to the development of the intermountain region. Like the Chinese the Japanese helped build the transcontinental railroads that crossed the Rocky Mountains. And, they also worked the mines in this area, as they did the farmlands.

Today, there are almost 8,000 Americans of Japanese ancestry in the State of Colorado alone, compared to a few more than 2,000 in the pre-World War II era. The reason for this recent increase is largely attributable to the fact that many evacuees left the War Relocation Authority camp at Ameche and moved to Denver and other communities in my

State. Because they were welcomed in most places and because they found opportunities which callenged them, many stayed on long after the west coast exclusion ban was lifted.

The first Japanese in Colorado was an educated man. Tadaatsu Matsudaira, younger brother of Baron Matsudaira, head of the Uyeda Clan in Central Japan, completed his education in Virginia in 1872 and worked as an engineering specialist with the Union Pacific Railroad and with the State Department of Mines. In 1886, he became an assistant to State Inspector of Mines John McNeil. He married Virginia Sampson, daughter of the superintendent of the State men's reformatory. He died 2 years later at 33 years of age. His son, Kinnosuke Matsudaira, later became mayor of Edmondston, Md. The Oriental Cultural Society of Denver built a monument to the elder Matsudaira in 1952.

Several Japanese were noted in Denver as early as 1893, which was often a stopping off place for those who were bound for the east coast to earn their further fare by staying and working for a year or so.

The number increased gradually by 1897–98. Most of the Japanese were working as house servants. A bamboo ware store was opened in 1897 and a restaurant in 1898. In 1900, the number of Japanese in Denver was 48. By 1910, the number jumped up to 2,300, due to the influx of railroad and farmworkers. The number increased slightly to 2,464 in 1920 and to 3,213 in 1930 and dipping to 2,724 in 1940.

A remarkable pioneer for any State was Naoichi Tozono, who came to Denver in 1819 and started a bamboo ware store as well as a restaurant. He had his eye on the vast possibilities of agriculture and went on a tour of North Colorado. He reported his glowing findings in a San Francisco vernacular, which stimulated three Japanese to lease 200 acres in Rockyford to try their hand at sugar beets and cantaloupes.

Although the effort ended in failure, it did not discourage Tozono from contracting for farm laborers in the Greely area. He also began contract farming sugarbeets on 1,200 acres which soon grew to 2,000 acres. His Tozono Construction Co. continued to grow, and he provided a large number of laborers for the Moffett Railroad as well as the Majestic Mining Co.

At that time, a 360-mile U.S. highway was being built atop the Rocky Mountain National Park. The section between 10,759-foot Sylnar Pass at the Continental Divide to Grand Lake was contracted by Tozono, who used two teams of Japanese workers to complete the difficult job. One point on the highest area in the United States thus has a memorial pyramid to mark the blood and sweat contributed by Japanese labor. During this difficult construction work, 30 or more workers lost their lives in handling dynamite.

Tozono also contracted to build the water works for the town of Trinidad and his contruction teams worked on the construction of the Roosevelt Dam in Wyoming.

In addition, he connected the powerplant at Boulder with Denver by constructing 80 miles of high tension wire towers to provide 350,000 Denver residents with light and power.

At one time at the Union Station in Denver, there was a special warehouse for the Tozono Construction Co. where sometimes as many as 400 horses were tied up. When Tozono would return to town in his special railroad car at the head of 500 or so workers, the town looked as though a festival was in progress.

The period between 1900 and 1905 saw the largest increase in the Japanese population. A 1909 survey showed that 3,555 Japanese resided in Colorado, 55 of them women and children.

By occupation, they were distributed as follows:

Railroads, 400; coal mines, 300; factories, 150; private homes, 500; general labor market, 1,500; independent businesses, 150; farms, 500.

Agricultural acreage cultivated by the Japanese increased by leaps and bounds in the 3 years between 1907 and 1909—from 1,909 acres in 1907 to 18,500 acres in 1909.

In 1909, the crops were divided as follows:

Sugar beets, 8,726 acres; vegetables, 4,181 acres; cantaloupe, 597 acres; grains, 2,247 acres; hay and feed, 2,612 acres; corn, 100 acres; miscellaneous, 65 acres.

Japanese owned 510 acres, which was unusual for that time, leased-farmed 10,000 acres, and sharecropped 8,000 acres.

Discrimination against the Japanese began to pick up some momentum around 1907, and the Oriental Expulsion Society was formed in 1908. With no intention to take it lying down, the Colorado Japanese Association, with the help of fair-minded white friends as Dr. Albert L. Bennett, conferred with newspapers and labor unions which expressed unfriendly opinions, talked to the police and asked protection, hired five special detectives to make a watchful round of Japanese areas and in addition, circulated the following list of suggestions for the Japanese themselves:

* Don't frequent houses of ill fame, gambling houses and other unsavory places; * When walking in public, keep a good posture and don't talk or laugh in loud tones; * Don't go in a large group anywhere without a definite purpose and don't loiter around dangerous areas or in crowds; * Don't stagger around drunk in public; * Hotels and restaurants should close by 11 p.m. Do not allow loud singing or playing of samisen, bothering the neighborhood and preventing sleep; * Don't show a rebellious attitude toward whites without cause; * Don't attract the white's attention by wearing dirty clothes or carrying dirty things; * Do not look for jobs where you may replace a white; * Do not carry pistols or knives; * Always carry a whistle and be prepared at all times.

Although the heyday of the Japanese in Colorado was from 1900 to 1910, they were still making their mark in agriculture. A 1933 survey showed that one-third of all of Colorado's vegetables were produced by Japanese farmers; seven-tenths of the cantaloupes and one-fourth of the sugar beets. It was also notable that Colorado Japanese farmers mostly owned the land they worked.

Outside of Denver, Japanese appeared in the Brighton, Ft. Lupton area in 1903 with sugar beet workers supplied by Tozono. Many more arrived in 1905 and began cultivating tomatoes, cauliflower, peas, and cucumber. By 1909, celery was introduced.

Tozono also supplied workers to the Greeley area in 1903. The Japanese worker, quick and clever with his hands, soon found a welcome. By 1909, they were beginning to try their own hand in farming potatoes and sugarbeets.

In the Eaton-Ault area, there were at first more Japanese workers than the Greeley area. In 1906, the area was known as the Yamato Colony.

West of the Rocky Mountains, most Japanese gathered in the Delta-Grand Junction area. The first settlers were farm workers in the apple and peach orchards in the Montrose area. At one time there were as many as 250 Japanese workers in the area.

In addition to farming, some Japanese contracted to dig irrigation ditches atop Grand Mesa and in the Uncompahgre Valley. Later they began farming sugar beets and potatoes in the Montrose area and stayed until 1920.

They were mainly small farmers in the Delta area, most numerous and prosperous from 1912 to 1913 when 70 to 80 families developed the Uncompahgre Valley.

In Grand Junction, many of the original railroad workers transferred to farming about 1909. The years 1922 and 1923 were the best years, with 50 to 60 families farming in the area.

In south Colorado, 35 laborers first came to work on the sugarbeet farms around Rockyford in 1903. Several stayed on and went into farming for themselves, producing cantaloupes as well as sugar beets. The area became notable for its Japanese-produced cantaloupes in later years.

Farmworkers arrived in Crowley, Ordway, Olney Springs area in 1906 and were sharecropping sugar beets and cantaloupes by 1909. Later they grew hay and feed crops, wheat, and apples as well.

Japanese arrived first as farmworkers in Swink in 1905 from Hawley. In 1907, a sugar refinery was built there, and 80 Japanese workers were hired. They made $65 a month, working a 10-hour day at $1.75 a day. Thinning sugar beets started at $6.50 an acre; topping, $7.

Japanese came to La Junta as railroad workers in 1900. About 20 workers were employed at the roundhouse there in 1906. With the establishment of a sugar refinery, Japanese went into farming sugarbeets, later adding cantaloupes and Spanish onions, the latter started around 1927.

They were also found in Las Animas, Lamar, Wiley, Granada, Hawley, and as steelworkers in Pueblo. Ft. Morgan, Merino, Atwood, Julesburg, and Sedgwick were other areas where Japanese were farming.

In the San Luis Valley, Japanese were workers on the Rio Grande Railroad in 1910. In 1925, a colony of Japanese arrived from Stockton, Calif., and began farming vegetables such as lettuce, cauliflower, carrots, and spinach as well as the more traditional sugar beets and potatoes. In 1960, the Mizokami Brothers

alone in Blanca were shipping 400,000 bushels of spinach annually.

Mr. YATES. Mr. Speaker, as my colleagues who have preceded me in outlining the history of the Japanese in this country have indicated, most of the early immigrants located themselves on the west coast and in the intermountain States. Those involved in developing trade relations between Japan and the United States understandably located themselves not only on the Pacific Coast but also in New York and New England, as well as Philadelphia.

Not many chose to live in the midwest.

After the 1942 wartime military evacuation of Japanese Americans from the west coast States and after the War Relocation Authority developed a procedure under which many of these evacuees could leave the centers on work leave, however, thousands of Americans of Japanese origin relocated to the many cities in this area.

Chicago was a amost attractive haven to these evacuees who, with the help of resettlement committees, were able to find jobs and housing in the metropolitan regions. Prior to the outbreak of World War II, there were less than a hundred Japanese in Chicago. By the time the war ended, there were more than 30,000 evacuees in Chicago alone, which was more by far than any other city in the nation.

Other midwest cities which welcomed the evacuees included Cleveland, Detroit, St. Louis, Minneapolis–St. Paul, Milwaukee, and Cincinnati.

While most of the evacuees left the midwest and returned to their former homes and associations on the Pacific Coast after the war, many remained in the communities which had befriended them in the time of their tragedy. So Chicago, for instance, still is the home for more than 15,000 Japanese Americans and thereby qualifies in the top five American cities in the size of its Japanese population.

In many other cities too where they relocated evacuees have remained to add their contributions to the progress of these communities. So, in the past quarter of a century, the midwest has come to know and respect those of Japanese ancestry as fellow citizens of the United States.

And, with the increased trade with Japan, and with the opening of the St. Lawrence Seaway, Chicago has become the hub of Japanese business for the mid-continent region. With the exception of perhaps four ports, Chicago now does more business with Japan than any others in the entire country.

But, back to the early history of the Japanese pioneers to the midwestern States.

Most Japanese who lived on the west coast States after immigrating to the United States never knew the length and breadth of the land they adopted until they were transported willy-nilly to the inland states during World War II. However, some adventurous Japanese had left some footprints in the midwest before the turn of the century.

When the World's Fair was held in Chicago in 1892, there were oriental goods stores operated by Japanese in St. Paul. It is also speculated that a few came to Minnesota as chefs for railroad executives. The longest-lasting of these art goods store was the one operated by Tometaro Kitagawa, who was a 1911 civil engineering graduate of the University of Wisconsin. He opened his art goods store in Minneapolis in 1917 and continued until 1939.

Dr. Kano Ikeda, a longtime resident of St. Paul, came to the United States in 1904. He earned his M.D. at the University of Michigan and taught at Macallester College and the University of Minnesota. Most of his medical research, however, was done at Miller Hospital in St. Paul. He was a noted pathologist who published more than 40 papers in his lifetime. He died in 1960 at 74 years of age.

Another oldtime resident of Minneapolis was Yoshinosuke Yamasaki who wanted to be a musician and headed toward New York after the San Francisco earthquake. He volunteered for the Navy and was a steward on the U.S.S. *Maine*. He came to Minneapolis in 1914 and in 1919 opened a tea store.

Jiro Akamatsu, operator of the only Japanese art goods store in St. Paul, came to the city in 1935 and took over the store that had been operated by Chugo Yasui for more than 25 years. While Kitagawa's shop in Minneapolis was boycotted and forced to close in 1939, Akamatsu's store was open throughout the war.

The only farming activity by a Japanese in the area was done by Yukihiko Butsuen from Model, Iowa, who used to plant and harvest 2,300 acres of onions from about 1920 to 1930.

When the Nicolet Hotel was built in 1904 in Minneapolis, 12 Japanese workers were brought from Portland, Ore., several years later to work there, but the severe winters made them go back.

During World War II, Minnesota was the home of Camp Savage and Fort Snelling where from 1942 to 1946, about 6,000 Japanese, Korean and Chinese soldiers in the U.S. Army studied the oriental languages there before serving in the Pacific as interpreters and translators.

During the war, Minneapolis received many evacuees who relocated there from the concentration camps. Some 44 percent found work in private homes.

As has been mentioned in the history of the Japanese in Central California, the International Chick Sexing Association which began in Fresno, Calif., was moved to Mankato, Minn., during the war and the continues to supply chick sexors to South and North Dakota, Wisconsin, Illinois and Iowa as well as Minnesota.

In 1900, there was exactly one Japanese recorded as living in South Dakota in contrast to 148 the same year in North Dakota. The Japanese population consisted primarily of railroad workers who came from Washington through Montana and thence to North Dakota.

The cold and harsh climate was not suitable for farming, which was the main reason so few Japanese settled in the two States. A 1914 survey showed that in North Dakota, there were three Japanese engaged in farming, one operating a hotel and one a restaurant. There were 10 in household work, 51 working on the railroad and 15 others in miscellaneous work, including farm labor and cannery work.

In South Dakota in 1914, there were nine Japanese in household work, 35 working for the railroads, six on farms and a few more in miscellaneous fields.

Some Japanese also came to the Dakotas as miners.

During World War II, several hundred Japanese internees were quartered at Bismarck, N. Dak.

Although one of the richest agricultural areas in the country, Iowa had few Japanese residents. There were seven Japanese recorded as living in the State in 1900, and the number had only increased to 29 by 1940.

About the only notable exception was the aforementioned Butsuen, who leased about 4,200 acres from the Wisconsin governor and grew potatoes and corn from 1920 to about 1931. Other Japanese in the State were mainly chick sexors.

During World War II, the city of Des Moines was one of the most hospitable to evacuees who were resettling out of the concentration camps. By 1944, 45, there were as many as 60 to 70 Japanese families residing there, but the number has dwindled in recent years.

Not many Japanese have left their marks in Kansas, either, although in the early 1900s, there were some farmers in the Garden City area near the Colorado border.

Kansas City has long been noted as a center for bridge-building technology. The presence there of Dr. Wardell, who had taught at the Imperial University in Tokyo as the first foreign professor there stimulated many Japanese engineers to come to Kansas City to continue their studies there from about 1897 to 1910.

A Japanese art goods store was established in 1900, and a large group of Japanese were imported as strike breakers at the Armour Cannery during the 1904 strike. Several more Japanese—about 80 to be exact—were brought in in 1907 to the Armour plant, but the cold winters and hot summers did not encourage them to stay.

By 1910, there were three art goods stores, three restaurants, a boarding house and a tea house in Kansas City. An unusual success story was that of 27-year-old Kiichi Harada, who became manager of the transportation department for the Kemper Grain Co. Also unusual was Dr. Kenkichi Furiuchi, who opened his dental office in 1925 and contributed greatly to Japanese and American societies until his death in 1960.

Farming in the Garden City area began about 1907 when some railroad labor contractors leased land from the United Sugar Refinery and a landowning company to begin growing sugar beets. Some 60 Japanese were engaged in farming, but they almost starved because the inexperience and bad weather conditions, particularly in the windy Lake area. Aided by the famous Tozono

of Denver, they managed to hang on, and harvested a good crop in 1909. By 1910, they were working 1,800 acres in the area.

Japanese began to arrive in Missouri about 1904, stimulated by the World's Fair in St. Louis when for the first time the Japanese Government allotted a budget of $30,000 to participate, built a Japanese pavilion and sent some 400 to introduce Japanese arts, crafts and other skills. Some 40 to 50 of them stayed on after the fair and opened game parlors, bamboo ware stores and Japanese art goods shops in the Forest Park Highland area, but the majority who stayed went into household employment. Takuma Kajihara, who had a reputation as one of the seven best photographers in the United States, came from Seattle to open his studio in 1904.

During the war, there were as many as 400 Japanese families who settled temporarily in Missouri, but the number dwindled to about 180 families in 1960.

In recent years, a branch of Ikebana International has been established in St. Louis by Mmes. Toki Ema and Sachiko Eto. Paul Mauryama, who opened an art goods store in 1954, also conducted naturalization classes for Issei and war brides and had an abacus course added to the elementary school curriculum.

During the war, several Japanese families relocated in a group to two plantations in the southeast area of the state where they were treated well. They grew cantaloupes successfully, but did not do so well with the onions and celery.

Japanese in Oklahoma are located mainly in Oklahoma City, Tulsa and Bartlesville. Most of them arrived from 1930 to 1941. There were 57 Japanese residing in the state in 1940—nine families engaged in vegetable farming, about 10 persons in household work, three operating businesses, two working in factories and one a professional.

Arkansas is a State which had one of the fewest number of Japanese living there before World War II. During the war, it was the locale for two concentration camps, Jerome and Rohwer.

Early settlers in Illinois of Japanese ancestry were mainly stimulated by the 1893 Chicago World's Fair and the 1904 St. Louis World's Fair to come to the area. They stayed on to open art goods stores, restaurants and similar enterprises. One, Kinji Shigeta, became a noted photographer and was one of only five photographers from throughout the world who were selected honorary members of the U.S. Photographers Association.

In 1940, there were 390 Japanese living in Chicago. Among their enterprises, there were 12 gift shops and 21 restaurants.

With World War II, Chicago became a hospitable center for west coast evacuees who were looking for a place to settle, since it had the most jobs to offer.

In 1944, the population took a jump to 2,300, which by 1945 increased still further to 23,000. The 1960 figures are 29,000.

By 1948, there were 300 Japanese-operated businesses, headed by hotels and apartments. They represented an investment of $2,600,000.

The 600 to 1500 blocks on North Clark Street came to be known as the Japanese area in Chicago. Japanese out of concentration camps provided needed wartime labor for many small and medium sized manufacturing enterprises.

Among the larger wartime employers were the Stevens; Edgewater Beach and Sherman Hotels; International Harvester Corp.; Curtiss Candy Co.; the stockyards; Marshall Fields; Sears, Roebuck and Montgomery Wards; all of whom had from 100 to 300 Japanese workers.

An outstanding success story was that of Harry Torao Hidaka, who came out of Granada Relocation Center to Chicago in 1945 with five children and $400 in his pocket. He opened a modest cleaning store, and with the help of a bank president who had his eye on Hidaka's increasing business, his Sun Cleaners grew to 25 branches in 1960.

A tea boom in 1910 brought several Japanese to Cleveland, Ohio, but the area did not have too many Japanese residents until World War II when it accepted many relocatees.

At its peak, there were about 3,000 Japanese, but the number declined to about 1,000 by 1948. An amazing statistic for these wartime resettlers is the fact that 80 percent or more own their own homes now. An outstanding success story of one of them is Tom Sashihara, formerly of Los Angeles, who now operates his own Great Lakes Pharmaceutical Company in Cleveland.

An unusual early Japanese settler in Cincinnati was Etsuko Sugimoto, who came in 1899 when she was 26 years old to marry an antique shop owner to whom her family had betrothed her earlier. She was married at the home of Olympid J. Wilson, brother of President Woodrow Wilson, and later wrote a best seller, "Daughter of a Samurai," which was published by the Wilson-Hinke Publishing Co. It was translated into seven languages. After her husband died in 1909, Mrs. Sugimoto lectured in Japanese cultural history at Columbia University.

Another early settler of note was Tani Shiroyama, who worked at the Lookwood Pottery Co., producers of quality ceramic ware. He worked there for 50 years and died in 1950 at age 90.

Other notable Japanese in Cincinnati include Shiro Tashiro, who became assistant professor of physiology at the University of Cincinnati in 1918; Ruby Hirose, who earned her doctorate there in 1930, one of the earliest Japanese women to do so. She later worked for a chemical company, and when another Japanese stole a prized formula from the firm, Miss Hirose felt the "haji" so keenly that she worked 1 year without pay; and Associate Professor Takeo Tamura, who earned his doctorate in 1935 in bacteriology, and in spite of his alien status, was asked to do secret research for the army.

The war years increased the number of Japanese in Cincinnati to about 300 to 400 in 1947. By 1960, however, there were only about 70 families left, of whom 90 percent owned their own homes. Most of them are employed in professional capacities.

In the Dayton area, there are about 25 families, mainly professional people with the veterans' hospital or the Air Force. A notable Nisei success is Mas Yamazaki, sales manager for the Borden Milk Co.

In Columbus, Bill Ishida runs a successful vegetable packing firm, and Kazuo Kawai is on the faculty at the University of Ohio.

In Vermillion, Bob Okagi operated the Okagi Restaurant since 1909. He attained the position of 32d degree mason in the masonic lodge and even ran for mayor at one time. He retired before the war and returned to Japan after the war.

The earliest Japanese in Detroit was probably Dr. Jokichi Takamine, who gave his digestive medicine discovery to the Parke-Davis Pharmaceutical Co. and was associated with the firm's founding. He was followed at the company by Tatsuzo Ohno, who died in 1942.

A locomotive builder named Hatashita, who came to the United States for the St. Louis Exposition in 1904, went to work for the American Car Foundry Co. He returned to Japan in 1921.

A pioneer who stayed was Tadae Shimoura, who arrived in 1912 with vast dreams of becoming an automotive engineer. He was recommended to Henry Ford, for whose company Shimoura worked 21 years. Mainly interested in research, he was even sent to the Amazon to do research on rubber and was one of two scientists kept by Ford during the depression. He later left the automobile industry and went into business for himself, providing chop suey material to restaurants in the area.

In 1940, there were from 75 to 100 Japanese in Detroit, but the number increased to about 4,000 between 1943 and 1946. The number has declined to about 1,200 currently.

Notable Japanese in the Detroit area include Roy Sugimoto, who earned his doctorate from Purdue University and heads the research department at a Standard Oil Co. subsidiary; outstanding architect Min Yamasaki; auto company executive Frank Watanabe and engineer Min Togasaki, engineer with Wayne County Bridge Department.

Only a few Japanese lived in Milwaukee before the war, mainly as household help. A notable pioneer is Dr. Rin Murakami, who came to the United States in 1908 and to Minneapolis in 1910 to study mechanical drafting. In 1916, he became a chiropractor. In 1923, he was graduated from the Missouri Medical School and worked for many years as a physiotherapy specialist at Milwaukee Hospital.

An old pioneer family in the Madison, Wis., area is the Henry Toki family. Toki began farming vegetables in the Madison suburbs in 1921.

The University of Wisconsin was one of the most hospitable of State universities to Japanese students during World War II. Several Japanese are on the faculty now, notably Dr. Otto Uyehara in mechanical engineering.

Mr. Speaker, this is not a complete list. The Japanese Americans have the admiration and respect of the communities in which they live as constructive, hard-working and friendly citizens.

22D BIENNIAL NATIONAL CONVENTION OF JAPANESE AMERICAN CITIZENS LEAGUE IN WASHINGTON

Mr. COUGHLIN. Mr. Speaker, I am pleased to note the historical contributions to the Philadelphia area by people of Japanese ancestry on this occasion of the 22d Biennial National Convention of the Japanese American Citizens League in Washington.

From peacetime contributions to wartime exploits of the 442d Regimental Combat Team, Americans of Japanese descent through the years have demonstrated their commitment to the United States. The Japanese American Citizens League, with some 26,000 members in 32 States, has been in the forefront in portraying this commitment and upholding the rights of Japanese Americans as citizens.

This is a glimpse of the history of Japanese Americans in the Philadelphia area.

What brought the Japanese to Philadelphia, when did they come, and what have been their contributions? We have not determined when someone of Japanese ancestry first settled in Philadelphia, nor do we know who he was. The major factors that brought Japanese to Philadelphia seem associated with the city's Quaker heritage; its historical significance as the birthplace of American independence; its importance as an educational, research, and cultural center; its influential position in commerce and industry. Some of the individual contributions will be noted below. A more general, perhaps more important, contribution of all the people of Japanese descent who have stayed even briefly in Philadelphia would be found, we believe, in the roles they played in introducing the culture and history of Japan to the area, and in helping to create American receptivity and understanding of Japan and the Japanese. On the other hand, of the Japanese who came to Philadelphia to observe and study, some returned to Japan to make their contributions and helped to develop that country's appreciation of the United States and the West.

The first Japanese to see, or be seen in, Philadelphia may have been the castaway, Joseph Heco—Hikozo Hamada—who arrived in San Francisco in 1851 and became probably the first American citizen of Japanese ancestry when he was naturalized in Baltimore in 1858. We know that he traveled between New York and Washington and that he lived and studied for several years in Baltimore. Further, his autobiography "The Narrative of a Japanese," edited by James Murdoch, states that in June 1858, prior to his departure for Japan, he visited a friend in Reading and "set out for Perrymensville via Philadelphia."

The earliest significant Japanese contact came in 1860, when the First Japanese Embassy to the United States visited the city. No American city displayed greater mass curiosity to see this group. In 1872, Philadelphia welcomed members of the Iwakura mission, that stayed in the city from March 15 to April 8 to visit industries, business houses, schools, as well as officials and community leaders.

The diplomatic mission of 1860 and the trade mission of 1872 caught the attention of Philadelphia and undoubtedly assisted in nurturing the interest of the city in Japan and things Japanese.

However, the greatest, long-lasting impact came in 1876 at the Centennial International Exhibition, celebrating the 100th anniversary of American independence. The Japanese exhibit, which included not only art objects and trade items, but also a Japanese dwelling and a Japanese bazaar and garden, was the first noteworthy presentation of its kind in America, and it played a major role in introducing Japanese art, architecture, interior decoration, and landscape design to the United States.

In the years since the centennial, Japanese craftsmen, some local, some specifically imported from Japan, have helped to erect and maintain Japanese gardens and structures, both privately owned and in public parks and museums of the Philadelphia area. The garden associated with the Japanese bazaar at the centennial was probably the first Japanese garden in America. The landscaping in or near the site of the garden has remained Japanese almost continuously since 1876. At the location, in 1905, Japanese workmen reassembled the Japanese Buddhist temple gateway that had been at the St. Louis Fair. The gateway was destroyed by fire in 1955, but by 1958, the Japanese Exhibition House, originally shown at the Museum of Modern Art in New York, was established in the region where the gate had stood. Master craftsmen from Japan supervised the reconstruction of the house and the making of the adjoining Japanese garden.

In a related vein, it is interesting to note that Japan and Philadelphia residents of Japanese ancestry have donated, since 1926, more than 2,000 flowering cherry trees to the East River Drive section of Fairmount Park and to other public areas.

Of those who studied in the Philadelphia region prior to 1900 and who returned to hold important posts in Japan, we shall briefly mention three. Umeko Tsuda—1864–1929—was the youngest of the five girls who left Japan in 1871 with the Iwakura mission. Brought to the United States for her education, she went through the entire American school system and graduated from Bryn Mawr College. She made many goodwill trips to the United States, founded the Tsuda Girls' English School—1900—the precursor of Tsuda College, and was instrumental in promoting women's education in Japan.

Shiro Shiba—1858–1922—who studied at the University of Pennsylvania in the 1880's, became a prominent political figure in Japan. He served as agriculture and commerce vice minister and foreign office counselor; started the Osaka Mainichi—newspaper—wrote a political novel, which included scenes from Philadelphia. It is said that during his Philadelphia stay, Shiba threw an ink bottle at a newspaper editor who refused to retract a "racist" editorial that he had printed; further, when a newsboy teased him with a racial epithet, Shiba used his cane to whack the boy.

Dr. Inazo Nitobe—1862–1933—studied at Johns Hopkins University, but he is linked with Philadelphia, for he married Mary P. Elkinton, a member of a distinguished Philadelphia Quaker family from colonial days, at the Arch Street Friends' Meeting, in 1891. This marriage further stimulated the already existing interest of Quakers in Japan and the Japanese. Dr. Nitobe is remembered as an educator, an English scholar, an agricultural scientist, a strong advocate of international peace. He taught at various schools and universities in Japan and served at the League of Nations. His Bushido was translated into many languages.

One who came to study in Philadelphia and then stayed in the United States to make his major contributions was Dr. Hideyo Noguchi—1876–1928. He came to the University of Pennsylvania in 1900 and worked with Dr. S. Weir Mitchell and Dr. Simon Flexner on snake venoms. In 1904, he joined the staff of the Rockefeller Institute, New York, with which he was associated until his death. Many of his later conclusions, including those relating to the causative agent of yellow fever, have since been proved wrong, but in his lifetime, he was regarded as one of the world's greatest bacteriologists and he was nominated for a Nobel Prize. His outstanding achievements include the discovery of syphilis spirochetes in the central nervous system of patients dying of paresis and tabes dorsalis and the development of an artificial culture method for certain mircoorganisms.

Philadelphia was the exile home of Tatsui Baba—1850–1888—who studied in England from 1870–1878, returned to Japan, and was a well-known political activist of the Meiji era. In Philadelphia, he was one of 19 people who met on April 30, 1888 to found the Oriental Club of Philadelphia, a learned organization devoted to oriental studies. At the club's 80th anniversary celebration in 1968, it was noted that there has recently been a revival of scholarly interest in Baba and his contributions. Baba died in November 1888 and he is buried in Philadelphia.

After 1900, Philadelphia continued to attract students of Japanese ancestry. Like their predecessors, many of these later arrivals returned to Japan, where they, too, had distinguished careers. We shall mention three Issei who stayed to practice their professions here. Yosuke W. Nakano—1887–1961—was born in Yamaguchi Prefecture and came as a student to the United States in 1906. He graduated from the University of California in 1915 and received a master of architecture degree from the University of Pennsylvania in 1916. He was named chief engineer of Wark and Company in 1918, and he remained with that firm until his death. An authority on concrete and concrete and steel structures, Na-

kano had a part in the construction of such Philadelphia buildings as the Architects Building, Sun Oil office building, Jefferson Hospital, and Lankenau Hospital. The discriminatory law barring Orientals from citizenship prevented his company from making Nakano an officer in the firm, for it would then have lost many contracts. There were many demands, especially after Pearl Harbor, that Nakano be removed from jobs his firm had undertaken or had bid on. Fortunately, Wark & Co. had an outstanding reputation and it was a period of extensive construction, so the Wark executives backed Nakano and countered that the company would withdraw if Nakano's services could not be used. In December 1953, Nakano was honored by the Philadelphia Chamber of Commerce and 50 construction leaders for his outstanding contributions to his adopted city. He was praised as one of the outstanding construction engineers of the United States and one of the leading Japanese-born Americans. In 1953, Nakano and his wife were among the first Issei in the area to become U.S. citizens, after the McCarren-Walter Immigration Act of 1952 made such naturalization possible. Well-respected and well-liked, Nakano was active in community and civic affairs and a leader in Japanese and Japanese American associations.

Mitsuo Saburo Rirata was born in Mio Prefecture in 1886. He arrived in Seattle in 1908, where he graduated from high school in 1913. He came to Philadelphia in 1917 to attend the University of Pennsylvania Medical School, but for financial reasons, he changed to Temple University, where he earned his M.D., in 1924. With the help of prominent medical leaders, he was able to obtain appropriate appointments and professional employment, even though his Japanese birth prevented his becoming a naturalized citizen until late in his career. He continued medical practice through World War II and retired in 1964.

Tadafumi Mikuriya was born in Kumamoto Prefecture in 1899 and graduated from Kumamoto Engineering College before arriving in the United States in 1923. He enrolled at the University of Pennsylvania Engineering School and received his B.S. in 1926, M.S. in 1927, and his civil engineering degree in 1935. He worked for Baldwin Locomotive Works, American Bridge Co., and Keystone Structural Steel Co., before starting his own firm, Tada Engineering Co., in 1948. His firm, located in Trenton, specializes in structural engineering.

Prior to World War II, Philadelphia had at least one other Issei physician: Dr. Y. Yoshida—in practice, ca. 1929–66—and two Issei dentists: Dr. Jyuji Kitajima—in practice, ca. 1924–64—and Dr. Tomoji Abe—in practice, ca. 1922–38. Itaro Okada was a well-known photographer in Ardmore until his recent retirement.

The records of the earliest Issei merchants and businessmen in Philadelphia seem to be lost, but it is probable that Shingo Shimamura and Tamekichi Takagi had stores selling Japanese goods by 1890 and 1897, respectively. One of the early, better-known shopowners was Morizo Seno, who arrived in New York in 1897, went to Atlantic City with the Shimamura firm. In 1902, while he was in Atlantic City, he became one of the few Issei able to obtain American citizenship before passage of the McCarran-Walter Act. He moved to Philadelphia in 1912 and until his retirement in 1963, he operated various stores both in Philadelphia and Wildwood, N.J. Other early shopowners were Yosaburo Okamoto, in business from about 1912, both in Willow Grove and Philadelphia; a Mr. Totani, in west Philadelphia, from 1914 to 1938; and Hisaki Higuchi, in west Philadelphia and Wildwood from 1920 until his retirement in 1966.

Since World War II, there has been a marked increase in the number of people of Japanese ancestry residing in the Philadelphia area. The war relocation program brought to Philadelphia a number of Issei and Nisei who had lived on the west coast prior to the war. In 1944, for example, Mr. and Mrs. Saburo Inouye came to Philadelphia to operate a hostel for people arriving from the War Relocation Center. Philadelphia Quakers played major roles in the relocation program and in establishing and sponsoring the hostel, which cared for more than 1,000 people during the relocation years. Later, the Inouyes continued their hostel for international students. Mr. Inouye, who came to the United States in 1907 and had a furniture store in Sacramento, Calif., before the war., died last year at the age of 80. Mrs. Inouye has been honored both by local groups and the Japanese Government for promoting interracial understanding and United States-Japan friendship.

In the postwar years, students and specialists have again begun to arrive in Philadelphia from Japan. Some of these people are, indeed, the younger Issei of this area. Today in Philadelphia, Issei and Nisei are to be found in almost every type of job and profession. Now there are many more medical doctors and engineers. Mathematicians, natural and physical scientists are associated with universities, industrial firms, private and public medical and research institutions. Some of these people have permanent, professional appointments; others hold responsible administrative positions in large industrial companies. We also find Issei and Nisei in the social sciences, the humanities, and Oriental studies. There are shopowners, printers, nurserymen, landscape gardeners, and farmers, as well as accountants, musicians, dentists, dental technicians, teachers, curatorial assistants, architects, cabinetmakers, and social workers. One leading farmer has branched into business and banking.

It is difficult to select and name the outstanding Japanese Americans of the present and recent past in Philadelphia, since there are so many in such a variety of fields. However, to indicate their range, we shall cite a few. The first is S. John Nitta, who founded the American Chick Sexing School, located in Lansdale, Pa. It is the oldest commercial chick sexing school in America and the only one to be successfully operated every year since its start in 1937.

Next, to exemplify the several Nisei who have held important administrative posts in religious organizations, we shall mention Henry N. Tani—1914–1965—who, unlike other Nisei in similar situations, held no degrees in theology, though he was a graduate of Stanford University. Born in San Francisco, he lived for 15 years in the Philadelphia area, where he served as national youth director for the Evangelical and Reformed Church—later, the United Church of Christ. He was recognized as an authority in the church's work with youth, and he held numerous leadership positions in youth work on the local, State, national, and international levels. Tani was an outstanding, well-respected, and well-liked leader not only in his profession, but in his community and in Japanese American organizations, including the Japanese American Citizens League.

The internationally known architect, furniture designer and craftsman, George Nakashima, lives and works in nearby Bucks County. Of professional artists, perhaps the best known are the sculptor Yoshimatsu Onaga—1890–1955—and the painter Ben Kamihira.

Finally, we shall cite attorney William M. Marutani, a partner in the law firm of MacCoy, Evans, and Lewis. In addition to his professional contributions in Philadelphia, he is well-known for his civic and community activities and for his work as a volunteer with the Lawyers' Constitutional Defense Committee in Bogolusa, La., a few years ago. He has held official positions in the Japanese American Citizens League from the local chapter through the district and national levels, and he has been the JACL's national legal counsel since 1962. In 1967, when he argued, as friend of the court on behalf of JACL, against the anti-miscegenation laws before the Supreme Court, he became the first American of Japanese ancestry to plead a civil rights case before the Nation's highest tribunal.

AMERICANS OF JAPANESE ANCESTRY A NATIONAL ASSET

Mr. LEGGETT. Mr. Speaker, our Japanese American citizens have confronted many obstacles in their quest for acceptance into the mainstream of American life. They have not, however, been fixated by the mistakes of the past but have continually progressed forward and, consequently, have contributed much to the development of our Nation. The first Japanese who arrived in 1868 brought with them an age-old set of ideals and values; among these were the feelings of loyalty to family and country and of the great worth of education. Such conceptions were easily integrated with the already established cultural patterns of the United States.

The influence of family pride and loyalty has been a positive force in many directions. As a result of the moral code which demanded that no one bring disgrace or humiliation to the family, the Japanese American community has not had the juvenile delinquency problems suffered by so many other ethnic groups within this country. In a time of rising

rates of crime, this should not be passed over lightly.

Stemming from the Buddhist and other religious influence arose the high regard for the importance of education. Japanese Americans have always had extremely high levels of education which have perpetuated their employment in diversified fields of occupation. Having outlived most of the problems relating to prejudice and discrimination, the Japanese Americans have emerged as scientists, farmers, college professors, engineers, dentists, and lawyers. The contributions of Noguchi in the discovery of the causes of paresis and locomotor ataxia, as well as his work on trachoma and Rocky Mountain spotted fever, added immensely to the ever-growing knowledge of the medical world. In California, the Japanese Americans contributed to the growth of the great food-producing Sacramento and Imperial Valleys with their work in the irrigation of sandy areas.

All too often the contributions of many of our citizens are overlooked and quickly passed over. Mr. Matsunaga is to be thanked for enabling myself and the other gentlemen here today to recognize the great number of contributions made to the United States by our Japanese American citizens.

BETTER AMERICANS IN A GREATER AMERICA

Mr. JOHNSON of California. Mr. Speaker, 30 years ago this month the U.S. Government, under the authority of Executive Order 9066, was winding up one of the most tragic exhibitions in the history of this Nation. This was the "relocation" of 110,240 Americans of Japanese ancestry; 16,000 of these people were housed at Tulelake, located in the northeastern corner of California, in an area which I represent today. These people were rounded up, given a week to dispose of their real property, their homes and businesses and to move to the relocation centers, taking with them only what they could carry.

Those of us looking at our history and our society today find it difficult to believe that our American Government did, in a moment of panic, deprive individuals, including many who were citizens of this country, of their freedoms and basic rights in direct violation to the Constitution of the United States and the Declaration of Independence, which was signed 196 years ago next Tuesday.

The Japanese people, bewildered and confused in those critical hours responded magnificently. They accepted the will of the Government of the United States which they had come to love and respect. They went to the detention centers, giving at the same time a firm pledge that God willing they would disprove and discredit those who questioned their loyalty to the country of the United States.

History subsequently showed that during World War II there was no single act of sabotage, or espionage or disloyalty uncovered by the Federal Bureau of Investigation, Military Intelligence, or any other law enforcement agency of this Nation. Japanese youths volunteered for the military and served with great distinction in the European theater.

This same spirit of confidence in our great Nation, with determination to prove themselves as good citizens and with devotion to hard work and patience have made the Nisei among the most respected and welcomed neighbors and friends in the Golden State. By their lives, they have lived up to the motto of the Japanese American Citizens League adopted in 1945 as World War II was coming to an end "Better Americans in a Greater America." These people have taught us by their lives the true meaning of loyalty to one's country, good will toward their fellowman, and democracy at its best.

The creed of the JACL opens with words which I think each of us in our own way could follow to great advantage:

> I am proud that I am an American citizen of Japanese ancestry for my very background makes me appreciate more fully the wonderful advantages of this nation.

This Nation today has many problems. As we face these problems, there is no better example of quiet courage than that offered by these fine people 30 years ago. If the Nation and its people follow this example, can there be any question but what these United States will continue to fulfill the dream of our forefathers who lit the fire of freedom and human rights throughout the world.

Mr. MIKVA. Mr. Speaker, it is a privilege for me to join my distinguished colleague from Hawaii (Mr. MATSUNAGA) in paying tribute to our Japanese American friends. The Japanese American Citizens League is meeting in Washington, D.C., this week, and the group's 22d biennial convention presents a unique opportunity to recognize the JACL for its contribution to the preservation of civil rights and liberties for all the people of this country.

I had the good fortune to work with JACL toward the repeal of title II of the Emergency Detention Act. It was a long fight and a difficult one. When the President signed the repeal bill into law last year it removed the spectre of concentration camps in America. Many of the members of the JACL know firsthand how terrifying and demoralizing that threat could be—many of them spent several years in an American concentration camp, even though they were patriotic Americans, at the beginning of World War II.

Now, the JACL is working toward two more goals, goals that every person in this country should share. The group's membership would like to abolish the House Internal Security Committee, and repeal the rest of the Emergency Detention Act, eliminating the Subversive Activities Control Board. Each of these "institutions" is inimical to civil liberty and the spirit of this country. By abolishing them, we would remove the last vestiges of the McCarthy era, an era that has been a long time dying.

The JACL took the lead in the fight against title II of the Emergency Detention Act, and it is taking the lead now in the fight against HISC, and the SACB. The Senate already has voted to cut off funds for the SACB and, hopefully, the House will follow its example. The Japanese Americans are making civil liberties their first priority. They are working for all of us, and we all are in their debt for their commitment.

Mr. DANIELSON. Mr. Speaker, it is a pleasure today to join in recognition of the significant contributions made to our country by Japanese Americans.

The list of achievements extends far beyond the time available to recite them, of course, but I would like to underscore our country's benefit from and appreciation for some of the more noted Japanese Americans. One of the world's great scientists was Noguchi. He discovered the causes of paresis and locomotor ataxia, developed the pure culture of the germ of syphilis, identified Arya fever with another obscure and hitherto unrelated disease, and worked on trachoma and Rocky Mountain spotted fever. His death was caused in Africa by the dreaded yellow fever which he was investigating. The life of Noguchi is an heroic story of scientific accomplishment and dedication.

In artistic endeavors, Yasuo Kuniyoshi is widely known and his work is contained in all the major museums and art collections of America. He was a Guggenheim Fellow in 1935 and has won many awards. Sono Osato, 24-year-old Japanese American ballerina in 1944, was a most popular star of "One Touch of Venus."

Ben Kuroki was praised in Time magazine in 1944 for his bravery and patriotism as a great hero of World War II. He was a technical sergeant in the U.S. Army Air Corps, a veteran of 30 heavy bombing missions against the enemy, a survivor of the costly raid on the Ploesti oilfields of Rumania, winner of two Distinguished Flying Crosses, and wearer of the coveted Air Medal with four oakleaf clusters.

Unfortunately, however, the vast majority of Japanese American citizens were in a very different situation during World War II. Unlike Kuroki, many Americans of Japanese ancestry had no opportunity to serve their country in the military forces, and the majority lost their jobs, their businesses, and their homes because they were of the Japanese race, and regardless of their loyalty to and citizenship in the United States.

Although two-thirds of the Japanese Americans in the United States were native born and therefore citizens, as showed by the alien registration program of 1940, approximately 83 percent of this group of citizens was later evacuated and relocated under the executive order that transported persons of Japanese ancestry into emergency detention camps in 1942, because of the war.

Of all the persons of Japanese ancestry living in the United States during the relocation, 87 percent were detained in this manner. The percentage of Japanese aliens not holding citizenship, who were sent to the camps, was slightly larger, around 95 percent.

The injustice that was done to Japanese Americans and their rights during the Second World War is a regrettable blot on our Nation's history. Fortunately,

Congress has recently taken action to repeal title II of the Internal Security Act of 1950 and to abolish emergency detention camps. I am most proud to have cosponsored this bill and to have joined in the successful effort led by our colleague from Hawaii, SPARK MATSUNAGA, to win passage of this measure so important to our most basic constitutional rights. Now this is in the law. I am also most proud to have been the author in earlier years, of a resolution, which was passed by the California Legislature while I was a member of the California Senate, urging the Congress to repeal that lamented detention law.

In January of this year, an NBC documentary on Belfast referred to the internment policies in Northern Ireland. The narrator commented:

> What happened to us was made possible by a law that would be unthinkable in the United States. It was designed 50 years ago to take terror off the streets. Since it was invoked again last August, about a thousand people have been taken to this place interned without trial, hearing, or confrontation with charges.

That statement, referring to the United States was correct only by a few months, and by virtue of the fact that Congress had passed House Joint Resolution 234 to outlaw the use of these forms of concentration camps.

The memory of this relocation and detention cannot easily be erased. It is a tribute to Japanese Americans, as reported by the War Relocation Authority in 1944, that there was no sabotage and no espionage among the Japanese American in the relocation areas, and that there was a smaller number of minor crimes and misdeameanors than would be found in other groups of persons of the same size.

It is a further tribute that Japanese Americans have resisted bitterness and have continued to make outstanding contributions to our society: in civic life, in business, the professions, and in many other fields of endeavor in which they have added so much to the enrichment of American life.

Mr. ANNUNZIO. Mr. Speaker, it is a great pleasure for me to participate today in this tribute to Japanese Americans across our Nation, and particularly, to the Japanese American Citizens League which is holding its 22d Biennial National Convention here in our Nation's Capitol from June 27 through July 1, 1972. The Japanese American Citizens League is an outstanding civic organization dedicated to serving the community.

Last night I attended the congressional dinner hosted by the league and I was delighted to have the opportunity to meet with many of my friends including Mr. Ross Harono, Governor of the Midwest District Council—covering Illinois, Missouri, Wisconsin, Michigan, Ohio, and Minnesota—of the Japanese American Citizens League. More than 26,000 persons are members of the league nationwide, and in Chicago alone, over 1000 persons belong to the Japanese American Citizens League.

The Chicago Chapter JACL Chairman is Hiroshi Kanno, and the first national president of the JACL, Dr. Thomas Yatabe, I am proud to say, comes from our city of Chicago. He is fondly known as the "grandfather" of the Japanese American Citizens League, and it is largely due to the dedicated efforts of such able men as Dr. Yatabe, Mr. Harano, and Mr. Kanno, and their fellow officers and members of the league, that long overdue recognition is being extended to the great contributions of Japanese Americans to the growth and advancement of our country.

I was one of the early sponsors and strong supporters of the 1965 Immigration and Nationality Act Amendments which eliminated the Asia Pacific Triangle and the National Origins formula in determining immigration quotas. As a result of these amendments, for the first time, Japan was given, along with other Asian nations, fair and equitable consideration for immigration to the United States.

I also was one of the sponsors and strong supporters of legislation enacted in 1971 to repeal the discriminatory title II of the Internal Security Act of 1950 which could have provided for concentration camps. I am glad to say this title has been stricken from our laws.

By the enactment of this and other legislation of benefit to Japanese Americans, I know the Congress and our country has restored to a large degree their faith in the democratic processes of justice which our Founding Fathers established.

And although their number is relatively small, Americans of Japanese ancestry have enriched our national heritage immeasurably. Their loyalty, courage, and patriotism in time of war; their industry, thrift and labor in time of peace; their reverence for the harmony and beauty in the natural world, reflected in their unique contributions to the arts, particularly in architecture, landscape gardening, and flower arranging; their examples of outstanding citizenship in the face of vicious racial prejudice; their educational attainments—these are only a few of the qualities which have won Japanese Americans the respect and admiration of all Americans.

Japanese Americans have made notable contributions in every area of industry, the arts, and science. In large areas of the Pacific Coast States, they made desert land bloom where nothing had grown before. By a combination of highly disciplined labor and knowledge of methods of intensive cultivation, the Japanese were able to enter areas of California which had previously been regarded as uncultivable, and from the inhospitable soil they wrested new green fields and orchards or vineyards. Today, a good deal of California's remarkable fertility is due to these methods of cultivation, which in some cases increased fruit and vegetable yields threefold and fourfold.

Many individual Japanese Americans have earned the gratitude, pride, and honor of our Nation. Such a man was Noguchi, the poor Japanese peasant who became one of the world's greatest scientists in America. The story of Noguchi's pure culture of the germ of syphilis, his discovery of the causes of paresis and locomotor ataxia, his identification of Arya fever with another obscure and hitherto unrelated disease, his work on trachoma and Rocky Mountain spotted fever, and finally his heroic death in Africa caused by the dreaded yellow fever he was investigating, remains one of the greatest stories in the history of modern science.

In the arts, the names of Yasuo Kuniyoshi, the painter; Sono Osato, ballerina; Sessue Hayakawa, actor; and Isamu Noguchi, sculptor, are very prominent. The city of San Francisco will not soon forget Dr. S. I. Hayakawa, who held San Francisco State College together through the most difficult and turbulent period in its history.

Finally, we cannot end without remembering the patriotism and bravery of Japanese American soldiers, and most especially the famous 442d Battalion, which holds the somber honor of sustaining the highest casualty rate of any American fighting unit during World War II. Not only did the Nisei servicemen make an outstanding contribution in the European Theater of Operations, but, toward the war's end, in the Pacific areas as well. Nisei intelligence work in the Pacific saved thousands of American lives. At the same time as their families were suffering the humiliation and economic disaster of internment, these courageous soldiers fought to prove their love for America and their loyalty.

We are indeed proud today to honor all Japanese Americans as well as the Japanese American Citizens League. They have enriched our land and our culture, have set the highest standards of citizenship and cooperation, and have taught us an invaluable lesson in promoting brotherhood and rooting out the destructive evil of racial prejudice.

I extend my greetings to them and best wishes for the years ahead as they continue their outstanding record of citizenship and their substantial contributions to our Nation.

Mr. RYAN. Mr. Speaker, I am pleased to join our distinguished colleague from Hawaii (Mr. MATSUNAGA) in this special order paying tribute to the Japanese American community which has contributed so much to our society. It is most fitting that we pause today to honor these Americans as the 22d Biennial Convention of the Japanese American Citizens League is taking place in Washington this week. More than 100 JACL Chapters in 32 States are being represented by over 500 delegates.

The first groups of immigrant laborers from Japan arrived in the United States in the 1860's. Unlike other groups of immigrants to America, however, they were denied fundamental rights such as the right to become naturalized citizens and to own land. Discriminatory laws directed specifically at them, were passed at both the Federal and State levels.

Yet, their darkest hour came after Pearl Harbor. While Americans of Japanese ancestry were fighting and dying

under the flag of the United States, 110,000 Japanese Americans were uprooted from their homes in the Western part of our country and incarcerated in American detention camps. Their crime was simply their ancestry, and the manner in which these Americans were relocated surely constitutes one of the most shameful episodes in the history of our country.

We had occasion to review the appalling facts of that period last year when the House passed H.R. 234, a bill which repealed the invidious Emergency Detention Act—title II of the Internal Security Act of 1950. I was a cosponsor of that legislation and strongly spoke out on the floor of the House in favor of its repeal.

The Emergency Detention Act provided minimal protection for the individual against unwarranted detention. The act proceeded on the assumption that, in times of "internal security emergency," it is justified to detain "persons who there is reasonable ground to believe probably will commit or conspire with others to commit espionage or sabotage." Its provisions were never implemented but they represented a threat to our system of due process which is a basic component of a free society.

In vetoing the 1950 act, President Truman made a statement which I believe bears repeating today:

It is not enough to say that this (enforcement) probably would not be done. The mere fact that it could be done shows clearly how the bill would open a Pandora's box of opportunities for official condemnation of organizations and individuals for perfectly honest opinions. The basic error of these sections is that they move in the direction of suppressing opinion and belief.

As we honor a group of Americans today who were the victims of blatant repression, let us make a commitment to guard against the passage any measure which might result in the denial of basic rights to even one American.

Mr. HAWKINS. Mr. Speaker, during this week of the Biennial National Japanese American Citizens League Convention in Washington, I am pleased and honored to share with my colleagues the speech of our distinguished Member of Japanese ancestry, Representative PATSY T. MINK.

Mrs. MINK combines the intellectual brilliance of our American Nisei with the cultural heritage of the Japanese people and the great charm of her native Hawaii.

The speech follows:

SPEECH BY REPRESENTATIVE PATSY T. MINK

This exhibit we have the privilege of dedicating tonight portrays a moment in our nation's history which we all hope will never again be repeated. For those who were the victims of oppression, those years will, of course, remain unforgettable. For those who watched and let it happen to their fellow Americans without so much as even a whimper of protest, it must still provide many numbing pangs of guilt. For those who participated in ordering this mass evacuation, there must be great and agonizing remorse. We are here today to rededicate our national conscience that such an event shall never again befall any group within our society.

Fear and suspicion must never again be allowed to substitute for national will. No matter what the imminent external threats upon us as a nation, we must never even in the darkest hour of national emergency allow ourselves to be dictated by fear against a whole group of our fellow citizens.

Our precious liberties are meaningless if at any moment they can be denied to any group merely because of color, national origin, or political beliefs. Any Freedom which is uncertain or which can be arbitrarily taken away without due process is liberty lost.

The Repeal of Title II of the Internal Security Act of 1950 was a great victory for freedom. Its enactment 5 years after the end of World War II is inexplicable, except to put the Congressional seal of approval on what was done to over 100,000 Americans of Japanese ancestry in the early months of 1942. Its repeal must therefore be regarded not only as a clear vindication of the countless wrongs inflicted upon these hapless victims of the war, but also as a declaration against such mass deprivations ever again in the future.

While I believe such an event could not ever happen again, this belief stems not so much from confidence in government, but rather from a faith that the people will simply not allow it to happen.

Some who will see this exhibit will be moved only to recall the Japanese attack on Pearl Harbor or their personal experiences and tragedies of that war.

Hopefully for most they will be able to distill a message which enlightens the soul and fortifies the goodness which is in the spirit of America.

This exhibit is not meant to degrade or shame our nation, but rather to point out that once when our vigil was left unguarded, it created a nightmare of human despair and that to the extent freedom was tarnished, all of us were the losers.

Why did it happen? It happened because white people held people of color in less esteem; because people of color are regarded as collectively guilty of group stereotypes whether it be laziness, dirtiness, or being inscrutable; and because anyway you can't tell them apart! And so why not punish them all. . . . Four hours, forty-eight hours, or forty-eight months, what difference does it make if by "preventive detention," you can prevent some terrible event from happening. Of course, even if nothing happens, you can always say it was because the detention prevented it!

Sometimes I think that this psychic operates today . . . we do not like young people with long hair . . . or black with Afros . . . or Chicanos on a picket line. . . .

So long as we do not discipline ourselves into demanding only individual accountability and if we harbor instead group suspicion, we are functioning as though we were ourselves captives of Executive Order 9066.

As I stand here tonight in the shadow of these remnants of our history, I am reminded that we have an enormous personal responsibility.

When new crises arise, will I have '9066' as my guide, or will I live by a rule of openness, tolerance and love for my fellow citizens? Will I fight to protect the freedoms of the least worthy in our society because freedom, which is not available to all, is no freedom upon which I can depend, should I ever have to call upon justice to be my guardian.

Executive Order 9066 tells us that the weak, the docile, the quiet ones even can be swept up by the forces of international conflagration to become the most hated, despised and distrusted . . . And this only because of their physical differences in appearance.

Think what the implications could be for those who are different while being activist and radical spokesmen for unpopular beliefs.

A bitter experience of history like Executive Order 9066 can serve as an impetus to our search for honesty and tolerance.

This exhibit does not teach us to conform, to assimilate, to hide our thoughts. It tells us to dare to live, to be ourselves, and to fully participate in all of the myriad opportunities of this land.

If we fail to heed this message of freedom, we will fall victim to the dark forces of fear which beckon to our national doubts and frustrations. This, we must not allow. We must strive to overcome our prejudices, so that enlightenment may rule across our land.

Mr. BELL. Mr. Speaker, it is both a privilege and a pleasure to join my colleagues in the recognition of the 22d Bienniel Convention of the Japanese American Citizens League.

The Japanese Americans represent a rather small but certainly significant segment of the population of the United States. Their contributions to the American way of life have been numerous, and they rank highly among ethnic groups in creativity, inventiveness, and productivity.

As a result of redistricting, I have recently gained a considerable number of Japanese Americans as constituents and am pleased to welcome them into the 28th District of California.

The transgressions of Japan and the United States against each other understandably linger in the consciousness of both nationalities. But the maintenance of amicable international and domestic relations is not based upon revenge or retribution.

The repeal of title II of the Emergency Detention Act of 1950 which passed the House with my strong support last year and was subsequently signed into law by the President, manifested the degree of maturity that Japanese American relations have attained.

Hopefully, we have learned from the past and can continue to live in peaceful and productive accord.

Mr. UDALL. Mr. Speaker, Japanese American citizens have long been noted and admired for their willingness to work hard and conquer adversity. Nowhere has this characteristic been more significant than in the development of the Southwest, a land that makes extreme demands on those who would win it.

On this, the occasion of the 1972 National Japanese American Citizens League Convention, I would like to point out a few of the contributions that the Japanese have made to the States of Arizona, New Mexico, and Texas.

Noted as gardeners, the Japanese have made various areas of Arizona, including the Salt River Valley bloom with flowers and vegetables since 1905. By 1930 about 4,000 acres were being cultivated by Japanese farmers.

One, Hachiro Ohnuki prospected for water rather than gold in 19th century Arizona. He dug wells and provided water so successfully that in 1886 he and two associates were granted a franchise to provide lights for the city of Phoenix. He also operated a transportation company that provided the city with streetcars.

In New Mexico the first Japanese families came to work as miners, railroad

hands and house servants. From there they branched out into agriculture, in areas suited to sugar beets and fruit growing. Some started their own businesses. One Japanese American, Geneta Kimura, worked for 46 years for the Santa Fe Railroad before retiring with honor in 1946.

Kimura like all members of the Japanese American community had to overcome prejudice and suspicion to succeed in their adopted land, particularly during the war years of the 1940's.

But their tenacity and unwillingness to give up in the face of overwhelming problems, stood them in good stead, for they identified with this demanding land.

A stone monument which stands near a grove of trees near the Alamo shrine in San Antonio, Tex., serves as a good example.

On the monument is carved a poem by a Japanese scholar named Shigetaka Shiga, who traveled through Texas in 1899. In the saga of the defenders of the Alamo, Shiga recognized the bravery exemplified by the Japanese word "bushido," the way of the Samurai. His tribute to that brave handful of men should be matched by our admiration today for his countrymen, who with their unquenchable spirit have made this Nation a better place.

Mr. RODINO. Mr. Speaker, often feelings of ancestral pride and of American identity work together hand in hand to reinforce and to unify the foundations on which our country stands. Each American citizen has the distinctive opportunity to inherit and to pass on the beauty of his ethnic traditions—to learn, to understand, to take part in and to enjoy its teachings, customs, folklore, and its special celebrations. Recognition of the 22d Biennial Convention of the Japanese American Citizens League, at this time, is extremely important.

The values and principles of our democratic society have indeed been enhanced by the contributions of our Japanese Americans. Most Japanese immigrants who entered our land were young men between the ages of 20 and 40. Their strength, their spirit, their knowledge and their ideas have become an inseparable and an invaluable part of our culture and our history. The remarkable creativity, to cite just one example, of the Japanese American architect Minora Yamasaki, an art which combines our modern functional style with the classical style of Greece and with the influence of the Orient, has brought a deep feeling of pride to all Americans.

I join with my colleagues in welcoming the many distinguished delegates of the Japanese American Citizens League to Washington and in wishing them many fond memories and many rewarding experiences from their visit to our Nation's Capital.

Mr. PEPPER. Mr. Speaker, there never have been many Japanese in the South, but it can be said that they contributed far more than their numbers would suggest to the economic and cultural development of the southeastern States. Moreover, the increase in their numbers since World War II suggests that many of them found a welcome in this region from their wartime camps that caused them to remain here long after the Army lifted the exclusion orders and they could have returned to their former homes and associations on the west coast.

In 1940, there were only 150 Japanese Americans in Florida, according to the census, and today there are more than 4,000. Georgia had only 31 some 30 years ago, with almost 2,000 now. Alabama is another example, with 21 in 1940 and 1,079 today. In Louisiana, there were only nine in the whole State; now, there are 1,130. In Mississippi, there used to be only one, today, there are almost 500. In South Carolina, there were 33, while today there are almost a thousand.

Though small in number and little known, the Southern States can boast some of the most outstandingly successful Japanese immigrants.

A notable example is Sachihiko Butsuen, whose unusual accomplishments are not limited to the State of Georgia where his Mayfield Plantation in White Oak has long had a reputation as a model farm. In his long and productive life, Butsuen has ranged almost the length and breadth of the land.

Born on New Year's Day in 1887, he came to the United States in 1906, landing in San Francisco soon after the earthquake. After 3 years as a schoolboy in Portland, Oreg., he tried to start a Japanese development company on 2,900 acres of land near the Dalles with some 30 Japanese members, but lack of good water supply caused the Columbia Production Co. to fail in 1909.

He was called to Kammerer, Wyo., to manage the affairs of some 240 Japanese coalminers there. He worked there for a year and went on to Colorado where, after working for a sugar refinery for a year, he led a work gang of Japanese to western Colorado to work in sugar beets and fruit picking. During that time, he also contracted to build an aqueduct over Grand Mesa in the delta as well as a canal in the Uncompahgre Valley. He later went into farming in Montrose, growing several hundred acres each of sugar beets, potatoes, and onions as well as an apple orchard which was said to be the largest in Colorado at the time.

Until he moved away in 1920, he lived in west Colorado and was a pillar of the community.

From 1920 to 1931, he leased 4,200 acres from a former Governor of Wisconsin near Model, Iowa, and grew potatoes and corn as well as wheat. At the same time, he grew 200 to 300 acres of onion at Hollandale, Minn., and vegetables in South Bend, Ind.

In 1931, he moved to Brunswick, Ga., and in 1937 purchased the Mayfield Plantation in White Oak where he grew lettuce.

The passage of the Walter-McCarran Act in 1952 which gave naturalization rights to Japanese for the first time owes much to the singlehanded lobbying by Butsuen to convince Senators Russell, George, Smathers, and Holland.

The history of Japanese in Georgia, however, goes back quite a ways to 1880 or so when a Frank Aiken of Savannah contracted to bring over about 20 Japanese workers from Japan to try growing rice near Brunswick.

In the capital of Atlanta, Japanese first arrived about 1920 to open a chop suey restaurant. One operated by Sadajiro Yoshinuma since 1922 is one of the largest restaurants in the city. Yoshinuma worked his way through night school to graduate from Oglethorpe College.

After the war, the Kobukuro family opened a successful greenhouse and nursery in suburban Winston. In 1946, the Frank Koto family arrived from Denver to operate a poultry farm as well as provide chick sexing service for the area. In 1960, there were about 20 Japanese families in and around Atlanta.

As the 1900 census would indicate when not one Japanese was found to be living in either North Carolina or South Carolina, there have not been many Japanese in the two Southern States. In 1884, Dr. Jokichi Takamine, sent to observe the World's Fair in New Orleans, came to South Carolina to see if the phosphate produced there could be used as chemical fertilizer for Japanese farms. Dr. Takamine's advice opened the way for a new export from South Carolina and a revolution in farming in Japan.

A Japanese named Kodama was said to be farming in the outskirts of Charleston before the war. When the Navy purchased his farm after the war, he opened a gasoline service station and a restaurant, but has since moved away.

An outstanding exception in South Carolina is Mitoo Tokunaga, who came to Columbia, S.C. in 1909 and found work in a greenhouse where he worked 7 years for $5 a week. In 1919, his long years of hard work were rewarded when a bank agreed to lend him $1,200 to buy his own greenhouse without a collateral to his name.

The business has prospered through the years, and Shandon Green House now has 29 greenhouses in three locations as well as three retail outlets.

In Louisiana, the Port of New Orleans has been a port of call for Japanese ships trading in soybeans and cotton. When the first of the few settlers arrived is not too clear, but they operated rooming houses and restaurants catering to sailors, fished for shrimps and made bamboo furniture and decor. One of the earliest and longest-lasting businesses, an art goods store, was begun by Tomematsu Hinata in 1904. Later, there were 20 or so shrimp fishermen who operated until World War II. About 1912 or 13, a group of about five Japanese families arrived from California to try their hand at farming beans and tomatoes, but were forced to quit because of lack of capital, the heat and mosquitoes.

The earliest Japanese settler in Alabama is also the most successful. Kosaku Sawada arrived in 1910 in Mobile to explain the method of planting and care for several thousand Satsuma orange seedlings he had sold to a firm there. He established a small nursery in Grand Bay. It was not until 1914 that the seedlings he brought to start his own business grew to marketable size. He

later moved from Grand Bay to Overlook Hill where he opened "Overlook Nursery" which continues to this day.

In 1916, he married Nobuko Yoshioka, who brought about 200 unusual camellia seeds with her. Most of the seeds resulted in failure, except for a few whom he carefully nurtured until they bloomed 20 years later. However, wife, the bearer of the seeds, had died in 1929, and in her memory, he named the new camellia "Mrs. Sawada."

He later expanded his nursery by purchasing 80 acres in the suburbs of Mobile, but has spent his retirement years continuing to improve the plants in his care.

He is credited with developing 27 new varieties of camellia, 13 varieties of "sazanka" azaleas, a thornless pyracantha and cherry trees which were thought impossible to transplant to Alabama.

Tsukasa Kiyono, known in his day as the Camellia King, currently resides in Japan and continues his lifelong interest in the improvement of plants. He came to the United States in 1906 and after studying the cultivation of Satsuma oranges in Texas for 5 years, moved his plant nursery to Mobile. He was then only 23, with a long road of adversities ahead of him. One night of severe frost destroyed all his orange seedlings, and with the start of World War I, the demand for orange seedlings hit rock bottom. In addition, a typhoon in 1914 blew his house away and destroyed all his plants again. When he had managed to rebuild the orange seedlings, a canker caused all of the tens of thousands of plants to have to be destroyed.

Unbowed by what would have discouraged a lesser man, Kiyono transferred his interest to improving camellias and azaleas, which were considered difficult plants to grow. Aided by the World War I prosperity, Kiyono continued to expand and improve.

By 1930, his nursery encompassed 200 acres, with several hundred varieties of plants and an annual sale throughout the United States going up into 3 million plants.

When the city of New Orleans decided to beautify several miles of park roads with azaleas and other flowering shrubs, Kiyono aided the nurserymen in the city by refusing the city's offer to deal directly with him and wholesaled his plants to the New Orleans firms.

When World War II began, Kiyono and his family were in Japan, and all his assets in the United States were taken over by the Government as alien property. His investments in Peking also gone, Kiyono was left without his former wealth. He returned to Mobile in 1946 and went to work for a friend while negotiating for the settlement of the pre-war assets. After recovering only $250,000 of his former wealth, he returned to Japan in 1952, but continued his interest in flowers, being elected president of the Japan Pansy Club in 1960 and vice president of the Japanese Garden Culture Association earlier.

That the city of Mobile is known as Azalea City today owes much to this great pioneer who refused to let adversities beat him.

The business has prospered through the years, and Shandon Green House now has 29 greenhouses in three locations as well as three retail outlets.

Japanese first arrived in Florida in 1904 when the Florida East Coast Railroad planted 1,260 acres between Boca Raton and Delray Beach with pineapples. They could not compete economically with the Cuban pineapples, and the company decided to switch to winter vegetables. The land was offered to Japanese who were considered the best vegetable farmers.

Masakuni Okudaira and Jyo Sakai, who were studying in New York, headed south and bought 80 and 40 acres respectively, naming the area Yamato Colony. For many years afterwards, the railroad station there was named "Yamato."

In 1907 when Sakai was in Japan, he talked financier Matsukata into buying 40 acres of lowlands near Yamato and 40 more in Highland. The Highland lots, bought for $25 an acre, later fetched $2,000 an acre in the Florida land boom.

In its early days, the Yamato Colony did not do too well, with markets for the produce too far away. Although by 1910 there were more than 100 Japanese in Florida, they began to drop out little by little. However, in 1916, other areas had large-spread frost damage, while Florida alone was spared, and many were the Japanese farmers who went back to Japan rich, making $10,000 and more from one acre of peppers, for instance. Tomatoes and eggplants were other crops.

In 1925, Miami Beach was developed, and with it came a land boom that made most of the Japanese farmers so well off that they sold the land, quit farming and moved away.

Florida had one more Japanese colony. In 1913, Gov. William Jenning, who owned 60,000 acres in Middleburg in Clay County, contracted with Seigo Shigeki to sell it to Japanese farmers for $80 an acre, payable in 10 years. Some 30 Japanese arrived from California to buy 20 to 30 acres each. They selected sandy ground and planted potatoes, but heavy rains washed away the fertilizers, and the farms failed.

Early Japanese residents in Miami were two who operated Japanese art goods stores from about 1905–06.

Two Japanese landscapers who were to contribute mightily to the greening of Miami Beach—Kotaro Suto and Shigezo Tashiro—arrived together as employees for Karl Fischer, developer of Miami Beach. Both later went into the nursery business, and the Sutos, particularly, won nationwide recognition for contributing plants along all the streets in Miami during the 1932 depression year.

In St. Cloud, Dr. Kaku Suto, first Japanese woman doctor in the U.S., lived to be over 100 years of age. She had lived in Florida continuously since 1907.

I am pleased to join my colleagues on this occasion in commending the outstanding and varied contributions made to our economy, society and culture by Japanese Americans not only in Florida but through the South and the length and breadth of this great Nation.

GENERAL LEAVE

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in paying tribute to Japanese Americans.

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

There was no objection.

NATIONAL SAFE BOATING WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. CHAMBERLAIN) is recognized for 30 minutes.

Mr. CHAMBERLAIN. Mr. Speaker, as Americans, we have become beneficiaries of a gift of time unknown to the people of past generations. With the workweek diminishing, and the fruits of the leisure class increasingly distributed to greater numbers of the populace, we find our citizens enjoying an ever-greater number of leisure hours. Less than a century ago, the average work week consisted of over 70 long hours. Today, the 40-hour week is common, and even that figure is diminishing so that speculators foresee a 30-hour or even 25-hour work week before the end of the century.

What Americans find to do with their leisure hours is the subject of many studies and much discussion. One sociologist has referred to the primary by-product of our leisure hours as a "recreational explosion." When we find tens of millions of American engaged in such activities as swimming, fishing, or hunting, for example, we find a social phenomenon deserving of our attention, and our action.

In the realm of recreational boating, where some 45 million Americans comprise the annual boating public, and where the number of leisure-time dollars devoted to the activity is in excess of 4 billion, Congress has, in fact, observed and acted. And, of necessity. With almost 1,600 recreational boating fatalities last year, boating safety is now a major cause of concern to those of us who strive to maintain a balance between the enjoyment inherent in any recreational activity, and the requirements necessary to keep fun-seeking Americans safe.

On several occasions, Congress has acted to insure that pleasure boating and safe boating are one and the same. Last year, we saw the enactment of Public Law 92–75, the Federal Boat Safety Act of 1971, a major step in promoting boating safety, going well beyond the limited requirements of the Motorboat Act of 1940, and the Federal Boating Act of 1958. I will speak about such legislation a little later. However, another act, no less important in arousing the safety-mindedness of the boating public, was Public Law 85–455, calling for the annual observance of National Safe Boating Week, which I introduced as House Joint Resolution 378 on June 19, 1957.

In accordance with the law, the President of the United States recently issued the following proclamation for National Safe Boating Week, 1972:

A PROCLAMATION

Boating on our Nation's waterways has become a source of recreational pleasure for a rapidly increasing number of Americans. Increased use means more enjoyment for more people, but it carries with it an increased responsibility as well. Those who use our waterways must take greater care to observe the rules of good seamanship and of boating safety.

To focus national attention on the need for safe boating practices, the Congress, by a Joint Resolution, approved June 4, 1958 (72 Stat. 179) requested the President to proclaim annually the week which includes July 4 as National Safe Boating Week.

Now, therefore, I, Richard Nixon, President of the United States of America, do hereby designate the week beginning July 2, 1972, as National Safe Boating Week.

Many boating tragedies could be avoided through education and common sense. I urge all Americans who use our waterways to take advantage of the numerous boating safety courses offered by governmental and private organizations, such as the United States Coast Guard, the Coast Guard Auxiliary, the United States Power Squadrons, the American Red Cross, and various State agencies.

Last August I signed into law the Federal Boat Safety Act of 1971, designed to improve boating safety and to encourage state participation in boating safety efforts. I invite the Governors of the States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa, and the Commissioner of the District of Columbia to cooperate in implementing that Act, and in providing for the observance of the National Safe Boating Week.

In witness whereof, I have hereunto set my hand this fifth day of February, in the year of our Lord Nineteen Hundred Seventy-Two, and of the Independence of the United States of America the One Hundred Ninety-Sixth.

THE PROBLEM

If we examine the record for the past year, we can easily see why there is a concern for the safety of our Nation's boatmen. In compliance with the Federal Boat Safety Act of 1971, the Coast Guard has collected, analyzed, and published statistical information obtained from various recreational boat numbering and casualty reporting systems. This is a continuation of the reports the Coast Guard has previously published under the mandate of the Federal Boating Act of 1958.

What did the most recent statistics reveal? First, and most important, there were 1,582 fatalities in boating accidents in 1971. This is 164 more fatalities than the previous year, an increase of over 12 percent. As in past years, the greatest single cause of these boating deaths was capsizings, followed by falls overboard. A total of 1,472 drownings resulted, accounting for over 93 percent of all boating fatalities. In almost half of these cases, lifesaving devices were available, but of those who did have access to such devices, 75 percent either did not use them properly, or did not use them at all.

In terms of property damage, the 3,909 reported recreational boating accidents results in a loss of over $9 million—an increase of almost $3 million over the record of the past 2 years.

The Coast Guard, the States, and many fine volunteer organizations are dedicated to reversing the trend. And, with tools such as provided in the recent Federal Boat Safety Act of 1971, the task of protecting life and property of America's boatmen has been greatly assisted. In keeping with its mission to make pleasure boating safe, the Coast Guard is continuing to mount a four-pronged attack on those aspects of boating safety called the "4–E's"—engineering standards, enforcement, education, and environmental concerns.

ENGINEERING STANDARDS

Looking first at engineering standards, the Federal Boating Safety Act of 1971 authorizes the Secretary of Transportation through the Coast Guard to issue regulations which establish minimum safety standards for recreational boats and boating-associated equipment. In addition, the act gives the Coast Guard a mandate to conduct tests and establish procedures as necessary in order to insure manufacturers' compliance with the standards as they are established.

The first of these standards of which I speak involves such areas as: Displaying information regarding the maximum number of persons and weight which can be safety carried in a given boat; establishing safe horsepower limits for specific hulls; and, requiring that boats will continue to float even when full of water. These initial manufacturers' standards for boats under 20 feet in length have been published as proposed regulations in the Federal Register, public hearings have been conducted and final regulations are being drafted. Normally, 180 days will pass between the date regulations are issued and the time the requirements go into effect. In those cases where manufacturers would have to effect major changes in their manufacturing process, there could be a "grace" period of up to 18 months. On the other hand, if the Coast Guard deems a boating safety hazard to be serious, an almost immediate effective date can be ordered. This was done in the case of the new personal flotation device requirements. On February 16 of this year, interim regulations were published to the effect that one Coast Guard approved lifesaving device for each person aboard must be carried on almost all boats. This regulation, which became effective on April 17, applies not only to motorboats, as in the past, but to all boats, whether they be propelled by oars, paddles, poles, sails, or by another vessel.

Other standards and regulations are being developed to meet problems in such areas as navigation lights, emergency signaling devices, carriage of safety equipment, and prevention of fires and explosions.

Another section of the new law deals with defect notification responsibilities and is perhaps the most important aspect of the recent legislation. For the first time in any law, there is a requirement that if a manufacturer sells a product with a defect which creates a substantial risk of personal injury to the public, or is not in compliance with a standard, he must correct it at his sole cost and expense. Even in the motor vehicle safety laws, this is not presently a requirement. Automobile manufacturers may elect to bear the expense of repairing defective cars, but while there are only a relatively few number of automobile manufacturers—there are over 1,800 different boat manufacturers. Thus, it was felt that this law must specifically state the manufacturers' obligations to the public in order to provide for a sufficient degree of consumer protection.

ENFORCEMENT

The second of the 4–E's is enforcement. It is the Coast Guard's responsibility to implement the laws and regulations covering the various aspects of recreational boating on waters under Federal control. The individual States are responsible for the enforcement of their State boating rules on waters where they have jurisdiction. For the Coast Guard's part, 54 boating safety detachments around the country bear the major burden of enforcement. The four boarding officers attached to each boating safety detachment, perform routine inspections of pleasure craft underway. As necessary, a boatman will be issued a warning and/or citation in the event that his boat is operated in some condition that is in violation of the safety requirements. In more severe cases, under the authority of the new law, a Coast Guard boarding officer can require the correction of an especially hazardous condition, including ordering the operator of a recreational boat to return to the nearest safe mooring, should he, the boarding officer, consider that continued operation creates an especially hazardous condition. For example, use of a boat could be terminated if there is a lack of sufficient Coast Guard approved lifesaving or firefighting devices, or if the boat is being operated in an overloaded condition. However, a boarding officer cannot exercise this authority for mere failure to carry the required items. The Coast Guardsman must make a judgment determination that continued use creates an especially hazardous condition to the occupants. This places quite a burden on the boarding officers, but we are assured by the Coast Guard that proper training and extensive experience are behind every decision to require the correction of an especially hazardous condition.

EDUCATION

In the realm of education, the Coast Guard has undertaken a two-phased program. One phase is that of educating boating officials in various aspects of law enforcement, equipment operation, seamanship, and first aid. Such training is being made available not only to active duty coastguardsmen, but to other Federal, State, and municipal officials who are able to take advantage of the regional boating safety seminars, and the newly established National Boating Safety School at Yorktown, Va.

The other phase of education is carried out not only by the Coast Guard, but also by the States, by the Coast Guard Auxiliary, by the U.S. Power Squadrons, by the Red Cross, by the National Safety Council, and by many other organizations who have undertaken to

teach boating fundamentals to the public. By means of boating films, safety publications, classroom courses, and home-study courses, every effort is being made to make the American boatman an educated boatman.

It is unfortunate, though, that in spite of the vast efforts being made toward that end, the majority of boatmen have yet to avail themselves of the many education opportunities. Rear Admiral Wagner, chief of the Coast Guard Office of Boating Safety recently noted:

> We are seriously concerned by our apparent inability to educate a significant number of the boating population through strictly voluntary means. In a recent survey, we found that only one in five boat operators had any form of safety training. And even more seriously, that most of the others were not even aware that such training was available. . . . More than ever, we are concentrating on the problem of insuring that the average person who goes boating learns at least something of the hazards he might meet on the water, and what he should do about them when he does. . . . Our Coast Guard Auxiliary and the Power Squadrons educate over two hundred thousand boatmen a year. But, since we estimate that some seven hundred and fifty thousand new boatmen appear on our waters each year, our level must increase. We are implementing several promising programs which are focused directly at the small boat operator who our statistics show is involved in a great majority of the fatal accidents. Our courses are tailored to meet the limited exposure we can expect from this segment of the boating public and yet provide a meaningful safety message. We will continue to work with the states and the voluntary groups in increasing their teaching capabilities.

It seems to me that to meet the challenge, the Coast Guard has undertaken a significant educational program, using a variety of approaches, they are attempting to reach a substantial percentage of the boating public with a basic safety message. I share their hope that this expanded voluntary approach can reach an acceptable goal. But I am so convinced that there is this vital need for education that I will urge the Coast Guard to seek authority for a mandatory educational requirement if that appears to be the only effective means. The problem we face certainly is not new. It has been with us for many years and has been getting progressively worse. In fact, to call attention to the situation back in 1962, I introduced legislation, H.R. 11703, to require the licensing of operators of certain vessels on the navigable waters of the United States. Because of the dramatic increase in recreational boating and the growing urgency to maintain the highest possible level of safety on our waterways, I have reintroduced a similar bill in each succeeding Congress, the 88th, 89th, 90th, and 91st. Currently pending before the House Merchant Marine and Fisheries Committee is my bill, H.R. 625, to require the licensing by the States of the Federal Government of operators of certain vessels on navigable waters of the United States. I realize that there is a reluctance to force further regulation on what is really a form of recreation, and I share that reluctance. But, I cannot help but feel it is no favor to allow people to unwittingly place themselves and their families in dangerous situations they could easily avoid if only they were aware of their existence. If some form of licensing is the only way, the various interest groups should be more concerned that any program is accompanied by a meaningful education element, rather than opposing it on the grounds that there is no need—the fact that nearly 1,600 Americans died in boating accidents last year speaks clearly that there is, in fact, a need.

ENVIRONMENT

It is not without justification that protection of the environment has come under public scrutiny. And, those concerned with recreational boating are no less concerned with the ecological ramifications of sailing on our Nation's waters. The Oil Pollution Act of 1924, the Oil Pollution Act of 1961, and the 73-year-old Refuse Act of 1899 are all subject to enforcement on Federal waters by the Coast Guard as well as the Army Corps of Engineers. And, while these agencies are actively engaged in keeping Federal waters clean, several of the States have acted to insure that boatmen in their jurisdictions keep local waters as free from pollutants as possible.

COOPERATION: A MUST

It is apparent that the 4–E concept requires the cooperation of many organizations, not to mention, the cooperation of those Americans who have chosen to spend their leisure hours out on the water. National Safe Boating Week, itself, is the culmination of a cooperative effort on the part of 21 separate organizations devoted to focusing attention upon the necessity for pleasure boatmen to know and to comply with safe boating practices. In addition to those 21 organizations, there are over 2,000 local groups such as Coast Guard Auxiliary flotillas, U.S. power squadrons, boating clubs, and other safety-minded organizations who have contributed their efforts toward publicizing National Safe Boating Week, toward making recreational boating safer—more enjoyable.

To all of those national and local committees actively participating in the promotion of boating safety, I extend my thanks and congratulations. I urge all others interested in boating safety to join them in making this an even more effective National Safe Boating Week in terms of public awareness.

Certainly, the safe practices established during this commemorative week can be carried out during the entire boating season and throughout the year.

INTEREST RATES RISE AGAIN—FEDERAL RESERVE AND NIXON ADMINISTRATION SHOULD PROTECT THE PEOPLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PATMAN) is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, while the administration sits idly by, interest rates are beginning to creep up on a broad front.

Once again, we are going to have a real test of the willingness of the Federal Reserve System and the Nixon administration to protect the people and the economy from the ravages of another round of high interest rates. These new increases are on top of rates that are already far out of historical boundaries and far too high to fuel economic recovery.

The press—and the administration propagandists — have attempted — in many cases—to indicate that we have had some kind of stabilization of monetary policy and interest rates over the past few months. This simply is not true and when we have corporate bonds hanging at 7½ percent, no one can claim that we have anywhere near normal levels of interest rates.

Last week, the rates on mortgages crept up again and today they stand at an average of 7.55 percent across the nation plus points and other fees. In too many areas, the effective interest rate is still in the neighborhood of 8 percent—a figure which effectively eliminates millions of Americans from the home market.

And Monday morning, the big banks raised their prime lending rate from 5 to 5¼ percent and this is certain to push other rates upward. Small businessmen, farmers, and consumers are paying much higher rates of 10, 11, and 12 percent on most of their borrowings. In fact, millions of consumers are still being hit with rates as high as 36 percent on small loans and from 18 to 24 percent on installment credit.

All of this is happening while the administration—supported by the Federal Reserve Board—refuses to use any part of the controls which the Congress has voted on two occasions to deal with interest rates. The power is available to both the Federal Reserve System and the Nixon administration to roll back interest rates and to give the economy the kind of spur that is needed if we are to put people back to work.

Mr. Speaker, I include in the RECORD a series of articles detailing recent trends in interest rates:

[From the Wall Street Journal, June 29, 1972]

FEDERAL RESERVE AGAIN BUYS TREASURY BILLS, APPARENTLY TO SLOW RISE IN MONEY RATES

(By Edward P. Foldessy)

NEW YORK.—For the second time this week the Federal Reserve System, the nation's money manager, pumped funds into the banking system by buying Treasury bills in the secondary market.

The action, a counteractive measure to factors draining reserves from the banking network, appeared designed mainly to slow the upward move in money market interest rates.

While the maneuver caused some reductions in the rates on short-term Treasury bills, most other money rates continued to press upward yesterday. These rates have been moving up so swiftly that analysts say some banks with floating prime rates could boost again their minimum charge on corporate loans late this week or next week.

The dust was just beginning to settle on the previous boost to 5¼% initiated last Friday by New York's First National City Bank. Yesterday, National Bank of Detroit, lifted its base rate to 5¼% from 5%, leaving Chase Manhattan Bank and Morgan Guaranty Trust Co. as the only major holdouts.

TWO RESERVE ACTIONS

The Federal Reserve entered the market twice yesterday, first to buy Treasury bills

outright for cash and later to acquire bills through so-called repurchase agreements.

Acquisitions of securities by the Federal Reserve inject funds into the banking system because sellers deposit proceeds into their commercial bank accounts.

The amount of the Federal Reserve's purchases couldn't be determined. But market specialists doubted the outright purchases could have been substantial. They noted the Federal Reserve didn't put in the buy order until about 11:30 a.m. EDT, well after the time the dealers normally have their inventories designated for specific uses.

Coming in "at that hour, it looked like the Fed was employing a psychological ploy to keep bill rates down," commented one government securities dealer.

He noted that the rate on federal funds, which are uncommitted reserves member banks lend each other, had been at 4¾% at the Reserve's initial entry. But instead of going down, as would be expected by the fund injection, the rate shot up to 4⅞% to 5% range.

At that point the Federal Reserve reentered the market offering to do repurchase agreements with dealers and customers of dealers. Under such an arrangement, the Federal Reserve buys securities from a dealer who agrees to buy them back at a later date and pay a specified rate of interest over the period.

Late in the afternoon the rate on federal funds plunged to a range of 4⅜% to 4½%.

TREASURY BILLS SLIDES

In reaction to the moves, the latest 13-week Treasury bill fell to a closing bid of 3.87% from 3.99% Tuesday. The companion 26-week issue dipped to a bid of 4.48% from 4.52%.

The downward move was also aided by purchases of the securities by the Federal Reserve for the accounts of customers, presumably foreign central banks that picked up dollars during the currency crisis. These purchases were said to have amounted to $100 million.

Other rates, however, pressed upward unabated. For instance, General Motors Acceptance Corp., the nation's largest finance company, announced rate increases ranging to ¼ percentage point on commercial paper it sells to investors.

GMAC's new scale quotes: 4⅝% on paper due in 30 to 89 days, 4¾% on 90 to 239 days, and 4⅞% on 240 to 270 days. That represented a ¼ point boost on 90-to-179 day maturities and ⅛ point on the others.

Commercial paper is the money market designation for short-term unsecured promissory notes issued by corporations and sold to investors, mainly other companies.

In another area, a number of banks boosted by ⅛ point their posted rates on short-term negotiable certificates of deposit. For most, the new posted scales are 4½% on 30 to 59 days; 4⅝% on 60 to 89 days; and 4¾% on 90 to 179 days. However, specialists said it would take rates ⅛ point higher to actually do business.

Negotiable CDs represent deposits of $100,000 or more left for a specific period of time. They are an important means banks use to gather funds for lending and investing.

Banks with floating prime rates peg their basic lending charges to movements in rates on money market instruments, usually commercial paper or a combination of commercial paper and CDs. With these rates moving upward, another increase in the prime rate may be near, analysts reason.

[From the New York Times, June 29, 1972]

A MIXED TREND IS SHOWN BY CREDIT MARKET RATES

(By Robert D. Hershey)

Uncertainties about monetary conditions abroad and inflation at home continued to weigh heavily on the money and capital markets yesterday. The effect on interest rates, however, was unevenly felt.

Corporate bonds staged another sharp decline, pushing yields up several basis points as investors appeared to abandon the 7.50 percent level for double-A utility offerings. Tax-exempt issues, meanwhile, seemed to weaken slightly and Treasury coupon securities were narrowly mixed.

In the money market, rates on Treasury bills were driven down sharply, spurred by Federal Reserve operations in the open market. Some other money rates increased, including those on commercial paper and certificates of deposit at certain banks. Numerous additional banks, including most of those in Detroit, raised their prime rates to 5¼ percent.

The Federal Reserve activity was seen mainly as injecting seasonally required funds into the banking system, partly in anticipation of the Independence Day holiday.

The Reserve purchased bills for its own account and for the account of a customer presumably a foreign central bank that has accumulated excess dollars during the latest currency turmoil. In addition, it provided temporary credit to the system by negotiating overnight repurchase agreements with dealers in Government securities.

Bill rates declined several basis points, in one case by as many as 12.

Federal funds—overnight interbank loans—traded at levels considerably higher than have prevailed recently, reflecting tightness on the weekly settlement day for banks.

In an analysis of the floating pound and inflation, Robert Van Cleave, who publishes a letter of commentary on the financial markets, said early this week that while it is sometimes difficult to see how changes in exchange rates apply directly to the trading of bonds or the fixing of prices by new-issue syndicates, the failure of investors to buy bonds "show an instinctive understanding that the inflation of money produces both higher prices at home and exchange crises abroad, both tending to reduce the value of the monetary unit."

Underwriting difficulties of late, he added, "are explained by reference to the institutional investors and their recalcitrance."

"They have scads of available money and they ought to be willing to invest it in higher-priced bonds," he said.

For a considerable period recently a 7:50 yield on high quality corporates seemed a level that would attract investors, even as offerings slightly lower in rate failed to stimulate any important demand.

[From the Washington Evening Star, June 23, 1972]

INTEREST RATES RISING SELECTIVELY

(By Laurance F. Stuntz)

NEW YORK.—Interest rates generally are inching up, but although the rise is bad news for most businessmen, consumer loans and mortgage businessmen, consumer loans and mortgage rates shouldn't be affected.

In fact, some experts even say mortgage rates might be a little lower by the end of the year.

The higher charge is showing up both in the interest which banks pay savers and in the rate they charge borrowers. The latest big jump is in Britain, where the basic lending rate went up a whopping one percent yesterday, from 5 to 6 percent. This makes it the highest rate in any industrial country, even above France's 5.75 percent. The U.S. equivalent rate is 4.5 percent.

ECONOMIC BASIS

But U.S. rates are going up because of increased economic activity, not as a spillover from the European trend. The big jump in British rates was due to fears about devaluation of the pound—the British government raised the rates to make it more profitable to buy sterling and get interest on it. This should increase the demand for pounds and thus make them worth more.

Banks in the United States already are paying higher rates to big depositors and charging more for loans to business. So far this trend has not affected the American who wants a mortgage to buy a house or a loan to buy a car.

SLIGHT DIP LIKELY

"Mortgage loan demands might even go down as housing starts to taper off," said Frannklin R. Saul, former assistant secretary of the treasury. Housing construction this year has been running at the rate of 2.3 million buildings a year, compared to 2.1 million last year. However, it is expected to decrease toward the end of this year. With fewer houses being built, there would be less demand for mortgage money and rates could be expected to go down fractionally.

Saul, now with F. S. Smithers and Co., said bond interest might have to go up, which would mean industry would have to pay more for money to build new plants or modernize old ones. But this would not necessarily mean a rise in interest charges on loans to consumers as well.

SAVINGS HIGH

For one thing, the American public is now saving almost 8 percent of its income. Even if this percentage goes down, it will still supply plenty of money to be reloaned by banks. For another, business loan rates are subject to short-term demand in cycles, whereas consumer loans lag behind by several months.

Although the interest charged on the 3-month type of loans used by business is "firming up, I'm not sure this will have any impact on consumer type loans this year," Saul said.

"There's a lot of political sensitivity in this, so the rates might not go up. It doesn't have to happen."

There seems to be little danger the rise in interest rates on sterling—you have to pay 17 percent on the Continent to borrow pounds—will spill over into the U.S. lenders who think pounds will be devalued charge higher interest to cover the risk. People who already own pounds are selling them to buy dollars. This has raised the value of the dollar in most European markets.

PRIME RATE RISE TO 5¼ PERCENT IS FOLLOWED BY MELLON, BOSTON FIRST NATIONAL

[From the Wall Street Journal, June 28, 1972]

More banks boosted to 5¼ their prime, or minimum, interest charge on corporate loans.

Those moving included First National Bank of Boston and Mellon National Bank & Trust Co., Pittsburgh. Mellon also announced adoption of a so-called floating prime rate, one that is pegged to rates in the money market.

By late yesterday, only New York's Chase Manhattan Bank and Morgan Guaranty Trust Co., among the nation's giants, were still holding out at the 5% prime rate. By holding the line, it appeared these banks were trying to drum up commercial loan business, which has been sluggish in New York.

Just how long they will hold out is unknown. Interest rates in some sectors on the money market rose another notch yesterday, adding to the upward pressure on their lending charges.

In its announcement, Mellon National said it will peg its base lending charge to rates on three money market instruments—commercial paper issued by large finance companies, commercial paper sold by dealers on behalf of industrial concerns, and negotiable certificates of deposit trading in the secondary, or resale market. In each case the rate used will be that on 90-day maturities.

Most banks currently having a floating prime peg their base rate on only dealer paper or a combination of dealer paper and negotiable CDs.

Commercial paper is the designation for short-term unsecured promissory notes issued by corporations and sold to investors, mainly other companies. Negotiable CDs represent deposits of $100,000 or more left with a bank for a specific period of time. They can be bought and sold in the secondary market.

Under the Mellon formula, the bank will add ⅛ percentage point to the offered rate on dealer paper. It will take the resultant rate and average it with the offered rates on finance company paper and negotiable CDs. To that average it will add another ⅝ point to compute its prime rate.

The bank said it will review its base rate each Friday, adjusting it in ⅛ point intervals. The rate would become effective the following Monday.

Elsewhere in the money market yesterday, a couple of dealers in commercial paper boosted to 4¾% from 4⅝% their offered rates on high grade corporate IOUs due in 90 days.

In addition, most dealers in bankers acceptances raised by ⅛ point their rates on trade bills. New York Hanseatic Corp., for instance, posted a new scale quoting: 5% bid, 4¾% offered, on acceptances due in one to 90 days; 5⅛% bid, 4⅞% offered, on 91 to 120 days, and 5¼% bid, 5% offered, on 121 to 180 days.

Bankers acceptances primarily are bills to finance the import, export, transfer or storage of goods. They are termed accepted when a bank guarantees their payment at maturity.

Mr. Speaker, these indicators are just the tip of the iceberg. The situation is going to grow much worse unless we have firmer action by the Federal Reserve and by the Nixon administration. The Nixon administration should implement the interest rate controls without further delay and before all of these interest rates get completely out of hand.

With continuing deficits in the Federal budget, it is essential that the Federal Reserve System perform in the public interest and give its fullest support to the Treasury's debt management efforts.

We cannot allow the Treasury Department to finance these Nixon deficits willy-nilly in the market without some specific assurances that they will not create higher interest rates and severe credit shortages for the domestic economy. If we are to have deficits of this size, we must require that the Federal Reserve System fully support the Government bond market and that the Federal Reserve and the Treasury Department fully coordinate their activities and peg the interest on Federal Government borrowings at a reasonable level.

In saying this, I am sure that there will be a chorus of voices contending that this is "unorthodox." I do not agree—and historical precedents do not agree—that such a procedure is unorthodox, but I do know—beyond a doubt—that the kind of deficits that are being put forward by the Nixon administration are unorthodox in the extreme.

There is no question of the power, the ability, and the responsibility of the Federal Reserve and the Treasury Department to work together to manage this debt in a manner which will protect the American people and which will reduce the tremendous interest burden borne by the taxpayers. The Federal Reserve can peg this interest rate at any point it so desires. This is an absolute fact that cannot be contraverted by anyone.

Mr. Speaker, this has been admitted time and time again and I want to quote from a hearing before the House Banking and Currency Committee way back in March of 1947 when Mike Monroney—then a U.S. Representative and later a U.S. Senator—questioned Marriner Eccles, the Chairman of the Federal Reserve Board, on this issue. I quote:

Mr. ECCLES. Now, the fact that the interest is where it is, of course, is not just an accident. The interest is where it is because that is where the Federal Reserve System put it in conjunction with the Treasury—I mean with the approval of the Treasury. The rates during the twenties and during the last war, had there been an open market committee—which there was not, in the Federal Reserve System—they could have financed the last war and financed the Government during the twenties at prevailing rates.

Mr. MONRONEY. Do you mean to say that with your present open-market committee, and the operation of the Federal Reserve, as it now stands, that, regardless of what the national income is, or other economic factors, that you can guarantee to us that our interest rate will remain around 2.06 per cent.

Mr. ECCLES. We certainly can. We can guarantee that the interest rate, so far as the public debt is concerned, is where the open market committee of the Federal Reserve desires to put it.

Mr. Eccles was not speaking about theory but actual practices by the Federal Reserve. Until the Eisenhower administration, the Federal Reserve had maintained yields on long-term Government obligations at 2.5 percent and below. This was true during all kinds of economic conditions—during depression, during war, and during the postwar expansion.

Nothing illustrates the ability of the Federal Reserve and the Treasury to work together to maintain low interest rates better than the period 1939 through 1952. Mr. Chairman, I place in the RECORD at this point a table showing the yields on long-term Government bonds from 1939 to 1952, and a second table showing how these yields increased from 1953 on:

Yields on long-term Government bonds, by years, 1939 to 1952

[Percent per annum]

Year:	Yield
1939	2.36
1940	2.21
1941	1.95
1942	2.46
1943	2.47
1944	2.48
1945	2.37
1946	2.19
1947	2.25
1948	2.44
1949	2.31
1950	2.32
1951	2.57
1952	2.68

Yields on long-term Government bonds, by years, 1953 to present

[Percent per annum]

Year:	Yield
1953	2.94
1954	2.56
1955	2.84
1956	3.08
1957	3.47
1958	3.43
1959	4.08
1960	4.02
1961	3.90
1962	3.95
1963	4.00
1964	4.15
1965	4.12
1966	4.65
1967	4.85
1968	5.26
1969	6.12
1970	6.58
1971	5.74

Interest rates rose in all categories after the Federal Reserve weakened its support of the Government bond market. Since the inauguration of the Eisenhower administration, the American people have paid about $497.2 billion in excessive interest rates on the total public and private debt—sums above and beyond what would have been paid if interest rates had remained at the levels existing in 1952.

Mr. Speaker, I place in the RECORD a table showing how the $497.2 billion in excessive interest charges on the public and private debt has been calculated:

EXCESSIVE INTEREST CHARGES ON THE PUBLIC AND PRIVATE DEBT, 1953 THROUGH 1971

[In billions]

Year	Net public and private debt	Interest paid	Interest costs figured at 1952 average	Excess interest paid
1953	$581.6	$21.7	$20.5	$1.2
1954	605.9	23.5	21.4	2.1
1955	644.9	25.8	23.5	2.3
1956	698.3	29.5	24.7	4.8
1957	728.3	33.6	25.8	7.8
1958	769.1	35.5	27.2	8.3
1959	831.4	40.3	29.4	10.9
1960	872.4	44.2	30.9	13.3
1961	929.8	46.8	32.9	13.9
1962	997.1	52.5	35.3	17.2
1963	1,071.7	58.7	37.9	20.8
1964	1,153.7	65.2	39.8	25.4
1965	1,245.6	72.4	44.1	28.3
1966	1,341.4	81.9	47.2	34.7
1967	1,442.7	89.9	50.8	39.1
1968	1,584.5	104.9	55.8	49.1
1969	1,722.7	120.6	60.6	60.0
1970	1,839.7	135.6	64.8	70.8
1971	[1] 1,950.0	[1] 156.0	68.8	87.2
Total				497.2

[1] Estimated.

Mr. Speaker. I also place in the RECORD a table showing how we have paid $103.8 billion in excessive interest charges on the Federal debt since 1951.

EXCESS INTEREST RATES ON FEDERAL DEBT, 1951–73

[Dollars in billions]

Fiscal year	Total Federal debt	Total interest paid	Computed annual interest rate	Computed interest cost at 1951 rate
1951	$255.3	$5.7	2.23	$5.7
1952	259.2	5.9	2.27	5.8
1953	266.1	6.6	2.48	5.9
1954	270.4	6.4	2.36	6.0
1955	274.4	6.4	2.33	6.1
1956	272.8	6.8	2.49	6.1
1957	272.4	7.3	2.67	6.1
1958	279.8	7.8	2.78	6.2
1959	287.8	7.8	2.71	6.4
1960	290.9	9.5	3.26	6.5
1961	292.9	9.3	3.17	6.5
1962	303.3	9.5	3.13	6.8
1963	310.8	10.3	3.31	6.9

EXCESS INTEREST RATES ON FEDERAL DEBT, 1951–73—Continued
[Dollars in billions]

Fiscal year	Total Federal debt	Total interest paid	Computed annual interest rate	Computed interest cost at 1951 rate
				1
1964	$316.8	$11.0	3.47	$7.2
1965	323.2	11.8	3.65	7.3
1966	329.5	12.6	3.82	7.6
1967	341.3	14.2	4.16	7.2
1968	369.8	15.6	4.21	8.2
1969	367.1	17.7	4.82	8.6
1970	382.6	20.0	5.22	8.1
1971	409.5	21.6	5.27	9.2
1972 [1]	455.8	22.1	4.84	10.0
1973 [1]	493.2	23.4	4.74	11.
Total		269.3		165.5

[1] Estimated.
Note: Excessive interest on national debt—$103,800,000,000.
Source: Budget of the United States for fiscal year 1973.

Mr. Speaker, we will never have assurances that the Federal Reserve will protect the public interest until the Congress makes certain that the system operates within the policies of the Federal Government. We can only do this if we require the Federal Reserve to come to the Congress for appropriations and require that its books be fully audited by the General Accounting Office. As I have told the House in previous speeches, the Federal Reserve derives its income—its operating expenses—through the granddaddy of all backdoor methods.

The Federal Reserve purchases Government securities in the open market with the money and credit of the U.S. Government. It holds these bonds in the portfolio of the Federal Reserve's Open Market Committee in the New York Federal Reserve Bank. These bonds now total more than $70 billion and today, the Federal Reserve is drawing almost $4 billion annually in interest on these bonds that have been paid for by the U.S. Government.

These bonds, of course, should be retired as paidup obligations and the Treasury should cease paying interest to the Federal Reserve on these bonds. Thus, the Federal Reserve would be required to come to Congress for appropriations to pay its bills and the Congress would have an opportunity to review the activities and policies of the Federal Reserve System.

Mr. Speaker, the amount of bonds being accumulated by the Federal Reserve System is reaching startling proportions and the day is coming when these holdings will far exceed the present national debt. These bondholdings have grown from a mere $16 million in 1915 to a whopping $70 billion today.

Mr. Speaker, today these holdings in the Federal Reserve's Open Market Committee—the $70 billion—represents 17 percent of the current national debt. These are bonds that have been paid for and they should be cancelled and subtracted from the national debt.

Mr. Speaker, I place in the RECORD a table showing the national debt through the years and the bonds accumulated by the Federal Reserve's Open Market Committee and the percentage which these bonds represent of the national debt in each of these years:

NATIONAL DEBT, BONDS HELD IN FED RAL OPEN MARKET COMMITTEE, PERCENTAGE WHICH BONDS REPRESENT OF THE NATIONAL DEBT, 1915–72
[Dollars in millions]

Year	National debt	Bonds held in open market committee	Percentage of national debt represented by bonds
1915	$1,191	$16	1.0
1916	1,225	55	4.0
1917	2,976	122	4.0
1918	12,455	239	2.0
1919	25,485	300	1.0
1920	24,299	287	1.0
1921	23,977	234	1.0
1922	22,963	436	2.0
1923	22,350	134	.5
1924	21,251	540	2.5
1925	20,516	375	1.8
1926	19,643	315	1.5
1927	18,512	617	3.0
1928	17,604	228	1.2
1929	16,931	511	3.0
1930	16,185	729	4.0
1931	16,801	817	4.5
1932	19,487	1,855	9.0
1933	22,539	2,437	10.0
1934	27,053	2,430	8.5
1935	28,701	2,431	8.0
1936	33,779	2,430	7.0
1937	36,425	2,564	7.0
1938	37,165	2,564	7.0
1939	40,440	2,484	6.0
1940	42,968	2,184	5.0
1941	48,961	2,254	5.0
1942	72,422	6,189	8.5
1943	136,696	11,543	8.0
1944	201,003	18,846	9.0
1945	258,682	24,262	8.0
1946	269,422	23,350	7.0
1947	258,286	22,559	7.0
1948	252,292	23,333	9.0
1949	252,770	18,855	7.0
1950	257,357	20,778	8.0
1951	255,222	23,801	9.0
1952	259,105	24,697	9.0
1953	266,071	25,916	9.0
1954	271,260	24,932	9.0
1955	275,374	24,785	9.0
1956	272,751	24,915	9.0
1957	270,527	24,238	9.0
1958	276,343	26,347	9.0
1959	284,706	26,648	9.0
1960	286,331	27,384	9.0
1961	288,971	28,881	10.0
1962	298,201	30,820	10.0
1963	306,099	33,593	11.0
1964	312,164	27,044	12.0
1965	317,581	40,768	13.0
1966	320,102	44,282	14.0
1967	326,471	49,112	15.0
1968	350,743	52,937	15.0
1969	356,932	57,154	16.0
1970	373,425	62,142	16.0
1971	399,475	70,000	17.0
1972	[1] 427,344	[2] 70,600	17.0

[1] Apr. 28, 1972.
[2] June 8, 1972.

REPORT ON THE EXECUTIVE SESSION OF THE INTERGOVERNMENTAL COMMITTEE FOR EUROPEAN MIGRATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FISH) is recognized for 30 minutes.

Mr. FISH. Mr. Speaker. I wish to take this opportunity to report to the Congress on the 41st special session of the executive committee of the Intergovernmental Committee for European Migration which met in Geneva, Switzerland, May 17 to May 19, 1972. I am honored that Chairman EMANUEL CELLER of the Judiciary Committee, on which I serve, appointed me the congressional delegate to this important meeting.

Mr. Speaker, I say honored because this was an opportunity for me to participate in the consideration of the financing of refugee movements, particularly the increased flow of Jewish refugees from the Soviet Union. Just prior to the ICEM Executive Meeting, the House passed House Concurrent Resolution 471, calling for the free expression of ideas, and the free exercise of religion in the Soviet Union, and the right of Soviet citizens to emigrate to countries of their choice, as affirmed by the United Nations Declaration of Human Rights, to which the Soviet Union is a signatory.

The Congress and this administration has also addressed itself to the problem of where Jewish refugees from the Soviet Union would go, once free to leave and how to finance their emigration. Many of us cosponsored "The Soviet Jews Relief Act of 1971" authorizing the issuance of 30,000 special imigrant visas. Our objective was achieved by a commitment by the Attorney General of the United States to use executive parole authority with respect to admitting refugees into the United States.

We, in the Congress, realized the enormous cost to Israel of assimilating and resettling refugees, and I am happy to say that our efforts in the past several months have resulted in the appropriation of $85 million to assist in the resettlement costs. The President, to further lessen this financial burden, has authorized $50 million worth of commodities under Title I of Public Law 480, to be made available to Israel. This means that commodities of our country can be sold in Israel by that government, which will realize the proceeds for resettlement of Soviet Refugees.

Mr. Speaker, the Intergovernmental Committee for European Migration has basically three responsibilities. One is that of migration between European countries, the pressure for which has diminished with the return of prosperity in the years since World War II. A second responsibility is that of selected migration in which ICEM plays the key role of matching the skills of individuals in emigrating nations with the needs of Latin American countries.

The third responsibility is for refugees. This was the most important item on the agenda of the Special Executive Committee meeting.

ICEM contributes to the cost of transporting refugees to their final destination. Its budget was based on 1971 refugee movements, which was running about 12,000 to 13,000 from the Soviet Union to Israel with another 5,000 to 6,000 from other countries. In the period January to April 1972, over 10,000 Soviet Jews had transitted through Vienna on their way to Tel Aviv. In the first 16 days of May 1,173 refugees were processed in Vienna. Therefore, the flow of refugees in 1972 projected at over 30,000, had exhausted ICEM's budgeted sums by the end of the first quarter.

I would like to read a part of the agenda which was before us at the ICEM meeting. It was decided by Israel—

To take urgent measures to absorb as many immigrants as possible, regardless of the strains placed upon the economy. This policy was motivated by Israel's belief that all persons able to leave in 1972 must be helped before there might be any change in the issuance of exit permits—despite the provisions of the Universal Declaration of Human Rights.

To date, in 1972, the agenda continues:

These movements to Israel continue in a high volume, averaging betwen 2,000 and 3,000 per month. As this situation was not foreseen, the existing provisions in the budget for 1972 for ICEM financial support for refugee movements to Israel are expected to be exhausted by the time of the Forty-first Session of the Executive Committee.

Here's the important paragraph 31:

As regards the resettlement of refugees, Israel is in the unique position of not only having to bear the cost of their absorption, but also costs which normally are met by the country of asylum or emigration. Therefore, Israel has now asked for an appeal through ICEM to the International community to support its exceptional efforts to welcome these stateless persons by increased financial and other assistance from ICEM for their transit processing and transportation.

I am pleased to say that before I left Geneva I learned that ICEM's Director, The Honorable John Thomas, was preparing a letter to the full membership of ICEM, and that there had been several affirmative expressions from representatives of nations present. I was also very proud that U.S. Ambassador, Frank L. Kellogg, the head of our delegation, who is Special Assistant to the Secretary of State for Refugee and Migration Affairs, made a very strong statement before this meeting. In part, Ambassador Kellogg said:

We have observed on several occasions that the freedom of an individual to leave his country and if he so wishes to return to it is a basic right guaranteed in the Universal Declaration of Human Rights. We feel strongly that the individual who finds it impossible to pursue his profession satisfactorily in his own country, cannot practice the religion of his choice, or who wishes to join his relatives abroad should be permitted to seek resettlement in another country.

It has been our belief that governments such as that of the Soviet Union take into account world public opinion, and that efforts of other governments, international organizations and private men of good will could favorably affect emigration from areas such as the Soviet Union.

The marked increase in the rate of emigration of Jews from the Soviet Union this year—2,000 to 3,000 per month—tends to support this belief. We welcome this development and wish to see it continue.

. . . we note in Paragrah 31 that Israel is appealing to the International community for financial assistance to enable ICEM to handle this new large-scale flow of refugee migrants.

. . . we are in full sympathy with this appeal and it is our intention to make a generous response.

Our State Department did in fact transfer 2 million dollars from the U.S. AID Program to the Office of Refugees and Migration Affairs, which Mr. Kellogg heads, to be made available to ICEM to assist in defraying the costs of the processing and transportation of anticipated movements.

Mr. Speaker, I believe all Americans would be moved by the story of these brave people who risk humiliation and imprisonment for freedom. Now there is no question that Soviet policy remains one of discouragement of immigration. Applications are ignored, people of the right age for military service suddenly find themselves called up, professional people get transferred or face loss of employment. But it is apparent that the most persistent do get out and I met some persistent ones—some that I had a chance to talk to at Schoenau had waited 25 years.

The costs facing each refugee are sobering. The overall cost of leaving the Soviet Union for anyone over 16 years of age is $1,300. This breaks down into $480 for travel documents, $600 for being released from Soviet citizenship, and $220 for transportation within the Soviet Union itself. The fact that money is not a barrier testifies to the vitality and generosity of American philanthropy, particularly the United Jewish Appeal.

The refugees leave Russia by train and plane for Vienna almost daily, unannounced until the train crosses the border or the plane lands. They go to a processing center about 20 miles outside of Vienna called Schoenau, which was a hunting lodge or castle. There, four or five Israelis, fluent in Russian, members of the Jewish Agency Israel, direct the processing, 250 refugees in 24 to 36 hours. They feed and house them, they go through their paperwork with them, they process them, they handle their insurance, they help them repack and then they take them in modern buses to the airport when El Al planes are waiting for them. The cost of the processing is $35 per person.

Transportation once the refugees get to the airport in Vienna is $91 per person. As I indicated earlier, 12,000 refugees were budgeted for, whereas, over 30,000 are anticipated this year. Twenty thousand refugees not budgeted for times $91 is $1,820,000 of needed transportation money for the balance of 1972. The U.S. contribution of $2 million alone will suffice if the rate of movements does not markedly increase this year.

Mr. Speaker, there were significant bonuses for me in connection with the meeting in Geneva. At the suggestion of the Westchester Conference on Soviet Jewry, I broadened the scope of my inquiry into the problems of refugees with appointments with Maurice Naville, president of the International Red Cross, The Sadruddin Aga Khan, United Nations High Commissioner for Refugees, and a visit to Schoenau, outside of Vienna.

It was illuminating, in talking with Mr. Naville, to learn of the restrictions under which the International Red Cross has to operate, for the Geneva Accords talk in terms of armed conflict and the Red Cross responsibilities for prisoners of war in times of hostility. Our talk covered a range of issues from the frustrations that all have experienced in attempts to assure humane treatment for American POW's in North Vietnam to the interest of the Red Cross in broadening the whole concept of humanitarian law. I know the International Red Cross is working quietly and diplomatically to assure proper treatment of prisoners of conscience in the Soviet Union. Speaking as a congressional Delegate and a Member of Congress, I urged Mr. Naville specifically to work toward obtaining permission for mail and packages to be delivered to these prisoners of conscience.

Mr. Speaker, I want to close with some observations on Schoenau, the processing center near Vienna. I believe that I was only the third Member of Congress ever to visit there, and certainly it is an experience I will never forget. There were a few English-speaking refugees with whom I could talk directly and, of course, through translators, I was able to talk to a number of others.

One comes away with a number of impressions, meeting as I did with people who only a few hours before were in Soviet Union, stateless. The principal impression, I think, is the bravery of these people. There are men of middle age, many established in their professions who have given up probably what was a better life than most enjoy in Russia. They went through all types of agony to leave. They are going to a country where the skills and education may or may not be recognized, where they do not know the language, and where they will start a new life.

Typically, I met family groups—husband, wife, children, and grandparents. Reunification of family is the sole basis today recognized by the Soviet Union as grounds to emigrate.

Another impression is the number of professionals in the group. I was interested that professionals would be allowed to leave because you would think that they would be the most valuable people to retain. As an example, of the 250 present at Schoenau when I was there—17 were engineers; six doctors; eight nurses; four teachers; five technicians; and three economists, just to name a few.

It was very evident to me that the refugees had not lost their Jewish identity, regardless of Soviet attempts to end religious observances, schooling and training.

Mr. Speaker, significantly I heard repeatedly of English and Israeli language broadcasts. It meant a great deal to these people, for it was their only way of keeping in touch with what was going on, not just in the rest of the world, but in their own country. It is essential, in my mind, that the Congress fund the Voice of America, Radio Liberty, and Radio Free Europe, as it has just recently done.

And finally, Mr. Speaker, I would end on a personal note. An incident I experienced, could have been experienced by any one of my colleagues in the Congress. Just as the buses were leaving for the airport, the Director was giving instructions in Russian about what they would be doing next. He asked me to come and stand next to him on the bus. He began to tell these people what I was doing there. You could tell the level of noise in the bus began to go up among these people who are fresh out of the Soviet Union. He told them that here was a Congressman from the United States. And when he finished, he turned to me and asked if I would like to say something to them.

I asked him to say "Good luck and much happiness in your new home" and all of them burst into applause. This meant a lot to me, as I know that I was a stand-in for my colleagues, for my government, and for my country.

NEW VIETNAM DIMENSION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. Bow) is recognized for 10 minutes.

Mr. BOW. Mr. Speaker, I feel certain all of us recall the breast beating and hysterical predictions of doom that greeted the President's decision to react strongly to North Vietnam's invasion of the south in early April.

Washington columnists and the big-name commentators of television and radio were predicting world war III, the collapse of American foreign policy and the end of the new relationships with China and Russia. They told us the accomplishments of the President's mission to China would be wiped out. They were almost unanimous in predicting that his invitation to Moscow would be rescinded.

Today, with South Vietnam on the offensive in Quang tri province, it seems appropriate to me to call attention to the fact that Rittman, Ohio, has a newspaperman who can see through the left-liberal propaganda and call the shots correctly.

Lin Williams, publisher of the Rittman newspaper and several others, wrote an excellent column for his editions of April 19, illustrating the kind of keen analysis and cool judgment that is characteristic of his work.

I do not expect that Lin Williams will receive any journalistic awards in an era when Pulitzer Prizes are awarded for publishing stolen Government documents. I do expect that he will continue to have the support and confidence of all who have access to his column. I wish to include with my remarks and share with the Members the April 19 Vietnam column to which I refer.

[From the Rittman, Ohio, Press, April 19, 1972]

By Lin Williams

CHANCE OF "SUCCESS" NEW VIETNAM DIMENSION

A new and decisive dimension has been added to the Vietnam War.

The military authorities are not permitted to tell us what may be brewing, and it is too early to perceive the nature of the change from events.

Yet it has the smell of success!

Oh, not victory—where one side quits, lays down its rifles and signs a peace treaty. Those days are gone forever. In wars of limited objectives, victory is impossible.

Perhaps a new confidence seems noticeable in contrast to the years of frustration.

The South Vietnamese have been on the defensive for a quarter of a century as the communists ravaged their country and slaughtered civilians in an endless terror campaign.

As an ally, the United States has tarried in a controversial political campaign of containing but not destroying the North Vietnam communists.

President Richard Nixon won election on the promise he would get us out of Vietnam. Steadily, the number of combat troops in Indochina has dropped—just about as fast as the logistics of loading ships with men and material will permit.

We are down to about 60,000 men—from a peak of more than a half million. Nixon has confounded his Quisling peace critics, as well as the enemy, by fighting back as our withdrawing troops are pursued.

The communist sanctuaries in Cambodia and Laos—once thought to be off limits because of the possibility of offending the communists—were whittled down in sensible military fashion.

And what a surprise! Neither the Red Chinese or Red Russians started World War III.

This week we retaliated against another massive communist invasion of South Vietnam with another logical, military response—massive bombing of the heart of North Vietnam.

For the first time in our sorry history of involvement in Indochina we have dropped bombs on Haiphong, the chief military port of North Vietnam.

The Soviet Union sputters that one of its military transport ships was hit by a U.S. bomb and a Russian sailor killed. But we have learned from experience that the Soviets only bluster when dealing with real power. The Soviets get tough only against unarmed people such as the Hungarians, Poles and Czechoslovakians.

Incidentally, what was a Soviet military transport doing in North Vietnam? It's pretty hard to carry off an act of righteous indignation when you have egg on your face.

So Nixon has exploded some of the myths of communist invincibility that held us in check while thousands of American boys died in battles they weren't allowed to win.

Sad! Sad! Sad!

One thing is certain, however, President Nixon is withdrawing even in the face of renewed aggression. The South Vietnamese apparently realize they have arrived at the moment of truth—when they have to "hack it," or be hacked.

In all fairness to the four preceding American presidents, they also wanted an honorable end to our involvement in Vietnam. It must be pointed out that the time which previous presidents bought was vital to the slow process of training South Vietnam. It took time and the daring of an old communist fighter like Nixon to lay it on the line to South Vietnam and to call the bluff of North Vietnam.

The new element in the present Vietnam situation is that massive bombing of the heart of North Vietnam comes as the rainy season nears. By May 15, all fighting will bog down in mud and water. For all practical purposes, the war will wait at status quo for dry weather six months later.

Strategic bombing will have no effect on present fighting. However, a crippling effect in the North will be crucial this Fall.

As an arm chair general, I am impressed by the long range implications of the present bombing program:

1. The South Vietnamese give every indication of holding their enemy.

2. The American influence on South Vietnam policy grows weaker as we withdraw.

3. The South Vietnamese bitterly hate the Viet Cong and are frustrated by many years of unprovoked killing.

4. A counter attack on a scale equal to an initial attack is standard military strategy.

5. The North Vietnamese apparently have cast all their forces into this one big gamble.

6. If the North Vietnamese are held, and the counter attack works as well it is not likely that the South Vietnamese will give up their pursuit at a meaningless boundary line.

It is this military reasoning, coupled with unprecedented strategic bombing, that suggest the possibility a breakthrough by South Vietnam—unhampered by timid U.S. policy—might roll on ruthlessly to Hanoi itself!

President Nixon is getting out. By May 15, or thereabouts, our presence will not be of great value until Fall. Our present strategic bombing of the north is a parting gift to the South Vietnam soldiers to be collected then.

In the Fall, also, President Nixon must have made good on his campaign promise. My money says he will; and, probably, with some kind of formal declaration of our having fulfilled our obligations.

Right now, Nixon goes to Moscow and deals with communist negotiators in Paris with some strong cards.

Our will to resist can not be taken for granted; and the chances for a viable, independent South Vietnam look better than they ever have.

SOCIETY'S RIGHT TO THE DEATH PENALTY FOR CERTAIN AWFUL CRIMES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Hampshire (Mr. WYMAN) is recognized for 30 minutes.

Mr. WYMAN. Mr. Speaker, I never thought I would live to see the day, but it has happened. The Supreme Court in a 5-to-4 decision has held that in almost all cases the penalty of capital punishment is violative of the eighth amendment and cruel and unusual. And this in the same Constitution that in the fifth amendment specifically states that "No person shall be held to answer for a *capital*, or otherwise infamous crime, and so forth," thus specifically recognizing in the Constitution itself that capital cases exist and are contemplated by its authors—for a capital case is one for which the penalty may be death. It was ever thus.

Now five Justices, circa 1972, develop the theory that somehow the eighth amendment prohibiting cruel and unusual punishments itself prohibits, generically, capital punishment in any form. This of course is, as the four dissenters say in their dissenting opinion "this decision—is not an act of judgment, but rather an act of will."

It is important to observe that capital punishment is imposed by most legislatures as well as by the Congress—in those Federal cases in which Congress has jurisdiction—only in a very few situations and then only, for the most part, to the deliberate and premeditated commission of crimes so heinous, so awful, so enormous in their amorality that none but those conscientiously opposed to the taking of life for any reason could be opposed.

Society is entitled to the protection of the deterrent of capital punishment for such offenses. Of course one cannot assess the length and breath of the deterrent. But neither can one baldly assert that the assurance that if one commits a certain crime he will pay for it with his life does not discourage him from doing it.

What about those prison guards who face the lifers who are in for life plus 99 years and have nothing to lose now? What about the man who assassinated Senator Kennedy—or President Kennedy? What about the atom spies who committed treason? What about the killer of the policeman by sniper fire with a telescopic sight from ambush? What about the person who carefully plans and then plants a bomb under a crowd

at a public meeting killing hundreds and even thousands of innocent citizens? What about the deliberate, planned, brutal murder of an 8-month pregnant girl against her pleas for the life of her child? These and other cases demand the death penalty.

The constitutional amendment I am proposing today is limited to cases in which a person has wilfully and deliberately taken a human life. It would permit State Legislatures—and the Congress to the extent it has jurisdiction—to impose death as a maximum penalty in these circumstances. It would also permit Congress to impose the death penalty for treason. The text of my amendment follows these remarks, together with those members who in haste and without opportunity to consult with the full House gave cosponsorship for which I am sincerely appreciative.

It is too late now to argue about whether the decision is right or wrong for there is no appeal from the Supreme Court. The only answer to this needed public protection is a constitutional amendment. Congress should propose one without delay.

The amendment follows:

Joint resolution proposing an amendment to the Constitution to permit the imposition and carrying out of the death penalty in certain cases.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"Article——

"SECTION 1. In the case of any crime involving the deliberate and willful taking of human life, the power of a State or of the Congress to declare the punishment thereof shall include the power to impose and provide for the carrying out of the death penalty.

"SEC. 2. In the case of treason against the United States, the power of the Congress to declare the punishment thereof shall include the power to impose and provide for the carrying out of the death penalty."

WE ARE PLAYING A DANGEROUS GAME WITH OUR NATIONAL SECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. ASHBROOK) is recognized for 30 minutes.

Mr. ASHBROOK. Mr. Speaker, the SALT agreements should be decisively rejected by the House and the Senate. They clearly are not in our best interests and mandate a decade of Sovet superiority. It is shocking to recount how this Nation has moved downward from supremacy to superiority to sufficiency to inferiority. That is precisely what has happened and no amount of rhetoric will change the cold, hard facts.

In October 24, 1968 candidate Richard Nixon pledged to the voters to "restore our objective of clearcut military superiority." Most Americans, like myself, believed this was his true objective and we supported him in that goal. In fact, Mr. Speaker, in April, 1972 the Gallup poll asked the following question:

Do you believe that the United States should have a policy of military superiority over Russia?

The answers were: 68 percent said yes, 23 percent said no and 9 percent had other opinions or no opinion. American opinion has never wavered on this issue.

Most Americans want to avoid an arms race. We are being misled in this score. There is no arms race; the Soviet Union is in a one-nation arms race all by itself. No meaningful changes or improvements have been made in our military posture in the weapons field since the Eisenhower years, some 12 years ago.

MINUSES INTO PLUSES

Mr. Speaker, we are playing a dangerous game with our national security. In algebra it is possible to make two minuses into a plus. This is not possible in national security. Two minuses add up to potential danger. In his speech to Congress President Nixon tried to make two minuses into a plus. He indicated that one of the strong reasons why the SALT agreements were in our interest was that it would stop the Soviet Union from moving ahead in areas where we do not now have programs. We do not have programs in these areas because of official negligence. Both Presidents Johnson and Nixon have imposed a missile freeze during the very time the Soviets were forging ahead of us. Now the American people are being sold on the idea that it is a "plus" for use to have an agreement in this area to prevent the Soviet Union from widening the gap in their superiority. SALT will supposedly help us by freezing them in a superior position—a minus—which will compensate for our negligence in letting them get ahead of use in the first place—a minus. Two minuses cannot make a plus. In this case they spell disaster.

I have gone into detail in the past regarding this fantastic agreement to give the Soviet Union military superiority. Here are some details which every American should know.

First, in land-based ICBMs, Article I of the SALT pact freeze the present numbers of 1,054 for the United States and 1,618 for the Soviets—figures which give the Soviets more than a 50 percent superiority. These are the weapons which, because of their fantastic power, will rule the world. It is even worse than these figures indicate. Our missiles are of the mid-1960's vintage, the Soviets are up-to-date. Moreover, the SALT pact only applies to land-based ICBMs not under construction on July 1, 1972. The Soviet is in production, we are not. They can continue almost 100 larger new missile silos. We do not have any ICBMs under construction.

Second, on limit whatsoever is placed on missile megatonnage—explosive power. The present Soviet land-based missile megatonnage superiority is about 9,400 million tons of TNT-equivalent to our 1,270. Under the terms of the SALT Treaty, the Soviets can continue to increase their superiority by replacing their one-megaton missiles with 25-megaton SS–9s. We cannot.

The Pact says:

The U.S. may have no more than 710 ballistic missile launchers on submarines (SLBMs) and no more than 44 modern ballistic missile submarines. The Soviet Union may have no more than 950 ballistic missile launchers on submarines and no more than 62 modern ballistic missile submarines.

The U.S. position is decidedly the weaker.

This is particularly revealing because for the past 3 years the Defense Department has answered critics such as myself who indicated the Soviet Union was not only catching up but passing us by retorting that we still had a decided lead in submarines. At SALT we gave up that lead.

Fourth. The Moscow SALT pact guarantees that the Soviets can not only keep their lead over the United States on missile payload but can also increase it as much as they want. The United States cannot increase its missile payload because the pact states:

The Parties undertake not to convert Land-Based Launchers for light ICBMs, or for ICBMs of older types deployed prior to 1964, into Land-Based Launchers for heavy ICBMs or types deployed after that time.

Again we pay for our self-imposed misisle freeze and reward the U.S.S.R. for their aggressive program of military construction.

Fifth, the appearance of equality in limiting both the United States and the U.S.S.R. to two ABM sites is shattered when you coldly consider our deficiencies. The United States has no weapon capable of destroying Soviet hardened ICBMs. The Soviets have no practical need of ABM, therefore, and use their ABMs to protect population rather than missile sites. Quite the opposite, they have their powerful SS–9 missiles designed specifically to knock out our ICBMs and have some 2,000 other missiles targeted on our population. Thus we have no equality in the ABM trade-off.

Other deficiencies are obvious. There is no on-site inspection or verification. Who can trust the communists? It is foolish to overlook their past record of broken treaty commitments.

Possibly the fatal error is to overlook the Soviet advantages in first strike. They have a long record of sneak, attacks and should not be trusted. We need a defense which takes into account their record of surprise attack such as those launched against Finland, Estonia, Latvia, Lithuania, Poland, Hungary, and Czechoslovakia.

In 1958, we also had an executive agreement with the Soviets calling for a moratorium on nuclear testing. Within 3 years, they unilaterally broke the agreement and launched a series of tests in the atmosphere, the biggest and dirtiest explosions up to that time. Then, after accomplishing their tests, they launched a worldwide campaign for banning nuclear testing in the atmos-

phere. This proved they had been preparing for these tests while under an agreement and, further, that in keeping with their past record, they broke it when it was in their interest to do so. Why would they not do the same thing in such an important area as strategic weapons if they did it in the more simple expedient of nuclear testing in the atmosphere?

Even President Kennedy was constrained to admit the inability of this country to enforce a Cuban missile ban without a continual onsite inspection. Recall his statement:

> We cannot prove there is not a missile in a cave or that the Soviet Union is not going to ship next week.

A good example of the true Soviet attitude is this inventory of U.S.S.R. actions during the week Mr. Nixon was in Moscow. National Review noted the following "peaceful" actions which were publicly known—who knows how many other subversive actions the Reds took: First, a shipment of MiG–21 airplanes arrived in Cuba; second, a system of anti-air defense of SAM–3 type was initiated by the Soviet Union in Syria; third, a shipment of 100 new-type troop carriers and 40 medium tanks arrived in Egypt; fourth, seven new MiG–21s were delivered to India; and fifth, Soviet experts were working on installation of new radar guidance systems of SAM–2 sites in Hanoi. How dumb can we get?

WE REWARD THEIR BUILD-UP

The SALT Treaty rewards the Soviets for having engaged in a rapid missile-building program during the last 3½ years, and punishes the United States for the Nixon administration's restraint in not adding a single land or sea-based missile launcher. The Nixon administration's 3½-year missile freeze has done irreparable damage to the United States by allowing the Soviets to gain a tremendous lead—and this new Soviet superiority will be made permanent by the SALT Treaty.

Two things were very clear from the beginning. The Soviet Union was stalling at the SALT talks for the past 2½ years while it achieved its objective of superiority. Second, it was not likely that U.S. interests would be well represented at the SALT talks because of the weak-kneed officials we had in residence there.

To represent our country at the SALT talks, President Nixon appointed the two principal deputies of former Secretary of Defense Robert McNamara who did the most to assist him in destroying the 5-to-1 nuclear superiority the United States had at the time of the Cuban missile crisis in October 1962. These men are former Deputy Secretary of Defense Paul Nitze and former Secretary of the Air Force Harold Brown. President Nixon promoted these two liberal bureaucrats to the SALT team where they have now negotiated a treaty which guarantees and perpetuates U.S. inferiority to the power of the Communist dictators in the Kremlin.

There is a spirit of appeasement in our country. It is based on the same fallacious arguments that were presented in the 1930's. The total history of man indicates we can place very little reliance on treaties or written documents. This is especially true when the agreements are with nations or powers which have aggressive plans. Hitler had plans. Chamberlain's Munich served only to deaden the free world to reality. The communists have plans. SALT will merely cause us to lower our guard, possibly fatally. Only by being militarily superior and alert can the United States survive. SALT weakens us and mandates the superiority of our sworn enemy.

HON. FRANK HORTON COMMEMORATES THE FIFTH ANNIVERSARY OF THE FREEDOM OF INFORMATION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HORTON) is recognized for 5 minutes.

Mr. HORTON. Mr. Speaker, I wish to join Congressman MOORHEAD in commemorating the fifth anniversary of passage of the Freedom-of-Information—FOI—Act.

On July 4, 1966, after 11 years of investigation by the Foreign Operations and Government Information Subcommittee, the Congress enacted into law a new charter of public freedom.

First the first time, the people of the United States made it clear through their elected representatives that they, the public, had the right to know what their Government is doing. The FOI Act makes disclosure of information a rule, not an exception; it provides that all citizens shall have equal access to information; and it places the burden upon government to sustain any efforts to withhold information. Nine exceptions are incorporated into the law, however, to protect individual and commercial privacy, to safeguard national security, and to preserve essential intragovernmental procedures.

Commencing last year, and continuing up until this week, the Foreign Operations and Government Information Subcommittee on which I serve has been conducting exhaustive hearings into the overall question of freedom of information and the protection of individual privacy. Since we were approaching the fifth anniversary of the FOI Act, we thought it was essential to initiate an overview of that law's operations. In addition, the subcommittee examined the principle areas of information freedom: executive privilege, security classification, the right of Congress to know, and the conduct of government advisory committees. Similarly, in response to two separate items of legislation, introduced by Congressman KOCH and myself, the subcommittee began looking into the subject of invasion of privacy—the mirror image of informational freedom. While considerably more investigation is required in the privacy field, our subcommittee has conducted the most exhaustive inquiry into the public's and Congress' right to know.

There can be no question that the basis of our form of government rests on an informed citizenry, participating in the decisionmaking process. This principle assumes that the people must have available to them as much information as possible in order to make wise choices.

It is with this fact in mind that the Congress first enacted the FOI Act 5 years ago; and it is also with this in mind that the subcommittee decided to conduct the fundamental review over the past year.

Since the formation of government there has undoubtedly existed a tension between the desire of the public to know and the interest of leaders to direct the flow of information. It is the nature of organization, in my opinion, to disclose only the good and withhold the unfavorable. Certainly, that attitude has existed in our own public arena since the foundation of our republic. But, it has been primarily in the last forty years that major concern has arisen. The reason for that is, of course, obvious. Only during the past four decades has government, especially the central government, assumed major direction over and responsibility for the lives of the citizens.

With this change has occurred a growing need to know what government is doing and an expanding concern over failures to be kept adequately informed. No intentional conspiracy exists, in my opinion, to mislead or misinform the public. There can be no question, however, that serious concern over and even distrust of government does exist today in many quarters. For that reason, then, every effort made by our subcommittee and the Congress, as a whole, to open up channels of public information will have the effect hopefully of restoring public trust and confidence and thereby strengthening our democratic form of government.

In our review of the FOI Act, we found that the major proportion of requests from the public for information were being honored by Federal agencies. It was also determined that the existence of this legislation had inspired a greater willingness among agencies to make information available than would otherwise have existed if Congress had not acted. The fact remains, however, that most of the requests granted appear to be for information of a routine nature. More controversial information is still being withheld by agencies or such agencies are resorting to procedural devices to impede release.

Perhaps, most revealing of all, the subcommittee discovered that certain of the exceptions built into the FOI Act were unnecessrily broad, providing an escape from compulsory disclosure for wary agencies. The courts have generally interpreted this law in a liberal spirit, opening previously unavailable information to the public. Even here, however, unduly restrictive interpretations have been issued.

In order to overcome these deficiencies, the subcommittee plans to thoroughly examine the various proposals for strengthening the effectiveness of the FOI to make certain that government agencies inform the public as fully as possible. While it is too early to conclude what changes will be made, there can be little doubt that we will try to close

the loopholes, streamline procedural processes, and regulate fees. All of these changes will make the Freedom of Information Act an even greater charter of liberty than it is today.

The subcommittee also plans to examine other proposals for opening up channels of information.

It is estimated that two-thirds or more of the 20 million classified documents in Government hands today are overclassified. Efforts are underway to eliminate this paper barrier. The President commendably put into effect recently a new executive order designed to attack this issue. A further look must be given this matter, however, since I believe it may be possible to restrict even further the category of document that must be classified.

Executive privilege also hovers over us as a disturbing device for withholding information from Congress and the public. There has been continuing debate over the constitutional justification for this authority. In my opinion such debate is academic and will not provide a resolution to the problem. The issue is one of power between two separate but equal branches of government both of whom cite chapter and verse from the Constitution in support of these positions. If would greatly strengthen our form of government, then, if both sides approached the issue from the spirit of cooperation, rather than divisiveness, with the recognition that our democratic society can only continue strong if the public has as great an access to information as possible. The Congress should recognize that the President may have occasion to receive certain types of information in confidence, and the President should recognize that it is only limited types of information that should or can be kept in confidence.

In closing, Mr. Speaker, I believe that we can be proud of the contribution that the Freedom-of-Information Act has made after 5 years to strengthen the confidence of the public in our form of government. I further believe, however, that we must initiate even greater efforts to assure that Congress and the public are fully informed in keeping with the belief that an informed people support a free society.

THE DEMOCRATIC NEW CONVENTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. BOLAND) is recognized for 15 minutes.

Mr. BOLAND. Mr. Speaker, the Democratic Party is emerging from a reform process wholly unprecedented in its breadth and reach. The 1972 Democratic National Convention, free of the wearisome traditions and cumbersome procedures of past conventions, will be the fairest in American history. All the debris left behind by generations of party politics has been swept aside, giving a clear and open field to the 3,103 delegates who will select the Democratic Party's candidate for President this year. More than ever before, the party is living up to its name: it is truly democratic, truly the party of the people. The Democratic National Committee and its chairman, Laurence F. O'Brien, have carried out a job that is nothing short of astonishing. They have earned our congratulations and our thanks.

Summing up the accomplishments of the reform program, Larry O'Brien said this,

> The new convention is far more than a party matter. The manner in which we nominate our Presidential candidates and conduct our platform-writing process will tell the American people that the Democratic Party has its own house in order, that it is the party most responsive to the will of the people, and that it is prepared to govern this troubled nation wisely, rationally and steadily through the difficult 1970s and beyond.

I agree, Mr. Speaker.

Reforms in the delegate selection process alone have been exhaustive, succeeding against odds considered insuperable a decade ago. Everyone within the Democratic Party—black, and white, rich, and poor, young and old—was granted ready access to the selection procedure. Region by region, State by State, the unwieldy and arbitrary selection procedures of the past have been uprooted—assuring broad representation and still broader participation. Even seating at the convention has been reformed: for the first time, all delegates and alternates will be assured of a seat on the convention floor. And—this is another first—each delegate will be endowed with full deliberative power, his vote beholden to no one. The reports of the platform committee and rules committee will be in the delegates' hands a full 10 days before the convention opens. The credentials committee's report, too, will be available in advance.

The convention manager, Richard J. Murphy, and voting members of the arrangements committee were elected by the full membership of the Democratic National Committee. As a member of the arrangements committee, I can testify personally to its wide representation: among its members are two blacks, a Spanish-Speaking American, a 19-year-old college student.

Of the hour-by-hour operation of the convention itself, I again quote Larry O'Brien:

> It will be a no-nonsense convention, conducted under rules formulated by a reform commission headed by Rep. James G. O'Hara of Michigan. Artificial, stage-managed demonstrations will be banned; the secrecy of the legendary smoke-filled rooms will be prohibited; confusing and delaying parliamentary tactics will not be tolerated, and minority views will be heard. The convention will be simpler, easier—and more fun to watch.

Here is just a partial list of arrangements for the convention:

> Arrangements have been made to print the reports of the Platform and Rules Committees and to distribute them to the delegates ten days in advance of the opening of the Convention.
>
> Low-cost air conditioned housing has been provided, not to exceed $5 or $6 a day.
>
> 25 caucus rooms are being constructed within the convention hall.
>
> All Presidential candidates will be provided with equivalent office space adjacent to the convention hall.
>
> All delegates and alternates will be seated on the floor for the first time.
>
> A special expense fund has been established by the Committee with which to pay the expenses of the Standing Committee members.
>
> Seating of the delegations will be done by lot.
>
> Aisles will be wide so as to allow easy passage for all delegates.
>
> For the first time the Convention Manager and an Arrangements Committee, widely representative of all Party groups were elected by the full National Committee.
>
> Security within the hall is under the sole authority of the Arrangements Committee.
>
> All Presidential candidates will be offered equal headquarters facilities in at least two hotels.
>
> Extensive facilities have been provided for full media coverage of the Convention, including easily accessible TV booths, camera stations commanding full view of the proceedings and sufficient lighting to allow color TV.
>
> Discussions are now underway with the telephone company to provide a network of telephonic communications between the press and delegates, between delegations and between delegations and the rostrum.
>
> Finally, the Roll Call will no longer be alphabetical, but will be done by lot.

Hundreds of thousands of Democrats have contributed to the planning of this convention. I would like to take a moment, Mr. Speaker, to thank those who contributed most: Larry O'Brien; Don Fraser, chairman of the commission on party structure and delegate selection, and his predecessor in that job, George McGovern; Dick Murphy, convention manager; Jim O'Hara, chairman of the special reform commission on rules; Bob Strauss, Democratic National Committee treasurer, now retiring to resume his law practice after putting the day-to-day operations of the party back into the black.

I think the following statement, published by the national committee in its convention brochure, aptly sums up the mood and goals of this year's convention:

THE NEW CONVENTION

"How can grown men and women carry on like that?"

"Can't they speed it up?"

"What's going on, anyway?"

"It's two o'clock in the morning and the balloting for President hasn't even started yet."

"There must be a better way."

There is. The Democratic party agrees with the American voter, the editorial writers and television commentators who have lost patience with the complicated, protracted, sometimes frivolous proceeds of the past. This year the party will show the nation and the world a simpler, fairer, more dignified method of nominating candidates for President and Vice President of the United States. The 1972 Democratic National Nominating Convention will operate under a sensible new rule book—the first in its history—that clears away the sediment and debris of more than a century, abolishes the pointless, boring and sometimes unfair procedures that encumbered Democratic conventions through 1968.

What will you see in 1972? What will the new convention look like?

First, there will be no more parades—no more hired bands and conscripted participants to stage tiresome and disruptive demonstrations after a candidate is nominated. Each candidate will be permitted a strict fifteen minutes for nomination and seconding; any spontaneous demonstrations will

count against his time. Favorite-son nominations are foreclosed. Only genuine presidenial contenders who can establish support in three states or more may be nominated. The new rules require that nominating petitions be signed by fifty to two hundred delegates, no more than twenty of whom may be from the same state; no delegate may sign more than one petition.

The unit rule, originated in 1832 and overthrown in 1968, is henceforth abolished; each delegate may vote for the candidate he chooses, even if that person has not been formally nominated. No longer will the Democratic party hold any delegate to be bound by state law or by the majority of his delegation to vote against his preference. The roll call of states will be determined by lot rather than the traditional alphabetical listing so that chance will decide the order of presidential nominations and the order of balloting. The choosing of a vice presidential candidate will be conducted in the same manner as for presidential.

Nominations, of course, will be the climax of the convention; they will be preceded by the consideration of Credentials, Rules and Platform. Each matter will be presented by its committee to the full convention for deliberation and adoption. The process necessarily will take longer than the nominations, but the new rules again provide for a speedier, fairer process. Time limits will be important thirty minutes for the report of each committee and twenty minutes for each amendment or minority report, until the convention agrees to a longer period in any instance. The new rules guarantee that the minority voice will be heard, debated and voted upon promptly. Surprise amendments from the convention floor will not be permitted nor will delaying motions, interruptions, appeals or any other obstructive parliamentary tactics.

Communications equipment will permit any delegation to seek recognition from the chairman; electronic devices will flash the request to the view of the chairman of the delegates and television viewers. Delegation seating arrangements on the convention floor will be determined by lot; in the past the convention Arrangements Committee had fixed them arbitrarily. All convention sessions will be open to news media and public, including meeting and voting of the three standing convention committees. Membership of the committees must be representative. Each committee will consist of 150 members, including one from each state and territory, the remaining ninety-five seats to be allocated on the basis of delegation size. In previous years committees consisted of one man and one woman from each state or territory. In 1972, states must appoint their committee members as equally as possible according to sex and with due regard to race and age.

Women will be represented in equal numbers among convention officers, and a woman must be either chairman or vice chairman of the convention.

Besides these changes, most of which will be readily apparent to television viewers, the new rules provide other less visible but equally important new advantages: delegates will be better informed and better prepared to deliberate than in any previous convention; more Democrats than ever before will have been heard on the drafting of the platform. In 1972, the Platform and Rules Committee must get their reports to each delegate ten days before the convention opens; the Credentials Committee must complete its report two days before the opening. Minority reports may be submitted to the convention upon the request of ten percent of a committee's membership. The Platform Committee is soliciting the broadest possible participation in its work by holding eight regional hearings on the platform in the months before the convention. From the welter of testimony and the variety of opinion, the committee will winnow and shape all platform recommendations.

The Credentials Committee faces an unprecedented task: sweeping reform has revised delegate selection procedures in virtually every state, and it will be the committee's job to hear challenges to any delegate or any delegation chosen under the new procedures. Rules of challenge, protecting the rights of all parties, have been established. A challenge must begin within ten days after delegate selection in a state has been completed, and the Credentials Committee has been empowered to hold hearings in the states and to appoint its own impartial hearing examiners to develop facts. The committee must determine which persons are entitled to convention seats and recommend to the full convention.

The Rules Committee will have before it the new rules book abstracted here. The committee must consider the rules and recommend them for adoption by the convention. A special reform commission created by the 1968 convention and headed by Representative James G. O'Hara of Michigan spent more than two years preparing the new rules for the 1972 convention. Members * * * conducted hearings throughout the United States, heard scores of witnesses and virtually every possible * * * of Democratic opinion, spent hundreds of hours refining proposals and drafting recommendations. The commission's work was approved and praised by the Democratic National Committee.

Said Congressman O'Hara: "The rules are intended to make all future Democratic National Conventions representative, open, deliberative and fair."

For the first time since it began to meet in 1832, the convention has its own rule book. Previous conventions were governed by the rules of the U.S. House of Representatives and past convention procedures—a vast and complicated body of administrative regulations to which few delegates had access. The rules—simpler, clearer, available—together with the nationwide reform in procedures for selecting delegates have revolutionized the structure of the Democratic party. The reform movement, arising from the chaos and controversy of the 1968 convention in Chicago, has been transformed into a political rebirth for Democrats in 1972.

"Never has a political party so totally changed its way of doing business," Democratic National Chairman Lawrence F. O'Brien said. "And there will be no turning back."

PANAMA REVOLUTIONARY GOVERNMENT OCCUPIES NORTH AMERICAN POWER COMPANY AND SUBMITS ULTIMATUM THREATENING EXPROPRIATION

The SPEAKER pro tempore. Under a previous order of the House, the gentlemen from Pennsylvania (Mr. FLOOD) is recognized for 10 minutes.

Mr. FLOOD. Mr. Speaker, in various statements before this body I have stressed that ceding sovereignty over the U.S. owned Canal Zone territory would open the way for the pro-Red Revolutionary Government of Panama, with advice and assistance of Soviet agents already in that government, to expropriate the Panama Canal.

Indications of such future developments have come sooner than expected. On June 1, 1972, Panama's usurper government announced its occupation for 30 days of the Electric Light & Power Co. of Panama owned by the Boise Cascade Corp. of Boise, Idaho. This Government also served notice that the company must meet certain conditions, some of them difficult, within the 30 days or face expropriation.

The actual takeover of the property was done in a dramatic manner by the head of the Government-owned Institute of Hydraulic Resources and Electrification—IRHE—accompanied by the Intelligence Chief of the National Guard, the Director of the National Department of Investigation, and guardmen who were stationed in the building and searched those leaving offices. This mode of intervention is strikingly similar to that followed in Cuba before expropriation.

With the exception of a few top executives all employees, totaling 1,400, are Panamanians. George McFadden, the company's Panamanian superintendent of operations, was designated to run the light and power division of the company, and he notified the employees that their status would not be affected during the occupation period.

Mr. Speaker, this action at Panama is a clear warning of events to come as regards the Panama Canal in the event that sovereign control over the Canal Zone is ceded to Panama, as intended in the present treaty negotiations.

In order that the Congress and the Nation may be advised in the premises from Panamanian sources, I quote a recent news story from a leading Isthmus newspaper:

GOVERNMENT OCCUPIES POWER CO.; SETS TERMS FOR RELEASE

EXPROPRIATION WARNING GIVEN

Panama's Revolutionary Government, citing the danger of an imminent shutdown of power, gas and telephone services in the country's two main cities, yesterday ordered the "intervention" of the U.S.-owned Fuerza y Luz Company and gave it 30 days to assure continuity of service or face expropriation.

The National Power, Gas and Telephones Commission, said the company, owned by Boise Cascade Corporation, of Boise, Idaho, had refused to pay fuel suppliers since January, piling up two million dollars in outstanding fuel bills.

This, the Commission said, poses the threat the suppliers would halt deliveries and, in turn, power and gas generation would come to a stop.

This, and the company's suspension since August, 1971, of new construction, were the reasons that led the government to order the occupation of the company for 30 days, the Commission said.

The government said the occupation will be lifted if within 30 days the local company or its parent organization:

1—Agree to submit to Panama's laws and regulations on privately-owned public utilities companies.

2—Arranges satisfactorily for payment to its creditors, principally the fuel suppliers.

3—Provides "tangible guarantees" that expansion of services will be continued for a minimum of five years.

Victor Urrutia, Executive Director of the Commission, said the company should be able to meet these conditions quickly, if it really wants to continue operating in Panama.

He said agreement to submit to the country's laws could be made "this afternoon" and the arrangements for payment of the fuel bills could be worked out in a few days inasmuch as the company has the funds at hand.

With respect to the third condition—a 5-year expansion program—Urrutia said the

30-day deadline could be extended if the company made an offer that required extended negotiations.

Urrutia said a company offer to sell its properties—whether to the government or to private investors—might arise in the next 30 days.

The company, which has been operating in Panama for 55 years, but is not popular, is worth around $80,000,000, Urrutia said. Its 1971 reported assets of $73,692,377 and a total investment in Panama of $87,043,000.

Urrutia said it was up to the company to make a proposal with respect to the third condition. He declared the government has not yet determined what it would consider "tangible guarantees" of a 5-year expansion program to meet growing demands for power and telephone service. But he suggested the company's majority stockholder—Boise Cascade—could deposit its Fuerza y Luz stock in a local bank as guarantee or arrange for a cash bond.

Urrutia stressed that the government's action does not set down a precedent for expropriation, pointing out that the intervention decree issued Wednesday and carried out yesterday morning provides for a 30-day waiting period instead of outright expropriation—which it could have done. But he emphasized that the government was forced to act quickly because of the danger of an imminent shutdown of public utility services which would be disastrous to the national economy, and because of the long-term effects of the company's suspension of new construction. If anything, Urrutia declared, the government had waited too long to make its move.

The Commission Director told newsmen and representatives of private enterprise organizations that if the Fuerza y Luz Co. does not take any steps in four to five days to meet the three conditions for lifting the occupation, this will be an indication that it does not want to come to terms with the government.

He charged the company with "intimidation," saying its actions were intended to bring the situation to a shutdown of power and gas generation in order to force the government to accept its terms.

"The government could not capitulate," Urrutia declared.

Administration of the company was placed under the government-owned Institute of Hydraulic Resources and Electrification (IRHE), which operates the country's power system outside of the cities of Panama and Colon. The latter are served by Fuerza y Luz.

IRHE Director Rafael A. Moscote designated George McFadden, Operations Superintendent of Fuerza y Luz Co., to run the "Fuerza y Luz Division" of IRHE. He told employees their status will not be affected during the occupation period. McFadden is a Panamanian.

Armed with the government's intervention decree, the IRHE board came to the Fuerza y Luz building shortly after the company opened and informed company officials of the government's decision. Serafin Menocal, Cuban-born American manager of the company, was notified that he has been suspended.

The IRHE board was accompanied by Lt. Col. Manuel A. Noriega, Intelligence Chief of the National Guard, and Dario Arosemena, Director of the National Department of Investigations (DENI). Some guardsmen were posted in the building and persons leaving the Fuerza y Luz offices were searched.

The takeover was covered by press reporters and photographers and television cameramen, who had been alerted that something important was to occur at the Fuerza y Luz building.

In the company's 1971 report, Fuerza y Luz manager Menocal said:

". . . Through this annual report, you, the shareholders will be able to judge the efforts made to satisfy the demand of the services we render while operating within an extremely narrow economic frame unjustly imposed upon the Company by the National Commission of Electric Energy, Gas and Telephones.

"At present our position is static and I can only inform you that a new cycle of contract negotiations with the national government has begun.

"Our deteriorating economic position forced the Company to curtail and in some cases completely paralyze the construction program since August (1971). Consequently, it has been most difficult to meet increases in load and services to new consumers. Reserve capacities of our substations and feeder circuits have all been pressed into service and meeting the near future demand increase is an unknown factor at this time.

"The National Commission of Electric Energy, Gas and Telephones action of lowering electrical rates by 15½ per cent, refusing telephone increases, refusal to recognize gas department losses, insistence on handling each service independently and the retroactive application to 1958 of the electrical service stabilization account, were all major factors contributing to the company's critical financial situation. Furthermore, these actions have effectively reduced our cash position and our ability to otbain medium and long-term financing.

". . . The severe reduction of our telephone construction program and cancellation of purchase orders made it impossible to fill the demand and growth was 17 per cent less than that of the previous year."

The company has not paid dividends to stockholders for the past six quarters, blaming this on the tight financial situation caused by the government's measures.

Urrutia refuted the company's allegations. He said Panama's law on privately owned public utility companies—which provides for a profit of up to 8.75 per cent—was examined in 1970 by a panel of experts of the World Bank who ruled it adequate to provide sufficient earnings to finance expansion of services. He pointed out that in 1969, Fuerza y Luz reported a net profit of 3 million dollars; in 1970, $2.7 million, and in 1971, $1.7. He said the Company's financial position is sound to meet its obligations and to obtain outside financing for new investments.

Urrutia noted that the company's 1970 and 1971 net profits came even after the government had ordered it to reduce billings to customers by $1,682,072 in 1971 and by $710,000 in 1970 to adjust for what the Commission termed excess profits.

The Commission said it had been advised by Texaco Panama, Inc., and Esso Standard Oil, S.A., that Fuerza y Luz officials had reiterated their decision not to make cash payments for fuei, "even though this would mean shutting down their power and gas plants."

Under its contract with the oil companies, Fuerza y Luz is required to pay in cash for fuel deliveries if it is two or more months in arrears, the Commission reported.

"If the fuel companies were to demand cash payment from Fuerza y Luz for future deliveries and the company actually refused to pay, production of gas and electric power would be paralyzed.

"The paralyzation of gas would leave some 100,000 persons without access to cooked meals.

"The lack of power generation by Fuerza y Luz would halt all industry in Panama and Colon and would hamper home life and the normal operation of a large percentage of commercial and business establishments. Only one third of the present consumption could be met with the amount of power that the Company buys from IRHE and the Canal Zone."

In an earlier statement on the effects of the Fuerza y Luz's halting of new construction since August 1971, the Commission said:

"In twelve months time, voltages will have to be reduced at certain times of the day. Later on, new residential areas and new industries will be left without (electrical) service. Each month of paralyzation means no less than two months of setback in the race to meet future electrical needs.

"Telephone service has begun to deteriorate. Unfilled applications are now in excess of 12,000. Soon, new commercial and office buildings will be without telephones. Telephones will have to be rationed to meet new high priority demands.

"The only way out for the Panamanian state, according to the company, is a new contract on terms suitable to the Fuerza y Luz Co., and its majority stockholder, Boise Cascade.

"Is there a clearer case of intimidation?"

The Company has 1,400 employees. With the exception of a few top executives, all are Panamanian.

CONGRESSSMAN RODINO REPORTS ON MAJOR ACTIVITIES OF THE 92D CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. RODINO) is recognized for 10 minutes.

Mr. RODINO. Mr. Speaker, the 92d Congress will soon end and I want to report to my constituents on some of our major legislative actions to date.

The grave economic situation facing the Nation is undoubtedly the priority domestic problem of concern to every American. Unemployment is at a completely unacceptable level, our States and cities are in fiscal crises, and the average citizen is burdened by high taxes and ever rising costs for the basic needs of life.

To help deal with this problem, the House has just passed a revenue-sharing bill I cosponsored to return funds to the States and local communities. Under the bill New Jersey would receive $44.7 million annually for 5 years. Newark would get $6,076,981; East Orange $981,414; Harrison $176,919 and Glen Ridge $96,839. I have also introduced a tax policy review act to require repeal of virtually all tax preferences over 3 years unless Congress acts to continue them—this will be a major step to achieve tax reform and close loopholes. I have also sponsored legislation to create 1.15 million public service jobs in such areas as health, urban renewal, and crime control. The House recently passed a bill increasing the minimum wage and has just approved a bill to extend the emergency unemployment compensation act.

All of us are consumers, so I was very pleased that the House passed the bill I sponsored to create an Office of Consumer Affairs. To combat rising meat prices, last April I introduced a bill to repeal meat import quotas and increase the supply of low-cost meat products. Finally, on June 26 the President acted to suspend quotas for this year. This is a long-needed step, but more action is essential to curb the high cost of food. Close to final action in committee is a landmark housing and urban development bill that will improve Federal mortgage insurance programs, set up a new aid program for home rehabilitation and

create a new grant program for the operating expenses of mass transit systems.

In health care this Congress has made great strides. Already enacted into law are bills to launch a massive attack on cancer and the insidious disease of sickle cell anemia that primarily affects black citizens. Prospects for a comprehensive health security program such as I have proposed have recently improved. Nearing final committee action is a bill I sponsored to set up programs to diagnose, prevent and treat Cooley's anemia, primarily affecting citizens of Italian and Greek heritage, and to conduct research on this usually fatal disease. The Senate has acted on my bill to create a program to combat diseases of the heart, blood vessels, and lungs and the House has passed a bill including my programs for expanded aid for kidney disease victims. I am continuing to press for action on my bill to provide Federal aid to fight venereal disease and my proposal for adequate funds to detect and control the rising rate of tuberculosis.

After long consideration a comprehensive higher education bill has just become law. It is a vital 3-year measure providing expanded aid to colleges and grants to needy students, and includes a program to develop and operate post-secondary occupational education programs. Awaiting final congressional action is a major water pollution control bill.

Narcotics addiction and the related problem of crime have been of special concern to me. The Judiciary Committee, of which I am a member, developed the Omnibus Crime Control and Safe Streets and the Law Enforcement Assistance Act. I am now concentrating my efforts on assuring adequate funds for these vital programs. Under LEAA, New Jersey received over $11.8 million in 1971. I have also formulated a five-point allout attack on the drug problem. This involves first international efforts, in part already accomplished by enactment of my proposal to direct the President to cut off foreign aid of all kinds of nations that do not cooperate in eliminating the illicit drug traffic. In addition, I have proposed an increase in domestic law enforcement, new Federal programs to educate our youth on drug abuse dangers, a massive effort to provide treatment for narcotic addicts, and, finally, ways to improve our criminal justice system to rehabilitate addicts before returning them to a renewed life of crime.

Some vital steps were taken in the field of human rights. After years of effort, Congress finally passed a Constitutional amendment guaranteeing women equal rights. This has been ratified by the States, as was the amendment lowering the voting age to 18. Following up the landmark civil rights acts that my Judiciary Committee has enacted since 1957, Congress approved the Equal Employment Opportunity Act to halt unlawful job discrimination. The House also passed a bill to extend the Civil Rights Commission and expand its jurisdiction to sex discrimination.

Before Congress adjourns, I am hopeful that final action will be taken on the bill to increase social security benefits by 20 percent and reform our welfare system, as well as the bill to increase compensation for veterans with service-connected disabilities by 10 percent. I will also press for action on a new child development bill to supersede the one passed by Congress but vetoed by the President.

My most intensive work has naturally centered around the legislation referred to House Judiciary Subcommittee No. 1, of which I am chairman. The primary responsibility of my subcommittee is for immigration and nationality matters. One major bill, to eliminate inequities in the law that create problems for intending immigrants from countries such as Ireland and Italy, has passed the House and is now under consideration in the Senate. Following over a year of hearings in key regions of the Nation, I have developed a bill to deal with the problem of illegal aliens on which the subcommittee has begun executive consideration. As chairman of the subcommittee, I was also able to persuade the Attorney General to agree to use his parole power to allow Soviet Jews to come to this country. A bill to authorize full representation in Congress for the District of Columbia was also approved and now awaits Rules Committee action. My subcommittee has held hearings on several proposals to provide death and disability compensation to policemen, firemen and their survivors and I hope to obtain action on an effective bill to help these dedicated public servants.

At the international level, I was elected chairman of the 20th anniversary session of the Intergovernmental Committee for European Migration, the multination organization responsible for the resettlement of refugees. I was also honored this year by being elected chairman of the Scientific and Technical Committee of the NATO North Atlantic Assembly. At the Assembly's meeting next November we will take up several important matters of concern to the NATO nations, including my own report on measures undertaken and recommendations for cooperation in combating the illegal international traffic in narcotics.

While must remains to be done, the 92d Congress has made substantial progress to date, and I will continue to press for completion of our unfinished business before the final adjournment of Congress.

MARINE CORPS PLACES GI COFFEE-HOUSE AND LEGAL CENTER OFF LIMITS IN IWAKUNI, JAPAN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. ABZUG) is recognized for 10 minutes.

Mrs. ABZUG. Mr. Speaker, today I urgently call to the attention of my colleagues a matter which is of great concern to me and one which involves the morale and deprivation of the constitutional rights of thousands of marines stationed at Iwakuni, Japan.

The Marine Corps has taken the extreme unprecedented step of declaring off limits a GI center in Iwakuni which, besides offering entertainment and an alternative atmosphere for military personnel abroad, is maintained as a legal office for those servicemen and women who desire and need good civilian legal services. The Hobbit, as it is known, is a combination restaurant, bookstore, and legal office which is operated by both Japanese and American civilians. For the last year, two American civilian attorneys at the Hobbit have provided free counsel for hundreds of marines stationed in the Iwakuni area.

There is no doubt in my mind that higher Marine Corps authorities have placed the Hobbit off limits because its staff and attorneys do not share the views of the current administration, Defense Department officials and high-ranking officers of the Marine Corps, especially in regard to the war in Southeast Asia. By taking this step, the Marine Corps has denied its members the constitutional right to assemble and associate freely, and, even more important, has deprived them the opportunity of retaining legal counsel of their choice, in violation of the sixth amendment.

Throughout my term as a Member of Congress, I have worked vigorously to protect the rights of military personnel, which the Constitution affords to all U.S. citizens. My position has always been that no individual should be denied those inherent rights simply because he has chosen to commit himself to a tour in the Armed Forces. I recognize that there may, in certain situations, be a thin line between conduct which is protected by the first amendment and that which, in the eyes of military authorities, might tend to be prejudicial to the morale and discipline of troops. However, both enlisted men and officers have, in the recent past, freely expressed their opposition to the war in Indochina and have been associating offbase and off-duty with other members of the military and civilians who share similar views. There is no proven or visible adverse effect on the morale and discipline of the troops. Never has the military put a GI coffeehouse off limits. Why, then, has the Marine Corps chosen in this instance to take such a drastic step? It is most intolerable, in fact outrageous, that military authorities have selected the Hobbit, the one such gathering place which offers legitimate and badly needed free civilian legal advice to Marines stationed overseas. I dare say that it is indeed the Marine Corps' action that may have a detrimental effect on morale and discipline.

The atmosphere which the Hobbit provides is, from all accounts, a healthy one. It is my understanding, for example, that there is absolutely no racial conflict there, and, in light of the serious racial difficulties that the military is experiencing on all of its bases, it would seem that authorities would be delighted that there exists a center which provides an atmosphere conducive to better relations between soldiers from diverse backgrounds and races. The Hobbit also provides an alternative to the gathering of servicemen in the streets and bars of Iwakuni, where prostitution is rampant.

In short, it is a meeting place that discourages racism and the abuse of women.

I have written to the Honorable Melvin Laird, Secretary of Defense, and asked that he personally intervene in the matter and insure that the Hobbit not be placed off limits. It is in the interest of justice and the morale and rights of all members of the military that I have made this urgent request.

I include in the RECORD the following statement released to the press today by Washington attorney David Rein and Eric Seitz, an attorney formerly with the Military Law Project in Iwakuni. Both attended a press conference with me this afternoon:

STATEMENT

Lawyers from the National Lawyers Guild announced today that they have filed suit against the Marine Corps for violating the Constitutional rights of GIs stationed overseas. According to Washington attorney David Rein, the lawsuit seeks to enjoin the Marines from placing a GI coffeehouse in Iwakuni, Japan, "off limits" in violation of the 1st, 5th, and 6th Amendment rights of the GIs who utilize the facilities offered there.

The Hobbit is a restaurant-coffeeshop which features popular American music and anti-war posters. Located approximately twenty miles south of Hiroshima, adjacent to the US Marine Corps Air Station in Iwakuni, the Hobbit also has a book store and library, houses law offices of civilian attorneys from the National Lawyers Guild who provide free legal representation to GIs, and provides facilities for production of a GI newspaper. By placing the Hobbit "off limits," the suit argues that the Marine Corps interferes with the GIs' rights to legal counsel, under the 6th Amendment, and to association, assembly, and freedom of the press, all guaranteed by the 1st Amendment.

Additionally, one of the plaintiffs is Pfc. Kenneth Allison from Chicago, Illinois, a black Marine. Allison argues that the Hobbit is one of the few establishments in Iwakuni which does not practice racial discrimination and the only place where black and white Marines can relax and mix casually. At a base which has experienced serious racial problems—in a letter to Representative Shirley Chisholm dated 25 January 1972, Marine Commandant General R. E. Cushman, Jr. admitted that "race relations and discrimination problems do exist . . . at Iwakuni"—such action against the one establishment which actively seeks solutions to racism contradicts the Armed Forces' stated position of attacking racial problems within the military.

Attorney Eric A. Seitz, who spent the last year in Asia representing American servicemen, charged that the Marine Corps' action against the coffeehouse is "indicative of the military's regard for the constitutional rights of GIs." According to Seitz, anti-war GIs particularly are singled out for surveillance, discrimination, and repression. Their homes are raided and searched; they are subjected to serious disciplinary actions for the most minor infractions, and they are given punitive transfers merely for expressing their anti-war views.

As lawyers for such individuals, Seitz and his colleagues have been harassed, threatened, and investigated by the same military authorities. Their offices are under surveillance and have been raided and searched by parties which include armed services police. In the Philippines, the lawyers' office near Clark Field was raided on March 15th, April 24th, and May 12th of this year. At Iwakuni, officials entered and searched the premises on June 4th. On all of these occasions the authorities have come in large numbers, heavily armed with automatic weapons, and they have examined files and personal papers.

Also at Iwakuni, Seitz was arrested by military police last November 25th and held in their custody for three hours without explanation. During this period, four of his clients were whisked off the base to destinies which Marine Corps officials refused to disclose to him. Similar occurrences have been experienced recently at Clark Air Force Field and Subic Bay, where GIs were summarily arrested and shipped out without any opportunity to contact or see their attorneys. The military authorities have made no attempts to justify these actions.

The Air Force's Office of Special Investigations has compiled huge files on Seitz and his colleagues, the results of extensive inquiries and surveillance. The Naval Investigative Service keeps similar files, all contrary to the Pentagon's stated position that it no longer investigates civilians.

Now the Marine Corps has placed the lawyers' office in Iwakuni "off limits" to military personnel, an obvious violation of their right to have the representation and assistance of civilian counsel.

Mr. Rein announced that their law suit sought to challenge this latest form of harassment. The suit was filed this morning in the Federal District Court here seeking an immediate injunction against any further interference with the rights of servicemen stationed in Iwakuni.

Meanwhile, despite the harassment and official military opposition to their presence, the lawyers will remain in Asia, Seitz announced, to continue their efforts to represent and assist additional persons whose rights are being threatened by the armed services. Seitz revealed plans to send more lawyers to Asia to expand their efforts in that regard.

The following is a letter written by my colleague, Congressman RONALD DELLUMS, who has joined me in the protest to Secretary Laird:

CONGRESS OF THE UNITED STATES,
HOUES OF REPRESENTATIVES,
June 29, 1972.

Hon. MELVIN LAIRD,
Secretary of Defense, Department of Defense, Washington, D.C.

DEAR MR. SECRETARY: I wish to join in the protest over the decision by the Marine Corps to place off limits the premises of the Hobbit coffeehouse and restaurant at Iwakuni, Japan and call upon you to immediately rescind this order.

If this decision is allowed to stand, the Marine Corps will have succeeded in restricting use of not only the coffeehouse, but also the bookstore, the newspaper, and most importantly, the law office of the National Lawyers Guild. It is here that hundreds of Marines have been able to obtain free civilian legal counsel. By placing this establishment off limits, these servicemen have essentially been denied their right to civilian counsel.

It is also interesting to note that the Hobbit is considered by many of the minority servicemen as one of the few places in Iwakuni where there is no racial discrimination and where they are able to meet with White marines in a relaxed atmosphere to share common concerns. Since the Air Station has experienced serious and frequent racial conflicts it is hard to understand the rationale for this latest decision.

I feel that there can be no justification for action of this type and again call upon you to personally see that this order is rescinded. I would appreciate your immediate response to this letter. Thank you in advance for your cooperation.

Sincerely,

RONALD V. DELLUMS,
Member of Congress.

MORAVIAN COLLEGE COMMENCEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. ROONEY) is recognized for 10 minutes.

Mr. ROONEY of Pennsylvania. Mr. Speaker, I would like to take this opportunity to share with my colleagues some impressions formed at the 1972 commencement at Moravian College in Bethlehem, Pa. First, may I say, that one of America's most admired entertainers, Andy Griffith, was awarded the honorary degree of Doctor of Humanities. This fine American has brought laughter and warmth into the homes of millions of Americans and is most deserving of the honor. I too was proud to receive the honorary degree of Doctor of Laws from this distinguished institution of higher learning.

Of much more importance, however, were the awards received by well over 300 Moravian College graduating seniors. It was an extraordinarily satisfying experience to see those young men and women reap the rewards of four years of hard work and discipline. Without exception, the student addresses were indicative of the self-confidence and knowledge achieved during undergraduate years. The student speakers were aware of the problems which they will have to deal with in this world, but there was no display of despair or bitterness toward the condition of their new environment. Instead there was a jubilant tone marked by the willingness to meet new challenges head-on. In addition the students emphasized the quality of their education at Moravian College. In this day of frankness and sincerity in our young people it was refreshing to hear their applause for faculty and administration of the college. Student leaders referred to the close relationships formed with faculty members, the variety of programs offered, and the unique learning environment at Moravian. These remarks were, I am sure, most satisfying to the President of Moravian College, Herman E. Collier, Jr. Under his leadership Moravian has continued to grow and develop into the fine learning center it is today. Dr. Collier's success as a college president could be seen in the faces of all the graduates and I congratulate him for his outstanding achievement.

I would also like to call the attention of my colleagues to the baccalaureate address delivered by Frederick J. Warnecke, retired Bishop of the Episcopal Diocese of Bethlehem. Bishop Warnecke has devoted his life to service of others, and his poignant remarks reflect the unique quality of his mind which has made him such a tremendous asset to his church and community.

BACCALAUREATE SERMON, MORAVIAN COLLEGE,
MAY 28, 1972

(By Rev. Frederick J. Warnecke)

St. John 1:12 "Power to become . . ."

Peace is the paramount issue today. Then, an *end to* racism in American life, with justice for minorities and for that magnificent majority, women. In pressing succession, we desperately need an answer to growing pov-

erty in the midst of growing affluence. The population explosion is part of this issue. There is our abuse of the good earth. There is our slavery to a technology we were told would free us. There is the cultural pressure upon the individual for uniformity and consensus, often by law and by force.

Yet in all truth these are not new problems. Tragically, war has been with us throughout man's history. Bigotry is deep in our nature, as our very pleasure with Archie Bunker perversely demonstrates. Two thousand years ago Christ remarked that the poor were always with us.

But today is different in that it is one of those unusual periods in human history in which the problems are so pressing that we have been driven beyond dealing with these symptoms of a sick society to criticism of the arrangements and institutions that have produced them. We rightly question not the red rash on the skin of society but why we have these itching measles and what gave them to us.

So we *doubt the credibiltty* of Mr. Nixon and his administration and all political arrangements. We doubt the infallible wisdom of the *Pentagon*. We doubt I.T.&T. and ask questions about the underlying motives of corporate enterprise. We read of the coldly planned murder of Yablonski and we doubt the labor movement. We doubt *the relevance of our educational system* with its conventions of screened admissions, pass or fail marks, its stamped approval of degrees, its medieval rituals and vestments. We doubt the *cultural mores and morals* of our time, particularly those relating to sex. We doubt the *church* and all religious institutions, sometimes with a knowledgeable agnosticism but more often with smothering disinterest. Our institutions are under fire today.

But I feel that the current mood goes even deeper than this. We doubt the values upon which these institutions were founded. Is democracy the best basis for government? Is materialism the value that leads to the greatest human happiness? How right are the premises of capitalistic technology? How pure is pure science? Do our present social values give me a chance to be myself and do my things? Are the inherited Judaeo-Christian ethics anything more than the continuing memories of man's primitive simplicity?

Many today are responding negatively to our heritage of values and of institutions. All is lumped in the scornful term, *"The Establishment"*, and it is damned. It has failed. Let it go!

There is no easy answer to such "Shaking of the Foundations", the perceptive phrase used a generation ago by Tillich. It is good to test and evaluate and appraise human institutions. Institutions are only groupings of people who come together in certain ways because these particular arrangements seem to work for them. When they no longer work, if they are not directly discarded, they shrivel and die and are replaced.

It is right also to consider and question our basic values. It is very human for a people or an individual to accept values and then place them on the back shelves of life, venerated but ineffective; enshrined in documents such as the Declaration of Independence or the Bible, but forgotten in the practise of living.

I do not intend to give a glib packaged answer to these tremendous issues in the next few moments. I would offer a basic suggestion and then some hopefully practical thoughts for the class of 1972.

The basic suggestion is that we must recognize the revolutionary character of the age in which we are living and take this seriously. Certain ages in human history are watershed ages. Before them life flows in certain well-channeled directions. Afterwards it flows in new and different directions.

The Renaissance was such a watershed age. The Age of Discovery was another; as was the Industrial Revolution. Today, I think, is a watershed age.

To live in a revolutionary age makes unusual demands of us. You must accept living under tension, under pressure. There are no quick, immediate solutions or resolution of the basic struggle. Nor is there any retreat to a former supposedly Golden Age.

So you must learn the values in diversity, in pluralism, as contrasted to the placid uniformity of a more settled age. You must be willing to listen; and to accept difference as enriching, not threatening.

If you can accept this, then you are ready to trust persons rather than things, people before property.

These are hard demands. The very term "tension" literally promises to pull us apart. We are also uncomfortable with difference. Birds of a feather do flock together. And we are conditioned to "property values"—not that very term. It is interesting that we call stocks and bonds "securities". We have trusted things rather than people.

To pile such suggestions, then, on top of the diagnosis of revolution must seem like a demand far too heavy for any human being to bear. I suggest that this is precisely the point at which religion has something important to say to us.

Yes, I know and I accept the present questioning of religious institutions and arrangements and leaders even unto bishops. I myself would be glad if we travelled lighter, if relationships were more important than real estate. I also know and hear the questioning of fundamental religious values.

I think I sympathetically understand the dilemna of faith or no—faith. Neither time or my limited abilities allow me to argue these matters, important as I concede they are.

I simply would make a personal witness. For me, my faith in God has helped me face this terrifying and yet wonderful age with strength and some serenity. I do not tie my faith to human arrangements or institutions. God is the only Absolute. I hold fast to God and I ride easy with change even when it approaches chaos. This is not a tidy age.

I can do this because the wisdom of our Jewish—Christian heritage is personal before it is social. It says that a relationship with God is possible because God is that kind of God. "We love Him because He first loved us". Out of that relationship I gain strength for my own individuality and for my relationships with others. As St. John wrote in the words with which I began, "As many as receive Him, to them gives He power to become . . ." Power to become persons. Power to relate to others. Power to the people! That's the bright promise of Christian faith.

We live in a watershed age. Watersheds are ridges, and often the ridges are sharp and narrow. Many plunge from their reality in hopeless despair. Some try to turn backwards to a dim past. But there are those who have a sense of exhilaration, of joy and of hope as they look from the mountain top towards the good land of tomorrow. It's a long way to the valley and a hard one, but these have found strength and peace. This is what religion is all about. I witness to you of its reality in my own life 'Power to become!' Take that gift of power from God and live!

JEREMY S. TAYLOR—STUDENT RESPONSE

Success is meeting someone who is committed. It is an individual whose wisdom is a harmony of concern, humour and forgetfulness. This someone must be a multiplicity of discipline, opinion and flexibility. He must in this day avoid violence and accept an opposing opinion for what it is worth, while attempting to work tirelessly for his accomplishment. There should be an embracing of difference in others whether it be socio-economic, racial or religious, for one is not an educated individual if one denies differing existences.

Concern is vital for growth, and change will never come about without work, and of course understanding could not exist without it.

Humour gives one the ability to strive where one has lost. It is the vehicle for the return of perspective, and most importantly the ingredient for recovery from failure.

Forgetfulness is that which enables us to survive our conscience and our memory of a specific, while learning from the generality.

Discipline is persistence or the fuel for accomplishment.

Finally, the singe most important quality in survival and success is hope for the future.

Those individuals who make up Moravian College have helped all of us bring some of these qualities into perspective. The future will bring the judgment of our success, for success exists in the attitude with which we leave today.

MARIANNE CULLEN—STUDENT RESPONSE

President Collier, Trustees, honored guests, faculty, graduates, parents, and friends:

In 1782, Ezra Stiles recorded the time schedule of a typical college commencement: eight speeches-half of them in Latin-consuming three hours and fifteen minutes, and dealing with political, literary, religious and philosophical subjects that covered almost the whole range of human knowledge. Less endurance is now required of graduates for I have a set time limit—three minutes!

The past four years have been filled with sweat, tears, and hard work. They are now behind us and what do we have to show for them? Outwardly, there is the piece of parchment we'll receive soon, and boxes filled with books from many courses. Inwardly, we have many memories. Perhaps many graduates have the sense of ending. Graduation is a token of achievement, a day of celebration, a day of commencement into a new life outside academic halls.

How are we prepared for this new life? Most of us upon entering school had an identity crisis. At times we knew little about our life goals and even less about how to achieve them. It was necessary for each one to find direction and purpose in his life. College gave us the means to establish our identity and goals in several different ways.

In our daily encounters with professors and students we learned to understand and react to the feelings of others. A bond was established between faculty and students. Learning how to learn was another achievement over the past four years that has a definite bearing on our life's goals and expectations. We intend to continue this quest for knowledge.

At Moravian, we've developed the ability to cope with problems and situations whether they be personal or business. Maturity and adaptability are two qualities that we should have strengthened. By now we have moved far, toward our goals and have a good idea how to achieve them.

With the increased maturity and ability to adapt, we are eager to work toward a better world-each in his own way.

ALLAN A. BROWN MESSAGE

President Collier, faculty, graduates and honored guests. It is a pleasure to be able to speak to you this evening.

Thinking about what I would say when I got up here, I began to realize that there are three student speakers speaking for three minutes each. And it was then that I began to realize the significance of the No. 3 to the graduating class of 1972. I also realized that what I must do this evening must be in three parts: (1) Get the courage to get up here (2) Be very brief, and (3) Sit down.

Four years ago, although to many of us it may seem like a decade ago, many of us were in this position in high school and it was at that time that the graduating class of '72 had its first encounter with the No. 3. We had *three* goals ahead to achieve: (1) Get into college (2) Stay in college, and (3) Get out!

From then on the No. 3 followed us through Moravian. We remember getting out of bed at 3 minutes to eight o'clock to make it to an 8 a.m. class. We found it simple to join any 3 organizations on campus, but never able to obtain 3 out of the 4 courses we wanted for that semester. And how can we forget Johnston Hall, the last milestone, before we were able to be here this afternoon. There we took exams that were to take 3 hours. Of course, we had it all down in 3 minutes or 3 words. We were introduced to the world of institutional cooking and it was the 3rd meal, tired, exhausted and famished that we realized we had to eat it. Chapel was held 3 times a week for those of us who needed a moment of prayer for a test or oral report. And it was the third year that our football team was MAC champions.

However, the No. 3 in a more serious sense should stay with us as we strive to accomplish other goals. Gale Sayers, on the back of his book on which the movie Brian's Song was based, says ". . . there are three things important to me in my life. God is first, others are second and I am third."

We have been able to grasp the world of education, we must now be ready to start a world of sharing and giving of one's self for the improvement of all mankind. Our loyalty to God should be first, others second and we should become No. 3. The closing words of Desiderata sum up our role well.

". . . You are a child of the universe no less than the trees and the stars you have a right to be here. And whether or not it is clear to you, no doubt the universe is unfolding as it should Therefore be at peace with God, whatever you conceive him to be, and whatever your labors and aspirations in the noisy confusion of life keep peace with your soul. With all its sham, drudgery and broken dreams, it is still a beautiful world. Be careful. Strive to be happy." Thank you.

SUPREME COURT DECISION ON CAPITAL PUNISHMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. KASTENMEIER) is recognized for 5 minutes.

Mr. KASTENMEIER: Mr. Speaker, I have just learned that the U.S. Supreme Court today held the death penalty, as imposed in the three cases before it, unconstitutional, as cruel and unusual punishment, violative of the eighth and 14th amendments.

Subcommittee No. 3 of the House Committee on the Judiciary has held 5 days of public hearings this year on measures designed to abolish or suspend executions on both state and federal levels. Upon return from the congressional recess, the subcommittee will study the nine separate opinions issued by the Justices in the three cases before the Court, of which two involved rape and one involved murder, to determine what, if any, legislative action ought to be taken by it on the subject of abolishing capital punishment, in light of the Court's action.

BOSTON'S FINEST FINEST HOUR?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. BURKE) is recognized for 10 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, I feel compelled at this time to perform the sad duty of extending my remarks in tribute to the nine heroic Boston firefighters who lost their lives in the line of duty on the night of June 17. The tragic loss of these courageous men must only serve to underscore the debt of gratitude we as a nation owe to these dedicated and selfless individuals. To such men, who at every alarm put their lives in peril, it is a sad fact of life that we seem only to find time then when they have made the final sacrifice. There is little in the way of consolation we can offer, unless there is comfort in the knowledge that our prayers and sympathies are with each and every one of them. Now is the time that we should pause and reflect on the meaning of the offering of these men. I would like to call to the attention of my colleagues a moving newspaper report of the funeral of these firefighters as it appeared in the Quincy Patriot Ledger on June 23.

The article as follows:

[From the Patriot Ledger, June 23, 1972]

THOUSANDS HONOR FALLEN FIREFIGHTERS

(By J. Michael McGerty)

BOSTON.—Lt. Firefighter James McCabe of Engine 33 and Firefighter John Feeney of Engine 22 solemnly sat side-by-side in a front row bench at the Cathedral of the Holy Cross in the South End yesterday morning.

ACROSS THE NATION

Like the thousands of other firefighters from across the nation, they had come to pay a final tribute to their nine brothers who died while fighting the Hotel Vendome fire last Saturday in Back Bay.

Both men carefully watched each of the nine flag-draped caskets as pallbearers wheeled them down the long center aisle to the front of the brightly lit altar and you knew that Lt. McCabe and Firefighter Feeney were thinking of that Saturday night last weekend when a section of the former Hotel Vendome collapsed, trapping them and killing their nine fellow workers.

Occasionally Lt. McCabe stroked his forehead and then he would stare at the floor. Firefighter Feeney, the bridge of his nose often resting on his clenched fist, arose and sat down slowly during the service. His injury apparently caused him pain, but his face remained expressionless.

Three of the dead firefighters were members of Engine Company 22 with Firefighter Feeney. Lt. McCabe, a firefighter for more than 20 years, was a close friend of several of the firefighters who were killed.

A cold drizzling rain was falling on the empty section of Washington Street from Massachusetts Avenue to East Berkley Street when the first contingents of firefighters began to arrive by bus. Police estimated that approximately 10,000 firefighters attended the funeral service. Some 1,700 off-duty Boston firefighters were present.

The men from Engine Companies 22 and 32 and Ladder 13 were all at the funeral for the deceased firefighters who were assigned to their companies. Their stations were covered by men from other engine and ladder companies in the city.

HARSH WIND

As the funeral procession approached the Cathedral, the drizzle turned to a gentle rain and the rows upon rows of firefighters stretching in both directions on Washington Street stood erect, facing the church, undaunted by the harsh easterly wind blowing against their left sides.

The first hearse stopped shortly after 10 a.m. and pallbearers carried the body of Lt. John E. Hanbury of Ladder 13 passed a motionless colorguard while a muffled drumroll sounded as they ascended the 10 stairs leading to the interior of the Cathedral.

Eight more times the hearses and small fleets of limousines stopped in front of the church. Eight more times a drumroll was sounded and the colorguard snapped to attention and the families of the dead firefighters followed their loved one inside.

Slowly and methodically the caskets bearing the bodies of Lt. Thomas J. Carroll and Firefighters Charles E. Dolan, Joseph P. Saniuk, John E. Jameson, Thomas W. Beckwith, Paul J. Murphy, Richard B. Magee and Joseph F. Boucher Jr. entered the church.

Inside, four caskets ran parallel to the altar on each side of the center aisle. The ninth casket was positioned lengthwise in the center aisle flanked by the four others on each side. Red satin ribbons with each firefighters' name printed in gold lettering hung over the front of each casket.

The funeral was scheduled to begin at 10 a.m. but by the time relatives and friends of the deceased and fellow firefighters had filed into the cathedral it was almost 10:45 a.m. but no one minded the delay. What time it was did not matter like the rain falling outside or whether you were Catholic or Protestant or Jewish.

WEATHER CANCELS APPEARANCES

The Chairman of President Nixon's Commission on Fire Prevention, Richard E. Bland, and U.S. Sen. Edward M. Kennedy, D-Mass., couldn't fly into Boston from Washington because all incoming and outgoing flights had been canceled at Logan Airport due to bad weather conditions. Some 150 firefighters from Montreal, Canada who had planned to attend were also grounded.

But no one except members of the press, seemed to notice that neither Mr. Bland nor Sen. Kennedy or the Toronto delegation were missing. The many dignitaries who attended—Gov. Francis W. Sargent, Lt. Gov. Donald Dwight, Mayor Kevin H. White, Former Speaker of the U.S. House of Representatives John McCormack, State Sec. of Public Safety Richard E. McLaughlin, Atty. Gen. Robert Quinn—were faces lost in the crowd.

In a homily, Archbishop Humberto S. Medeiros, principal celebrant of the concelebrated requiem mass, said "A life like this, so ever full of danger can easily make men bitter, or leave them with a sad disquiet as the companion of their years . . . this is not the character of the sturdy men who make their life's work the control of that element which is at once man's vital friend and fearful foe.

"They risk life and limb; they know pain and exhaustion; they live in the midst of fear and learn to stand tiptoe on the edge of eternity. We know that these were men who live always on the edge of danger, some of them for many years; each day's work involved a risk that this day might be the last, each summons to duty carried with it the muted sound of the final trumpet. No one was more aware of that than the victims themselves, no one knew better the uncertainty that hovered over each day's labor, the knowledge that for them any call might be their last.

"To live always in a consciousness like this is, humanly speaking, a nearly unbearable burden; only great hearts and sturdy spirits can be equal to it."

FIRE BELLS TOLLED

At one point during the funeral service, fire bells tolled for one minute throughout

the city for the nine dead firefighters who, as Abp. Medeiros said, were men of great heart and sturdy spirit.

The nine hearses, 12 flower-strewn limousines and more than 50 limousines for the families in the funeral procession again stopped in front of the cathedral to carry the men to their final resting places.

Members of Engine Companies 22 and 32 and Ladder 13, again stood at attention in the small courtyard in front of the cathedral while their comrades' caskets were carried by.

That cold, dreary rain began falling again as the first of the nine caskets was placed into a hearse. But it just beaded off the shiny surfaces of the nine caskets and bounced off the heads and shoulders of everyone.

And without looking at people's eyes, the rain made it hard to tell just what type of drops were running down their cheeks.

Also I am inserting a very touching poem that was written by a young lady from Mattapan, a Boston neighborhood, which I have been proud to represent while in Congress. This poem, written in memory of those nine firefighters who were killed at the Hotel Vendome fire, appeared in the Boston Globe Wednesday, June 28.

The poem follows:

THE LAST ALARM

(By Mary Jane Hanron)

They bravely died to let others live,
They are dead because of mankind's greed.
Nine precious lives lost as they fearlessly went
To perform their fatal deed.
They left home that very morning
Not knowing at all that when
The fire alarm rang they'd faithfully respond
But never return home again.
A building can be replaced but people cannot,
So the world paid a priceless cost.
Because of a selfishness that some portray,
Human lives were lost.
The whole world felt a pang of sorrow,
Even sad were the songs of the birds.
But the grief felt by the loved ones they left behind
Just cannot be expressed in words.
Their bodies have died but not their souls:
A new life for them will dawn.
And though they'll always be remembered for their courage,
Life in this world must go on.
They went without fear or hesitation
When Death's knock came on their door,
And they'll be happily at rest in God's kingdom
Now and forevermore.

ROBERT R. HOADLEY, AN OUTSTANDING CITIZEN

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, I rise today to urge my colleagues to join me in paying well deserved tribute to one of my most distinguished constituents, Mr. Robert R. Hoadley, president of Preferred Mutual Insurance Co. of New Berlin, N.Y.

Bob will be retiring next month and I want to take this opportunity to underscore the life and activities of this truly outstanding citizen. Bob Hoadley was born July 11, 1907. His parents, Lee and May Hoadley, were longtime residents of the village of New Berlin.

Bob was educated in local New Berlin schools, attended Manlius Military Academy, Manlius, N.Y., and graduated from Colgate University, Hamilton, N.Y. with a bachelor of arts degree in liberal arts. While at Colgate, Bob was active in music, and toured Europe with a local musical group known as the Theta Pi Pipers.

Upon his graduation from Colgate, Bob joined the staff of the Preferred Mutual Insurance Co. as assistant secretary in 1931. This company, at that time, was a small property and casualty insurer serving residents in Chenango County, N.Y. The company was founded in 1896 by Bob's uncle, Frank Holmes, and since that time, has grown to operate in 10 States with assets in excess of $10,000,000.

Bob was elected a director of the company in 1932, secretary in 1934, secretary and executive vice president in 1942, secretary and general manager in 1952, and to the presidency in 1962.

Bob married the former Elma Sealey of Greenwich, Conn., after her graduation from Skidmore College, Saratoga Springs, N.Y. They have two children: Judith graduated from Emma Willard, Troy, N.Y. and Skidmore College, Saratoga Springs, N.Y., and is married to William C. Westbrook of Charlotte, N.C. Mr. Westbrook is an agent affiliated with the Westbrook–Norton Agency in Charlotte. He is a graduate of the University of North Carolina. Bill and Judy have three children. Robert R. Hoadley, Jr., attended Valley Forge Military Academy, Colgate University and obtained his law degree from the University of Denver in 1962. Bob Hoadley, Jr., served in the U.S. Navy and is currently general counsel for Mr. Steak, Inc., Denver, Colo. He is married to the former Brigita Zarins of Denver, Colo. They have three children.

Mr. Hoadley has been active in other business affairs. He is a partner in the Holmes Insurance Agency, New Berlin, N.Y., treasurer and member of the board of directors and member of the executive committee of the Excess Mutual Insurance Co. of Philadelpha, Pa., member of the board of directors of the Chenango and Unadilla Telephone Corp., Norwich, N.Y., and a past member of the board of directors of the Alumni Corp. of Colgate University, Hamilton, N.Y.

In civic and other affairs, Mr. Hoadley has been past Commander of American Legion Frank H. Arnold Post No. 348, New Berlin, N.Y., and past president and director of the Chenango County Chamber of Commerce, past president, director, and charter member of New Berlin Rotary Club and was also this club's goodwill ambassador to Hondo, Japan Rotary Club in 1967. Mr. Hoadley is also a warden of St. Andrews Episcopal Church of New Berlin, N.Y., and a charter member of the New Berlin Industrial Committee, New Berlin, N.Y. In addition, Mr. Hoadley has been active in local Boy Scouts and American Red Cross affairs within Chenango County.

Mr. Hoadley served in the Armed Forces during World War II.

Recent awards include the 1971 Maroon Citation for dedicated service as an active alumnus of Colgate University, Hamilton, N.Y. At the recent 38th annual Carolina Association of Mutual Insurance Agents Convention at Asheville, N.C., he was honored with a life membership to the association. This is an honor that has been bestowed on only two or three people in the 38-year history of CAMIA.

Mr. Speaker, Bob Hoadley is the personification of the American spirit of initiative, hard work, dedication, and faith. He has earned the respect of his associates, the gratitude of his community, and the friendship of countless thousands of people throughout central New York.

As he moves into retirement, I know all my colleagues will join me in wishing him godspeed and a long life of good health and happiness.

THE CASE OF JOHNNY NO DOE, AND OTHERS—LESSON NO. 4

(Mrs. GRIFFITHS asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. GRIFFITHS. Mr. Speaker, it is my sad duty to tell you that Johnny No Doe's grandfather died last night, Johnny No Doe the First. The first Mr. No Doe had always had it hard. He never had much of a job, paid income taxes only during World War II. He rarely ever paid social security tax, even after that. The best thing he ever did for his wife and kids was to leave them so they could draw ADC. And, as he died he must have been comforted by one further thought—if any of his family had accumulated anything, at least he was not depriving them of it. He was on medicaid.

When he died, he was in a room in a nursing home in Detroit with my constituent, Mr. Ernest Taxpayer. Poor Ernest. He never did get the hang of things. He always just paid—at the top base on social security and medicare, and of course, income taxes. He helped support Johnny No Doe I, the II, and baby No Doe; and now as his life ends he knows that his medical bills are using up all of his and Edith's savings.

The medicaid for Mr. No Doe is free; but medicare has its limits, although Ernest paid for both.

Mr. Speaker, the taxpayer should get at least as good a deal in medical care as those who do not pay. We should scrap medicare and medicaid and enact my bill, H.R. 22, a national health plan that treats everybody alike.

DEPARTMENT OF AGRICULTURE'S INSENSITIVITY TO NEEDS OF ORTHODOX JEWISH COMMUNITY

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, last year, I worked with a group of rabbis from the New York area who were concerned about a regulation of the Department of Agriculture which established certain requirements for the removal of feathers and the cooling and chilling of poultry shipped in Interstate Commerce.

The rabbis, representatives of the Orthodox Jewish community, indicated that the regulations were in conflict with the strict dietary laws of the Jewish religion. In fact, they claimed that if the regulations were enforced, certain Jewish families could not buy any chicken. Summarizing the position of the rabbis is the following letter from Rabbi Meyer Cohen, director of the Union of Orthodox Rabbis of the United States and Canada.

THE UNION OF ORTHODOX RABBIS
OF THE UNITED STATES AND CANADA,
New York, N.Y., May 4, 1971.

TO WHOM IT MAY CONCERN:

In reply to an inquiry, addressed to us by the Shochtim Union of New York, we are issuing the following statement.

A segment of the Jewish population has traditionally refrained, and is still refraining, from purchasing plucked and frozen chickens because of religious scruples in connection with the observance of the dietary laws.

Consequently any regulation forbidding the sale of freshly slaughtered and unplucked chickens would be an interference with the traditional practice, and contrary to the principle of religious freedom.

RABBI MEYER COHEN,
Director.

The rabbis succeeded in having the Department of Agriculture initiate a review of their regulation. A notice of the petition of the Union of Orthodox Rabbis of the United States and Canada appeared in the Federal Register last December 14, and appears below.

In discussions with the Department of Agriculture, I now learn that the Department is preparing a final order which will deny the request of the rabbis for the exemption. Frankly, Mr. Speaker, I am amazed at the insensitivity of the Department of Agriculture to the needs of the Orthodox Jewish Community. I find its action an intolerable breach of freedom of religion. We cannot, in the name of administrative conformity, order individuals to forsake their basic beliefs. For centuries, Jews have followed their dietary laws which are designed to insure the public health. It is foolish and unconscionable for the Department, in the name of public health, to abrogate that tradition.

In order to show that the Congress will not countenance such intolerance, I have introduced legislation today which would provide the exemption that the rabbis seek. I hope the House and Senate speedily move to correct this injustice and provide Orthodox Jews full freedom of religion.

The following is the text of the rulemaking notice:

Department of Agriculture Consumer and Marketing Service (7 CFR Part 81)

INSPECTION OF POULTRY AND POULTRY PRODUCTS

POULTRY SLAUGHTERED UNDER KOSHER EXEMPTION

Notice is hereby given in accordance with the administrative procedure provisions in 5 U.S.C. 553, that the Consumer and Marketing Service of this Department has been petitioned by the Union of Orthodox Rabbis of the United States and Canada to consider a request to allow poultry slaughterers and processors who properly apply under § 81.203 of the poultry products inspection regulations (7 CFR 81.203) to be exempt from the feather removal requirements for dressed poultry in §§ 81.1 and 81.49(d) of the said regulations (7 CFR 81.1, 81.49(d)) and from the cooling and chilling requirements of § 81.50 of the said regulations (7 CFR 81.50).

Section 15(a) (3) of the Poultry Products Inspection Act, as amended (21 U.S.C. 464(a) (3)) and § 81.203 of the poultry products inspection regulations (7 CFR 81.203) provide that the Administrator after proper application may exempt any person who slaughters or processes poultry or poultry products, from requirements of the Act and regulations to the extent necessary to avoid conflicts with recognized religious dietary laws and still effectuate the purposes of the Act.

Review of Department policy with respect to such exemptions reveals that so-called "New York Dressed" poultry, that is, poultry which has been slaughtered for human food with head, feet, and viscera intact and from which the blood and feathers have been removed, is produced under kosher exemptions and allowed to move in commerce when so marked. The specific area of slaughter and processing identified in these past applications for kosher exemptions principally involved the scald temperature.

Previously, the Department has not been requested to allow religious dietary exemptions from the feather removal requirements or the chilling and cooling requirement. The Department is seeking further comments, views, or data concerning these two matters.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendments may do so by filing them in duplicate, with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, within 30 days after the date of publication of this notice in the FEDERAL REGISTER.

Persons desiring opportunity for oral presentation of views should address such requests to Dr. M. R. Humphrey, Standards and Services Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, within the 30-day period. A transcript will be made of all views orally presented and will be filed in the Office of the Hearing Clerk.

All written submissions and transcripts of oral views made pursuant to this notice will be made available for public inspection unless the person making the submission requests that it be held confidential and a determination is made that a proper showing in support of the request has been made on the grounds that its disclosure could adversely affect such person by disclosing information in the nature of trade secrets or commercial or financial information obtained from any person and privileged or confidential. If it is determined that a proper showing has been made in support of the request, the material will be held confidential; otherwise, notice will be given of denial of such a request and an opportunity afforded for withdrawal of the submission. Requests for confidential treatment will be held confidential (7 CFR 1.27(c)).

Comments on the proposal should bear a reference to the date and page number of this issue of the FEDERAL REGISTER.

Done at Washington, D.C., on December 8, 1971.

KENNETH M. MCENROE,
Deputy Administrator, Meat and Poultry Inspection Program.

EXTENT OF U.S. PARTICIPATION IN FRENCH NUCLEAR TESTING

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.

Mr. BINGHAM. Mr. Speaker, in February of this year I expressed grave concern over the possibility of U.S. involvement in French atmospheric nuclear testing in the South Pacific. My concern was based on a report from a member of my staff who was traveling in the South Pacific at that time. The text of the report was inserted in the RECORD of February 23, 1972.

In an effort to clarify the U.S. position regarding the French nuclear testing program on February 23, I sent letters to Secretary of Defense Laird and Arms Control and Disarmament Agency Director Gerard Smith asking them to confirm or deny the examples cited in my staff member's report. I also asked the Secretary and the Director to provide me with statements of U.S. policy toward the French tests and a review of any efforts we are making to achieve French compliance with the treaty banning nuclear testing in the atmosphere. The replies that I received from Secretary Laird and Mr. Smith were not responsive to the questions asked.

There are reports that this past Sunday, the French Government resumed atmospheric nuclear bomb testing in the South Pacific that will continue through early next month. In view of these reports, I believe that it is imperative that U.S. involvement in these tests be made known.

I am again, by letter, requesting the Secretary of Defense to reveal the U.S. position on the French tests and to answer specific questions which should clarify once and for all the U.S. involvement in French atmospheric nuclear bomb tests. I am sending a similar letter to the Chairman of the Atomic Energy Commission, Mr. John R. Schlesinger.

My letters to Secretary of Defense Laird and Atomic Energy Commission Chairman Schlesinger follow:

JUNE 29, 1972.

Hon. MELVIN R. LAIRD,
Secretary of Defense, The Pentagon, Washington, D.C.

DEAR MR. SECRETARY: With the resumption of French atmospheric nuclear bomb testing in the South Pacific, I would again like to know the extent of American participation in these tests. Your reply to a similar request of mine in February of this year left many unanswered questions.

I believe the Congress and the American people are entitled to know answers to the following questions regarding the role the United States plays vis-vis French nuclear bomb testing:

(1) Is the USS *Richfield*, or any other American ship, in the Pacific for the express purpose of monitoring the French nuclear bomb tests?

(2) Do United States aircraft fly through French nuclear blasts, after detonation, to collect nuclear data?

(3) If the U.S. collects any data on the French nuclear test program, do we provide any of this data to the French government under any circumstances? If so, what is the U.S. policy for providing the French with data of this type?

(4) Do the French authorities provide the U.S. with any information or scientific data concerning their nuclear bomb tests?

I would appreciate it if you would provide me with answers to these questions not later than July 7, 1972.

If any of this information is classified, I would appreciate a personal briefing covering

such points, as well as unclassified replies to the extent possible.

Sincerely,

JONATHAN B. BINGHAM.

JUNE 29, 1972.

Hon. JAMES R. SCHLESINGER,
Chairman, Atomic Energy Commission,
Washington, D.C.

DEAR MR. CHAIRMAN: With the resumption of French atmospheric nuclear bomb testing in the South Pacific, I would like to know the extent of American participation in these tests.

I believe the Congress and the American people are entitled to know answers to the following questions regarding the role the United States plays vis-vis French nuclear bomb testing:

(1) Does the AEC send observers to the test site?

(2) If the U.S. collects any data on the French nuclear test program, do we provide any of this data to the French government under any circumstances? If so, what is the U.S. policy for providing the French with data of this type?

(3) Do the French authorities provide the U.S. with any information or scientific data concerning their nuclear bomb tests?

I would appreciate it if you would provide me with answers to these questions not later than July 7, 1972.

If any of this information is classified, I would appreciate a personal briefing covering such points, as well as an unclassified response to the extent possible.

Sincerely,

JONATHAN B. BINGHAM.

FEDERAL INVESTIGATION OF IRISH NORTHERN AID COMMITTEE

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, I am deeply concerned about the current Federal grand jury investigation into certain activities of the Northern Irish Aid Committee and other groups interested in Irish freedom. That investigation, which is being held in Fort Worth, Tex., has been dragging on for several weeks. A number of citizens from the New York City area who have never set foot in Texas. A number of these witnesses have been detained in the Federal Penitentiary at Dallas, Tex., and the location of the trial and the atmosphere in which it is being held suggest that it is politically motivated and is in violation of the civil liberties of the individuals who have been called to testify.

With that in mind, I am today sending a telegram to Attorney General Richard Kleindienst urging him to wind up this investigation promptly and allow the witnesses to return to their homes and families, and I have been joined by seven of my House colleagues from New York. The text of the telegram, and the Members who have signed, follows:

We are dismayed to learn that seven witnesses from the New York area interested in the cause of Irish freedom have been subjected to harassment by your department in connection with a grand jury investigation of alleged violations of the 1968 Firearms Control Act in Ft. Worth, Texas. None of these witnesses who already have been required to attend two weeks of hearings in Ft. Worth have previously been in Texas. The choice of locale for the investigation and the manner in which the proceedings have been conducted and dragged out suggest a political motive behind the entire proceeding. The hostile atmosphere in Ft. Worth is indicated by the fact that several nurses who were peacefully picketing in sympathy with the detained witnesses have been suspended from the Harris Hospital and threatened with loss of their jobs unless they refrain from picketing. We urge you to wind up this apparently trumped up proceeding promptly and allow these witnesses to return to their homes and families.

Jonathan B. Bingham, William F. Ryan, Hugh L. Carey, Bertram L. Podell, Benjamin S. Rosenthal, John G. Dow, Edward I. Koch, Mario Biaggi.

PRICE CONTROL ON PRINCIPAL CULPRIT OMITTED

(Mr. VANIK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. VANIK. Mr. Speaker, today, the president by Executive action extended Federal price controls to unprocessed agricultural and seafood products on practically all foods except meat.

The President omitted price control action on the principal culprit of runaway consumer prices. Beef, like oil, ranks among the untouchables; first in privilege, last to be monitored or controlled.

There can be no effective control of food prices as long as meat is excluded. As controls are widened, the basis for special exemptions are eroded. Controls to be effective, must be extended to the entire spectrum of consumer needs.

The suspension of meat import quotas are insufficient to provide substantial or lasting pressures on reducing meat prices to the consumer. Price controls are absolutely essential if meat is to remain a part of the average citizen's diet.

RETIREMENT OF HOLLIS R. WILLIAMS, DEPUTY ADMINISTRATOR FOR WATERSHEDS, SOIL CONSERVATION SERVICE

(Mr. POAGE asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. POAGE. Mr. Speaker, Hollis R. Williams, Deputy Administrator for Watersheds, Soil Conservation Service, has announced his retirement June 30, 1972, after almost 38 years of service.

He has been Deputy Administrator since April 1959. In that capacity he is responsible for the watershed, flood prevention, and river basin work of the SCS.

Mr. Williams was a member of the SCS regional office staff at Fort Worth, Tex., from 1936 to 1946. He was State Conservationist for Arkansas, with headquarters at Little Rock, from 1946 to 1957 when he became the Administrator's Field Representative from the Southeastern States, with headquarters in Washington, D.C.

He is a native of Arkansas and is farm raised. He obtained a B.S. degree in physical and biological sciences at Arkansas State College and a law degree from North Texas School of Law, Fort Worth.

He is the Department's member on the Council of Representatives of the Water Resources Council. He is also the Department's representative on the Inter-Agency Task Force on the Potomac.

He is a member of the American Society of Range Management.

Mr. Williams received the Department's Distinguished Service Award in 1965.

In June 1966 he participated, with seven others, at the invitation of the Federal Republic of Germany, in a one-month German water resources study of problems and their solutions.

In August 1966 he was awarded the degree of Fellow by the Soil Conservation Society of America in recognition of his exceptionally outstanding achievement and leadership in the field of soil and water conservation.

Mr. Williams has been a widely demanded speaker in conservation circles.

He has won the support and respect of Members of the Congress, especially the Agriculture and Public Works Committees of the House and Senate, and the Appropriations Subcommittee of both the House and the Senate through his cooperation and contributions to the work of these committees.

Mr. Williams has made an important contribution to the total soil and water conservation program and to soil and water conservation districts. He has had a major role in the advancement of the small watershed program which I think is one of the most important programs in the Federal Government.

We wish him well in his retirement.

CONGRESSMAN HOLIFIELD'S REMARKS ON PRIORITY ACTIONS NEEDED TO MEET ENERGY CHALLENGES

Mr. PRICE of Illinois. Mr. Speaker, my esteemed colleague, Congressman HOLIFIELD, has over the years spoken eloquently of the things which need doing for our Nation to meet the energy challenges of this and future decades. In a recent speech before the American Public Power Association, Congressman HOLIFIELD again called for governmental-industrial leadership and cooperative efforts to solve the energy problems which unquestionably we now face. In his remarks Congressman HOLIFIELD emphasized the priority need for an adequately funded, coordinated national energy and pollution control research and development effort. He urged the Congress, at an early date, to consider environmental legislation which would consolidate the existing environmental laws into an understandable and workable legislative framework. Finally, he stated that changes are needed in the organizational structure in both the executive and legislative branches to facilitate the achievement of the twin goals of supplying adequate energy and protecting the environment.

Mr. Speaker, in view of the importance and timeliness of Mr. HOLIFIELD'S remarks, I include his entire speech in the RECORD at this point:

REMARKS BY CONGRESSMAN CHET HOLIFIELD

PUBLIC POWER'S ROLE IN THE NATIONAL ENERGY PICTURE

I am most appreciative of the opportunity to participate in the 29th Annual Conference of the American Public Power Association. "Meeting the Energy Challenge" is a most appropriate theme for this conference. Before I give you my views on some of these challenges I would like to take note of the changes which have occurred and are occuring in Public Power's role in the energy picture.

I. Public power's new position

Your organization and its membership are entering a new era. This new era is one of increasing responsibility and increasing participation in the nation's overall energy supply picture. For example, it is now possible for public power groups to join with larger utility organizations and participate directly in the construction of large, efficient, modern generating plants. Thus they can benefit directly not only from their advantage of lower financing costs but also from direct ownership of prime generating capacity. This right of participation was won after a hard fight. Your organization and specifically a number of individuals present here today are due special credit for their accomplishments in attaining these new opportunities.

Also I believe, credit is due the Joint Committee on Atomic Energy for its efforts in assisting smaller utility systems in sharing in the benefits of the latest electrical generating technologies. These benefits in most cases are, unfortunately available only through construction and operation of large generating units—too large for many individual utilities to finance and utilize themselves. I am referring to the 1968 hearings on various legislative proposals facilitating the participation of smaller utilities in nuclear power. These were followed by the 1969 and 1970 hearings on legislation providing for antitrust review prior to the licensing of a nuclear plant. The final result was the antitrust act which was made available in December, 1970—Public Law 91-560, enacted December 19, 1970.

As you know, this was no mean accomplishment. We had to contend with many highly intense and conflicting special interests on this legislation. The Committee expended a great deal of time and energy on this matter. I would like to specially mention the patience and efforts of my colleague, Senator GEORGE AIKEN, in working out the final piece of legislation.

Public Power is also entering a new era of increased utility cooperation in other areas. The cooperative funding of the high priority breeder demonstration plant is one of such example. Cooperation of the utility industry as a whole in laying out and funding research efforts and in regional planning is also on the increase. All of these steps are encouragnig although I don't want to imply these first steps indicate a complete new era of sweetness and light. I know these first concessions for greater participation in factors affecting your destiny and the destiny of the nation in the energy field were in certain cases difficult to obtain. Accordingly, one must remember that these gains must be closely guarded and additional ones aggressively pursued.

The nation needs its mix of generating organizations. I have always thought that the public power organizations have a special importance in providing a yardstick for measuring costs of electrical energy. Accordingly, the public power sector has a special duty to the nation of maintaining itself as a viable, progressive and efficient source of electrical energy. Your organization and public power have a continued, important future in the National Energy Picture.

II. Actions needed to meet the challenge

I have frequently stated my belief that the fuels and energy problems are so acute and the environmental situation so sensitive that they must be given almost equal priority and acted on in a realistic, coordinated manner. I strongly believe that man can employ—without exploiting—the resources of the world for the benefit of mankind without causing harm to the environment or to generally accepted standards of lifestyle and well being. And I believe this is what the vast majority of our people want. Certainly the recent overwhelming defeat of Proposition 9—"the Clean Environment Act"—in the California primary indicates that citizens want responsible, prudent actions to solve the twin problems of energy needs and environmental protection.

The energy problems will not be solved by merely allowing water to run under the bridge while assuming that someone, somehow will get the job done. Our health and material well-being are dependent on the various power sources. If they fail us, the very foundations of our economic strength and our national well-being will be eroded.

Most Americans are probably complacent about these problems because an ample supply of electrical energy, available at all times, is accepted as a part of their way of life—as dependable as sunrise, sunset, or the days of the week. They perhaps do not realize the enormous complexities involved in satisfying the rapidly growing demands for the production of electric power. These complexities include enormous capital investments, requirements at all governmental levels which have to be satisfied through a maze of administrative and departmental levels, technological challenges, limitations of suitable resources, and choices to be made in order to deal effectively and simultaneously with the energy problem and the goals of environmental quality.

Or perhaps the reason Americans are complacent is because they feel confident that their industrial and governmental leaders will solve these problems.

I can assure everyone that there is no reason to be complacent. What we have accomplished up to this point is an abundance of studies which recognize some of these problems and give a variety of recommendations of varying degrees of practicality for solving a piece of the problem. To the best of my knowledge, no individual, organization, or congressional committee is on the threshold of providing complete recommendations to deal with these problems.

We all know that urgency is not necessarily the twin brother of prudence and common sense. We have to do things right and do them well. But failure to act promptly to meet the challenges would be an abdication of the responsibilities which we share. We must recognize that there is no simple, quick fix to the problems which we now face. We should also have the intelligence and the foresight to understand that these problems will increase as the years go by unless needed actions are taken. Studies are fine to determine what we know and do not know and to give general recommendations. But more studies will not solve these problems. We need decisions now in certain fundamental areas. We need the decisions which, in the judgment of our most qualified and responsible people, are the ones which are in the best public interest.

What is needed now are determined efforts within the industry and the Government to solve these problems. We need leadership—industrial and political—exercised cooperatively and with determination and zeal to get the job done. We need solutions in which common sense, economics, and the continuing security of our nation are considered as well as other matters. Leadership is needed now. We can preserve the differences which are fundamental in our respective areas of activities while uniting to provide the leadership and the effort needed to solve these problems.

I would like to mention only a few of the more significant areas in which prompt solutions are needed.

A. Energy research and development

Experts agree that new energy technologies offer the only valid opportunities for meeting growing energy needs in the decades ahead. The nation needs a comprehensive energy research and development policy which must be developed in the context of broader energy policy issues. Our nation is becoming increasingly dependent upon foreign sources of fuel which are half-way down the gullet of the Russian Bear. We must learn to better utilize present energy resources, preferably those on the American Continent, and we must also learn how to use some of the most practical new sources.

Most fortunately the vision of the late 1950's and early 1960's has given us the guidance we needed and are now following concerning our present, most practical solution to our long-range energy problems. This, as you know, is the nuclear energy route. The history of this important decision is being forgotten. Let me briefly review it for you, since it should be used as a guide for forthcoming decisions.

In the latter part of the 1950's, the feasibility of civilian nuclear power was demonstrated. The next phase was the expensive one—the development of practical nuclear power plants in all of the fundamental respects—economics, safety and proven reliability. Prior to the start of this phase, the Joint Committee on Atomic Energy became unpopular. We asked for a thorough reappraisal of our efforts. I will admit I was a leader in the new attitude which developed. We demanded an answer to the question of whether nuclear power was truly needed. We knew of the claims made that there were centuries of supply of conventional fuels. We had heard the siren song of exotic sources of energy just around the corner. We wanted to make certain nuclear energy was justified before we authorized the expenditure of the large sums of public funds which would be needed to bring nuclear power to the point of benefit to this nation.

Our challenge finally culminated in the 1962 Report to the President. This report was based on a study of practical solutions to our long-range energy needs. It was the product of responsible agencies of Government—AEC, Interior, FPC and NAS—and knowledgeable individuals and organizations outside of Government.

The findings of the study were specific; the only practical present solution to our long-range energy needs was nuclear energy—fission or fusion. Since only the feasibility of fission reactors had been proven, the study laid out a program for developing fission reactors to meet our long-term needs for energy. This program, of course, highlighted the development of the breeder recognizing that without the breeder, fission energy could not meet our long-term needs.

As many of you recall, the Committee then held hearings to receive the views of the public and many of the experts in the energy field. We had both proponents and opponents before us. The conclusions of the 1962 Report to the President stood the test. No factual information was presented which refuted its basic conclusion: Nuclear energy was needed to supply our long-term needs.

The 1962 Report was updated in 1967 and the conclusions were reaffirmed in all fundamental respects. President Nixon, on June 4, 1971, reaffirmed the commitment to proceed with the breeder reactor as our priority effort in the development of a new source of energy.

He also specifically endorsed the goal of completing our first demonstration breeder reactor by 1980. I will say more about this demonstration plant later.

The President also emphasized the importance of developing ways of upgrading fossil fuels and better ways of generating clean energy from coal, oil, and gas. This, I might add, is what the Joint Committee has always advocated. It is essential that we utilize our great wealth of fossil fuels.

We have clearly established nuclear energy as our national priority development effort. I fully realize we should not ignore other new energy sources as potentially important supplemental forms. Fusion and solar are the prime ones usually considered. Research and development on these potential sources should be continued for the long-range future.

Necessary steps must be taken to give priorities to federal energy research programs in these supplemental energy areas. In addition, research concerning transmission, conversion, utilization, conservation, and waste disposal must be carried out. A coordinated and adequate research effort should produce the information which would document the feasibility of the various options, the role each option could play in the solution of our energy problems, and realistic timetables for their development.

I might add that some major changes in research and development efforts have been occurring in the past five years. For example, although the breeder reactor program has increased 97% in the past five years, coal resources research and development has increased 300% and laser nuclear fusion research has increased over 1,000% in the same period.

Another important level from the nuclear program is the need to cut out development efforts from time to time. One of our most difficult tasks has been to stop work on concepts which do not prove promising. The Joint Committee has had to drop about ½ dozen different reactor concepts which first were thought to have promise. This must be done to conserve resources.

A small but significant first step in the energy research and development area was taken by the Congress last year when it authorized the AEC to perform energy and environmental research in areas other than the nuclear field. The Commission has initiated a modest program in this area but it is only a small beginning. What is needed is a cooperative industrial-governmental effort to spearhead energy and pollution control research and development. There is need for an independent and separate agency within the Federal Government to coordinate and focus such a cooperative governmental-industrial research effort. Concurrently, there is need within the industry for these efforts to be coordinated and supported by an appropriate share of private finances. I need not remind you of the successful governmental industrial cooperative efforts starting in the early 1960's in the nuclear power field. I believe that that experience should serve us well in dealing with these problems.

Some experts have suggested that federal agency research and development activities should be consolidated into a single agency such as the AEC. Others have suggested the creation of an independent energy development corporation. Perhaps others are satisfied with the existing situation. The important message is, that there is a need for coordinated national effort. It must be adequately funded and undertaken on a priority basis. The AEC has in being the greatest aggregation of existing facilities, laboratories and scientific personnel in the country. They might well undertake this important responsibility. But regardless of where the responsibility is placed, there is a need for prompt decisions and actions.

B. Consolidation of environmental legislation

The Congress should at an early date consider environmental legislation which would consolidate the existing environmental laws into an understandable and workable legislative framework. The longer this is postponed the greater the risk of energy shortage, the greater the economic impact for consumers of energy, and the more time of the Nation's technical talent will be diverted from their primary task. Further, the opportunities for practical actions to protect the environment will be lessened.

Some of our current difficulties are due to the National Environmental Policy Act which is almost completely lacking in prescribing practical procedures for carrying out its policy changes. The procedural requirements necessary to comply with the Act are being developed and refined in judicial decisions and in agency reactions to those decisions. This development could continue for years. In the meantime, uncertainties, duplication, delay and increased economic burden on consumers will continue without abatement.

The AEC's experience in this area during the past year should be ample warning that action must be taken in this area at the congressional level to provide needed guidance. My latest information is that the AEC now has 122 pages of printed guidelines and instructions to applicants on the general content of their environmental reports.

The public should know the price of settlement that some utilities are being forced to pay in the name of environmental protection. The public ought to know that they will end up paying the price. And that some of these claimed solutions will, in fact, aggravate the environmental problems. The best judgments should be obtained as to whether the price in all cases is worth it. In some cases rates will have to be doubled to meet the staggering demands of total compliance with national environmental requirements. We all agree that a price must be paid to achieve adequate protection. But I am suspicious that in many instances, the standards have been set at unrealistic levels and on time schedules which are overly demanding. I also question whether the hundreds of pages in draft and final environmental reports are really worth the costs which are involved.

As a result of the delay in licensing the operation of nuclear power plants, caused in part by the procedural requirements of the National Environmental Policy Act, the Congress was called upon recently to enact temporary operating licensing authority to deal with the emergency situation. Even in the light of expected power shortages it was very difficult to get legislation enacted which would provide the needed flexibility in licensing the operation of nuclear plants. Hopefully the legislation which was finally enacted will assist in bringing plants on the line in an expeditious fashion. It should be clearly understood, however, that this legislation is only a temporary measure intended to deal with the present short-term emergency situation. A solution is still needed for the long-term so that plants can be brought on the line before other emergency situations materialize. There is a need for a coordinated and workable system for the early approval of power plant siting. Perhaps such a system will be encouraged by the enactment of Federal land use and power plant siting legislation now before the Congress. What we now have is a maze of unrelated federal, state, and local laws and regulations which present multiple, circuitous, and disoriented requirements for power plant siting and transmission line approval. The existing bewildering situation is not in the public interest because the public very clearly suffers in at least two respects: delays in the availability of needed energy and increased consumer costs.

C. Governmental organization

I would be the first to recognize that we needed changes in our Government to achieve our twin goals of supplying adequate energy and protecting the environment.

There is now a fragmented web of authority in the energy field at Federal, State, and local levels. With such fragmentation, there is no identified organization within the Governmental structure to make decisions and to get on with getting the job done. Indeed, a problem both industry and government officials face is to whom in this web does one go and for what, and, importantly, what is decided with finality at the various governmental administrative levels. We need changes at all levels. Energy and energy fuels are, to a major degree interchangeable. They should be treated as a unit. But such is not the case in our Federal Government. A difficult question is if the changes are to be accomplished for the long term by legislation, what legislative approval, considering practical political realities, is in the best interest of the public.

I am sure that you are aware that last year President Nixon made some very ambitious proposals for Government reorganization. He proposed to create four new departments in the Federal Government in place of seven existing departments. One of the four new departments would be a Department of Natural Resources; and within that department, several echelons below the Secretary level, there would be an Administrator who would deal with all energy and mineral resources matters. The new department would be given the responsibility for developing and administering national power policy including, among other things, the civilian power functions of the Atomic Energy Commission. As Chairman of the House Committee on Government Operations, I have been very much involved in the consideration and evaluation of the proposal.

Detailed hearings on the proposal have not yet been held. At this point, it is not altogether clear how firmly committed the Administration is to a shift of civilian programs in atomic energy. It is also apparent that the fragmented approach to the importance of energy in our society will, unless changed, fail to meet the challenge. A serious question is posed as to whether so sophisticated a technology program as the breeder reactor should be moved into a new setting, at this crucial stage of the program, where it could be lost or forgotten. Even more serious is the question whether the Administration contemplates the breakup of the AEC and the submergence of nuclear power developments—an action which might provide opportunity for large corporations to acquire monopolistic control and engage in price manipulation of this great new source of energy.

Of course, it is easier to pull together some of the energy functions in one agency than it is to develop a national policy for energy. The hard thinking and hard working should be on energy policy. If the policy is good, the organization can be more readily adopted to provide the necessary structural underpinning. Although some of my colleagues in the Congress differ on the specifics of an all-energy organization, I think that most would agree that a combined energy organization in the Executive Branch is necessary.

It should be recognized frankly that there are factors working against the early enactment of the proposal to create a Department of Natural Resources. There is considerable skepticism about wholesale reform packages, particularly where the issues are politically sensitive or the prerogatives of the Congress are at stake. Matters of such far-reaching importance cannot be disposed of summarily. And, of course, this is a political election year.

It would be wonderful if we had an im-

mediate legislative answer on what is the best organizational structure within the Executive Branch to deal with energy matters. Actions to solve some of the energy problems with which we are now faced could, perhaps, be handled in the final legislative action on the proposed Department of Natural Resources. On the other hand they may have to be handled in separate legislation.

The President's Energy Message of June 4, 1971, was indeed historic and served a most useful purpose. What is needed now are follow-up actions to get on with the tasks of achieving the goals set forth in that message. In certain areas, such as priority attention to a balanced and imaginative research and development program, no positive action has, to the best of my knowledge, been taken by the Administration. Any further postponement of implementation of needed programs until action is taken on pending legislation would be an irresponsible action. There is unanimous agreement of qualified persons that the time for major commitments to programs is already long overdue. The time problem is compounded by the fact that long lead times are involved in most of the priority energy efforts.

Let us not overlook the fact that the President is free now to act to consolidate energy research and development activities into a single agency. It was in anticipation of the fact that he might want to do so, that the Congress last year amended the Atomic Energy Act to give the AEC broader responsibility in the area of energy and environmental research. The President is also free to act now to consolidate and coordinate the various segments within the Executive Branch in the interest of assisting in the development of energy policy and to facilitate related decisions in the Executive Branch.

I am not suggesting for a moment that these actions will be all that is needed or will be an acceptable substitute for legislation establishing a new Department or Agency. I am saying that actions are needed now which are not dependent on such legislation. The President, in his constitutional capacity as Chief Executive, or by specific delegation of authority from the Congress, possesses a broad range of authority to delegate functions, create and abolish agencies, and take other actions. In other words, actions can be taken now so that needed policy decisions in the energy area can be made and progress initiated to carry out those decisions. No reorganization will help to solve the energy problems without a clear mandate and commitment by the Executive Branch to the priority of the efforts. This mandate and priority is normally communicated to the Congress, and to the American people, in the annual budget. The priorities and program commitments in the President's budget obviously do not depend on any reorganization within the Executive Branch.

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It should clearly follow from what I have said, that State and local governments should move ahead promptly to provide for coordinated and concerted efforts in the energy and related environmental areas. There are needs at the State and local levels to get properly organized in these areas. Here in California, for example, we have a State power plant siting committee made up of various departments of government ranging from Fish and Game through Water Quality Control but with no one on the committee responsible for providing electrical power—a perfect example of an unbalanced approach. In other states, the Attorney General's office participates in litigation to stop the operation of a plant, while other officials of the same state assert that the plant output is urgently needed and should be made available. Obviously such conflicts have to be resolved within State governments so that balanced needs can be met.

* * * * *

I do not wish to leave you with the impression that the need for governmental restructuring to deal with energy matters is confined to the Executive Branch.

I believe a congressional organization along energy lines is also called for in the Congress. The Interior Committees of both houses which are chaired by colleagues of mine on the Atomic Energy Committee, Senator Jackson and Congressman Aspinall, are making studies of energy problems across the board. I believe that when these studies are finished we will have the facts we need to organize the Congress on the basis of national energy needs. One approach could be the setting up of a joint committee on energy. A bill has already been introduced in the Senate to have the Joint Committee on Atomic Energy's function expanded to that of a Joint Committee on Energy. Clean and plentiful energy supplies are now of such importance to the welfare and future of our nation that they warrant special considerations.

* * * * *

These are some of the challenges with which we are faced. Some of the solutions are within the capacity of segments of the governmental and industrial structures. But no one individual or organization, either government or industry, can do the job alone. The difficult decisions will require a coordinated team effort at the highest levels of government and industry with substantial support of the public.

Your association can perform a most valuable public service by contributing to the leadership which is needed for this team effort and by helping to gain public support. To solve the energy problem, our nation needs a combination of governmental and industrial leadership as well as a spirit of determination to get the job done.

The time for additional studies is over. Now is the time for action, program commitments, implementation, and solutions. Someone has to supply the spark to kindle the flame—hopefully my message today, together with the efforts of your association, its members, and others like you, will supply that spark. I know of no other area which provides an opportunity for a greater contribution to the public interest and to the future security of our nation.

I urge you to do all that you can to see that actions are initiated and that progress is made.

III. Status of the liquid metal fast breeder reactor demonstration plant

Certainly, an important matter of interest to public power utilities—aside from the everyday problems with which they are confronted—is the building of the first liquid metal fast breeder reactor demonstration plant. I would like to report briefly on the status of the project. There are both good points and bad points to report. First, the good points.

The accomplishments achieved by the electric utility industry, during the past year have set a new precedent in terms of cooperation within its several segments. I am speaking of the magnificent job that was done in obtaining pledges from the utility companies for contributions to be made to the cost of building the first liquid metal fast breeder reactor demonstration plant. A total of $240 million was pledged. The Breeder Reactor Corporation is now in the process of converting the pledges to hard cash.

Contributions pledged by the public utilities total about $40 million. This share of the total is proportional to the fraction of electric generating capacity of these utilities. It is a fine contribution. It is an indication of your interest in contributing to the achievement of this important goal.

The Federal Government, of course, has a major role in this development. In our fiscal year 1971 AEC authorization bill, there was provided $50 million in direct assistance for this project. By the time we were dealing with fiscal year 1972 authorization, the estimate of costs and other factors made it clear that we would have to double this amount in order to obtain a viable arrangement among the parties. This we recommended and the Congress approved an increase to $100 million for direct Government assistance. It should be remembered that this $100 million of direct assistance is in addition to the vast R & D sums committed annually by the government to the success of the overall program.

In summary, the utilities entered into the project with a spirit of cooperation deserving of the highest commendation. The cooperation is unprecedented. The authorization and appropriation of funds by the Federal Government has proceeded on good schedule and we should be well on our way toward the development of a memorandum of understanding which is required as the basis for the conduct of the project. The general basis for the arrangement among the parties must lie before the Joint Committee on Atomic Energy for a period of 45 days while the Congress is in session (unless waived by a resolution of the Committee).

Now the bad points. Early this year, during Joint Committee public hearings on the fiscal year 1973 authorization bill, I inquired of Chairman Schlesinger and his staff concerning when we could expect to receive the basis for the arrangement in order that we could study it and hold public hearings on it. We will do this to assure that it is a good arrangement and that we have the benefit of comment by the representatives of the Federal Government, the utility industry, and the public at large and finally get on with the job. At that time we were told that we should expect to have the general basis of the arrangement by May 1. We have not yet received that information and we are now close to two months behind the original schedule.

On June 26, the Committee met with the Commission in order to find out the details of the problems being encountered in reaching a proper basis to go forward with the project.

The cause of much of the delay relates to an appraisal of the several sites on the Tennessee Valley Authority system which had been under consideration for this demonstration plant. Each site has its own problems. A technical problem arose a few months ago concerning whether a sodium reheat system should be built into this plant. This proposal has now been rejected—but it cost us valuable time. A few more delays in decision making on unnecessary proposals and we will not be able to meet the goal established over a year ago by President Nixon in his historic energy message to the Congress—of having a demonstration breeder reactor on the line by 1980.

Some aspects of the project have been moving along, but until a decision is made with respect to the siting of this plant, we will be losing more valuable time. The reactor vendors have submitted proposals on the design and construction aspects of the plant, and these proposals have been under study by the parties. An environmental impact statement was issued in April assessing the effects that the building and operation of this plant would have on its surroundings. This is helpful but it must be augmented with data pertaining to the specific site.

My final comment is that it appears from my vantage point that this project is not being pursued as a high priority effort as

designated by the President. We cannot afford to continue in this manner. All of the parties must resolve anew to reach agreement so that the prime decisions can be made. These concern: specific commitments of each participant; reactor site; reactor vendors; construction contractors; and fundamental design decisions. These decisions must be made as soon as practicable. If we fail to move with greater speed, I am afraid that this important project may experience the fate of some past cooperative projects in which so many parties were involved that no decisions could be reached in a timely fashion. Those projects wallowed in the mire of indecision and subsequently died. This great project must not be allowed to die. It is a vital segment of our overall National research and development program. The fast breeder reactor is the only practical, obtainable answer for an inexhaustible supply of electricity for mankind's need for the next ten decades. If this country is to maintain itself in its present position of world prominence, with an improved balance of trade, it must assure itself in its present position of world prominence, and with an improved balance of trade, it must assure itself of reliable and adequate energy resources.

In conclusion, I want to point out that our country is becoming more dependent each day on foreign oil and gas resources.

Western Europe and Japan are dependent on unstable Middle East oil for as much as 80% of their supply. Our only alternative to reliance upon an undependable foreign oil supply is for us to own and control our own fuel supply.

For the electric power portion of our fuel supply, the fast breeder reactor is the only answer within an acceptable time period.

LEAD POISONING IN THE STREETS

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, on June 19, 1972, 47 Members of the House and Senate joined with Senator PHILIP HART and me in calling upon the Administrator of the Environmental Protection Agency to promulgate regulations which will remove all lead from gasoline by 1977 at the very latest.

Each year thousands of young children are subjected to the hazards of lead poisoning. This devasting disease takes its toll in terms of mental retardation, blindness and even death. The real tragedy of this malady however, is that it is totally preventable.

Yet each year some 200 youngsters between the ages of 1 and 6 die as a direct result of childhood lead poisoning. An additional 6,000 suffer brain damage. All told, the Department of Health, Education, and Welfare estimates that 600,000 children are afflicted each and every year.

The prime cause of this dread disease is the ingestion of lead-tainted paint and plaster fallen from the walls and ceilings of dilapidated dwellings. And for the past three years I have led a national campaign to combat this crippler and killer of young children. But lead-based paint is not the sole cause of this tragic illness. Another major source is the very air we breathe.

Recently the Environmental Protection Agency proposed regulations to reduce the lead content of gasoline by approximately two-thirds over a period of 5 years. While these regulations are a step in the right direction, they are far from sufficient to ensure that our health is adequately protected from the dangers of air-borne lead.

As the Washington Post editorialized on June 28:

Because the presence of lead in gasoline is such an obvious health and environmental threat, immediate action should be taken to eliminate the danger. If officials were told that a deranged criminal was loose in the neighborhood among children, there would be no hesitation to act. With 200 annual deaths from lead poisoning and 6,000 cases of retardation, why is anyone hesitating to act against one of the major causes—leaded gasoline?

Clearly, the time to act is now. Lead must be banned from use in gasoline, with total lead removal completed by 1977 at the very latest. If we do not adopt this schedule, we will continue to expose the public, and particularly the inner city poor, to a devastating yet totally preventable disease.

At this point I include in the RECORD the text of the letter sent on June 19 to Administrator Ruckelshaus by Senator HART and me on behalf of 49 Members of Congress. I also include the June 28 editorial from the Washington Post in support of our position.

U.S. CONGRESS,
Washington, D.C., June 19, 1972.

Hon. WILLIAM D. RUCKELSHAUS,
Administrator, Environmental Protection Agency, Washington, D.C.

DEAR MR. RUCKELSHAUS: We were all heartened by the recent decision of the Environmental Protection Agency to reduce the lead content of gasoline. Upon close examination of your proposed regulations, however, we must conclude that they will not remove the lead fast enough to provide adequate public health protection. Based on the hearings of your agency and of the Senate Subcommittee on the Environment, our position is that all lead should be removed from gasoline by 1977 at the very latest. This judgment is based upon two considerations: (1) that the dangers posed by lead to human health have not been adequately considered in the proposed regulations; and (2) that a more severe schedule of lead reduction than that proposed is economically feasible.

THE DANGERS POSED

In our view, the most convincing argument for total lead removal by 1977 is the effect of lead in gasoline on the lead content of dirt. A number of recent studies by the Environmental Protection Agency have revealed alarmingly high levels of lead in dirt. For example, samples from the New York City area ranged from 3,000 to 5,400 parts of lead per million parts of dirt. Seventy-seven midwestern cities averaged 1,636 parts per million in residential areas, 2,413 parts per million in commercial areas. Four southeastern cities ranged from 600 up to 2,600 parts per million. The Salt Lake Basin ranged from 2,500 to 3,500 parts per million. MacArthur Park in Los Angeles showed levels of 3,537 parts per million.

These are current levels, of course, which will undoubtedly decrease with a reduction of lead in gasoline. There seems no reason to expect, however, that by 1977 the reduction will exceed two-thirds of current levels—the proposed rate of lead reduction in gasoline. In the absence of scientific data to the contrary, the most logical assumption would be that the reduction of lead in dirt would approximate the anticipated reduction in fuel and the ambient air. Both Dr. Jane Lin-Fu, a pediatric consultant to the Department of HEW, and Dr. Kenneth Bridbord of your agency testified that it would be reasonable to assume this relationship.

Given that assumption, after the proposed regulations become operative, we should still be left with more than 500 parts per million lead in the soil of those 77 midwestern cities. Considerably more lead would remain in such areas as New York City, the Salt Lake Basin, and parts of Los Angeles. Even at 500 parts per million lead, a child would need to ingest only one-eighth of a teaspoon (about one-quarter of a gram) of dirt daily to exceed the maximum daily permissible dose for lead, the dose above which actual poisoning could occur. Dr. Lin-Fu concluded that it would not be unusual for an ordinary child to consume this amount of dirt, and that a child with pica could be expected to eat considerably more. Children with pica, she told the Subcommittee, eat dirt "by the handfuls". A normal child, she testified, could consume the eighth of a teaspoon merely by sucking his thumb or failing to wash his hands before meals.

In the previous example, it should be recognized, the child with pica might also be eating leaded paint. Even if the lead paint ingested contained no more lead than that permitted by recently-established HEW regulations, the quantity of paint and dirt likely to be consumed would greatly exceed the maximum permissible dose of lead. In fact, it would not be surprising for such a child to consume as much as two or three times the amount of lead which could produce lead poisoning.

One additional piece of evidence suggests that the dangers may be even greater than this example would indicate. Data compiled by the Environmental Protection Agency for Cincinnati reveal that an ambient lead level of approximately 1.5 micrograms per cubic meter—a level lower than that expected to be achieved in many areas under the regulations—resulted in a lead level in dust that reached nearly 3,000 parts per million. If dirt containing this amount of lead were consumed, only about one fortieth of a teaspoon would be necessary to exceed the maximum allowable daily dose. If the lead levels suggested by this study are found in other areas as well, the problem is obviously greater than any of us had thought.

ECONOMIC FEASIBILITY

While completely eliminating lead by 1977 would result in a cost to the consumer, we believe these costs are acceptable. The Subcommittee's record indicates that elimination of lead from gasoline by 1977 would raise manufacturing costs by no more than three-quarters of a cent per gallon over the one-quarter of a cent cost increase needed to meet your proposed regulations. While a further cost increase might be necessary to prevent increases in other possibly harmful gasoline constituents (notably polynuclear aromatics, or "PNA"), no more than 1/10 of a cent per gallon should be needed for this purpose. In sum, it appears that all lead could be removed from gasoline, without increasing PNA, through an additional cost of less than 2¢ per gallon to the consumer.

When calculating costs to society, consideration must also be given to the implications of what is proposed on competition in the gasoline markets. While the major refining companies have the resources to meet almost any schedule for lead removal, the independent refiners and marketers who comprise the only viable competitive influence in the industry are faced with much greater problems. The small refiner may find that the capital requirements for refinery modifications impose an insuperable cost disadvantage with respect to his major competitors. The independent marketer may have increased difficulty in obtaining no-

lead gasoline. Members of Congress have already received numerous complaints from independent marketers that their major company suppliers of leaded gasolines refuse to sell them any no-lead product. Unless independent refiners can produce no-lead gasoline and independent marketers can get no-lead gasoline to sell, competition in the industry will be seriously reduced.

Yet we believe that measures are available to preserve and enhance the viability of independent competition in the event of a stiff schedule of lead removal. They are:

1. The EPA regulations should assure supplies of no-lead gasoline to independent terminal operators and marketers.

2. Independent terminal operators and marketers should be given special import licenses which could be used either for the importation of no-lead gasoline or for other finished products or crude which could be exchanged domestically for no-lead gasoline.

Moreover, legislation is now moving through the Congress which would extend Small Business Administration disaster-relief assistance to other than naturally-caused economic disasters. This legislation coupled with appropriate administrative action could make available to refineries loans to support necessary refinery modifications. It is hoped that the SBA would raise its "small business" refinery limit from 30,000 b/d to 50,000 b/d input capacity to enhance the effectiveness of the legislation.

While all of these measures seem advisable regardless of the schedule of lead removal chosen, they become imperative in the event of the stiff schedule we propose.

We conclude that neither cost nor competitive considerations provide sufficient reason for abandoning a schedule of total lead removal by 1977. If we do not adopt this schedule—and the regulations go into effect as proposed—we will continue to expose the public, and particularly the inner city poor, to substantial hazards. In effect, we will be telling the inhabitants of the country's ghettos that lead poisonings will continue to plague many of their children. While we do not welcome increased costs to the consumer, we feel they must be tolerated in this case. As between more expensive gasoline and more mentally-retarded children the choice is obvious. We strongly urge you to stiffen your proposed regulations.

LIST OF SIGNATURES

Philip A. Hart, U.S.S.
William F. Ryan, M.C.
Alan Cranston, U.S.S.
Fred R. Harris, U.S.S.
Vance Hartke, U.S.S.
George McGovern, U.S.S.
Warren G. Magnuson, U.S.S.
Lee Metcalf, U.S.S.
Frank E. Moss, U.S.S.
Adlai E. Stevenson, III, U.S.S.
John V. Tunney, U.S.S.
Bella S. Abzug, M.C.
Herman Badillo, M.C.
Mario Biaggi, M.C.
Jonathan B. Bingham, M.C.
Frank J. Brasco, M.C.
Philip Burton, M.C.
Shirley Chisholm, M.C.
John Conyters, Jr., M.C.
James C. Corman, M.C.
Ronald V. Dellums, M.C.
John G. Dow, M.C.
Robert F. Drinan, M.C.
Don Edwards, M.C.
William J. Green, M.C.
Seymour Halpern, M.C.
Michael Marrington, M.C.
H. John Heinz, M.C.
Henry Helstoski, M.C.
William L. Hungate, M.C.
Edward I. Koch, M.C.
Abner J. Mikva, M.C.
Parren J. Mitchell, M.C.
Robert N. C. Nix, M.C.
James G. O'Hara, M.C.
Thomas P. O'Neill, Jr., M.C.
Bertram L. Podell, M.C.
Charles B. Rangel, M.C.
Peter W. Rodino, Jr., M.C.
Benjamin S. Rosenthal, M.C.
Paul S. Sarbanes, M.C.
James H. Scheurer, M.C.
John F. Seiberling, M.C.
Robert O. Tiernan, M.C.
Charles A. Vanik, M.C.
Louis Stokes, M.C.

[From the Washington Post, June 28, 1972]

LEAD POISONING IN THE STREETS

As if living in the inner city isn't perilous enough already, new evidence is accumulating that lead poisoning from gasoline is a threat to children. It has been known for some time that youngsters—crawling infants to three and four-year-olds—eat paint chips and ingest poisonous lead that way; 200 deaths a year are estimated to result, along with 6,000 cases of mental retardation. Now, however, authorities are reporting that another major source of lead poisoning besides paint is sidewalk dirt or dust. A one-year-old, for example, playing along a well-used city street, perhaps in his front yard, drops his lollipop; he picks it up, covered with dirt, and begins sucking again. Enough lead may be in the dirt to be a health hazard. Perhaps the next day, more dirt is eaten from a dropped pacifier, perhaps from licking fingers and so on. It becomes almost a steady diet; not only the dirt but the lead that has seeped into the dirt from gas fumes that have settled.

According to public health studies, dangerously high blood levels exist among many inner city children. Some 25 per cent of such children in Washington, Baltimore and New York City have these levels. Nationwide, the estimate is 600,000, but this may be a low figure because suburban children were not included. Statistics and figures give only the abstract picture, but who can minimize the anguish of the parents of these children, many of them tragic victims of leaded gasoline.

Although the exact breakdown between lead poisoning from paint or dirt is not known, the Environmental Protection Agency is aware of the problem. It is currently proposing to reduce the lead from gasoline by approximately two-thirds over a period of five years. Last week, 13 senators and 36 representatives offered a proposal of their own, stating that two-thirds does not go far enough. Instead, the group asks that all gasoline be lead-free by 1977. The technology is available, as hearings before the Senate Environmental Subcommittee brought out. Costs will rise but some estimates say by not more than two cents a gallon. Thus, the question is whether or not children's lives are as important to the nation as bearing the extra costs.

The congressional group argues persuasively that only a total ban will be effective in eliminating leaded dirt. The five-year deadline it calls for appears to be reasonable; New York City officials are so concerned with the danger that they are requiring lead to be out by January 1974. In contrast, District of Columbia officials are waiting until 1974 to begin only a modest reduction.

Because the presence of lead in gasoline is such an obvious health and environmental threat, immediate action should be taken to eliminate the danger. If officials were told that a deranged criminal was loose in the neighborhood among children, there would be no hesitation to act. With 200 annual deaths from lead poisoning and 6,000 cases of retardation, why is anyone hesitating to act against one of the major causes—leaded gasoline?

PRESERVATION OF HISTORY

(Mr. BUCHANAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BUCHANAN. Mr. Speaker, I have joined the gentleman from Texas, (Mr. BROOKS) today in introducing legislation which I feel will assist in the preservation of the history of our great Nation.

The papers of many of those men important to the founding and development of this Nation are extant and should be published to extend their worth to those who seek them across the country.

The legislation of which I speak will increase the authorizations for the National Historical Publications Commission and the number of commissioners to provide additional needed publications and information on American history.

The Commission would be expanded to include two representatives of the Organization of American Historians, which is a leading historical association. It publishes the leading journal on American history and has a heavy concentration of persons working specifically in the field of American story. For these reasons it should, in my judgment, be included in the Commission's membership.

Universities and libraries across the Nation are in the process of publishing many of these valued historical documents, but this costs money. In the past, funds provided by the National Historical Publications Commission have been more than equalled by private grants, and this outside funding is expected to continue.

Even this added funding, however, has proven inadequate to meet the need for documents necessary for the study of American history.

Thus we have, in our legislation, removed the $500,000 ceiling which has been in effect since 1964.

Mr. Speaker, this recommendation has the approval of the Office of Management and Budget as fiscally acceptable and I am hopeful that it will receive the approval of the Congress as educationally necessary.

THE NATIONAL HISTORICAL PUBLICATIONS COMMISSION

(Mr. BROOKS was given permission to revise and extend his remarks at this point in the RECORD.)

Mr. BROOKS. Mr. Speaker, the National Historical Publications Commission was established by the Congress in 1934 to promote the collection and publication of "The Papers of Outstanding Citizens of the United States, and Other Documents as may be Important for an Understanding and Appreciation of the History of the United States."

In 1963, I had the privilege of introducing amending legislation that became law on July 28, 1964, which, for the first time, authorized modest annual appropriations that made it possible for the Commission

to more effectively carry out the mandate given to it by the Congress.

Over the past 8 years, the Commission has stimulated and supported some 50 documentary publication projects in the form of printed books. In addition, it has supported 92 projects for the microfilm publication of documents to make such valuable historical material inexpensively available.

Today, I am introducing legislation that will amend chapter 25, title 44 of the United States Code, expanding the membership of the National Historical Publications Commission and extending to 1977, as well as increasing, the authorization for appropriations to assist the Commission in carrying out its important function.

Today, we Americans are becoming increasingly aware of our historic heritage. This awareness is causing an acute need, especially in these difficult times, for a better understanding of that heritage. We are now in the American Revolution Bicentennial era. The National Historical Publications Commission can and should play a vital role in placing before our generation the hopes and fears, ideals and aspirations, of the men who created our Nation.

The National Historical Publications Commission was originally established by the act of June 19, 1934 (48 Stat. 1122) with seven members. The Commission now has 11 members, seven representing the three branches of the Government, two representing the American Historical Association, and two persons, outstanding in the fields of the social or physical sciences, appointed by the President of the United States.

The draft bill would enlarge the membership of the commission to include two representatives of the Organization of American Historians—the large national organization of historians concerned especially with the history of the United States. I think that if in 1934, the Organization of American Historians existed in its present form and with its present emphasis, it would surely have been given representation on the National Historical Publications Commission. I now consider its inclusion essential, in view of the Commission's mandate.

The draft bill also would increase from $25 to $40 per day the amount allowable to members of the Commission who do not represent any branch of the U.S. Government "for each day actually spent in connection with the performance of their duties as members of the Commission." This would raise the allowance of 20 years ago to equal the amount now allowed under the Travel Expenses Act of 1949 (5 U.S.C. 5702, 5703) for subsistence to Federal officials who are authorized to travel on an actual subsistence expense basis.

The bill would also remove the $500,000 ceiling for the 5 fiscal years following year 1972 from the annual amount authorized to be appropriated for the Commission's grant program. For the 5 years of the bicentennial period, increased funds are extremely vital for the purpose of enlarging the stock of source documents on the American Revolution and the founding of the Federal Government. Resulting publications would stimulate interest in, and increase understanding and appreciation of, the events that led to the birth of the Nation. This documentation will be available in permanent form, and in that way will continue to be available for future study as one of the bicentennial's more lasting contributions to future generations.

FINANCIAL STATEMENT

(Mr. MIKVA asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MIKVA. Mr. Speaker, I am placing in the CONGRESSIONAL RECORD today a statement of my financial worth, including information on my family's income for 1971.

The financial statement follows:

FINANCIAL STATEMENT OF CONGRESSMAN ABNER J. MIKVA AS OF JUNE 15, 1972

Assets

Skyline Homes, 304 shares	$19,500
Colonial Convertible Fund, 303 shares	3,500
Ero Manufacturing Co., 1,000 shares	10,000
Second mortgage on sale of house in Michiana Shores, Mich	5,000
Savings certificate, First Federal Savings and Loan Association of Washington	5,000
Savings deposits, First National Bank and Trust Company of Evanston, First Federal Savings and Loan Association of Washington, First Virginia Bank	2,000
Hyde Park Co-op Society stock	500
House (McLean, Va.) purchased in 1969	75,000
Due from 1969 sale of partnership interest in law firm	5,000
Furniture and furnishings	5,000
Equity in State of Illinois pension fund	5,000
Equity in U.S. Congress pension fund	10,000
Insurance and miscellaneous (market value at 6/15/72)	4,000
Total assets	149,500

Liabilities

Mortgage on house in McLean, Va. (First Federal Savings and Loan Association of Washington)	29,500
Total liabilities	29,500
Net worth	$120,000

Family income statement of Congressman Abner J. Mikva for 1971

Salary—Abner J. Mikva, U.S. Congress	$42,500.00
Zoe W. Mikva, D. C. Board of Education	9,003.50
Dividends	144.00
Interest income	1,568.32
Income from 1969 sale of partnership interest in law firm	10,000.00
Honorariums	1,225.00
Losses on sale of stock, etc	−535.35
Total income	63,905.47
Less dividend exclusion	144.00
Less tax deductible expenses, personal exemptions, and deductions	21,116.66
Net taxable income	42,644.81

Income taxes paid:
U.S. (joint returns) $13,984.51.
Illinois (joint returns) 1,196.14.
Virginia (Zoe Mikva only) 313.47.

CHESTER S. DISHONG

(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, on April 25, 1972, at Wauchula, Fla., one of the greatest and bravest and wisest men I have ever known died. He was Chester S. Dishong. He was like a brother to me and like a member of my family to my family. He was fearless, honest, indefatigable, dedicated to the performance of his public duty, a patriot, a generous man, a charming gentleman, a man who had the genius of friendship.

He came of a family of law enforcement officers, dedicated to law enforcement. His father was sheriff of old De Soto County in Florida before it was divided up into many other counties. His brother, Les Dishong, was sheriff of the De Soto County which still survived. He himself, was the first elected sheriff of Hardee County and later was appointed a U.S. marshal for the southern district of Florida.

When I began to campaign for the U.S. Senate in 1934, I began to hear of a man who was already a legend through all of central and southern Florida. He was the best sheriff that could be found. He gave nearly everything he made to help the poor. He was the greatest hunter and fisherman in central and southern Florida. He was a captain in our Armed Forces on the Mexican border. He was the Paul Bunyan of that part of the State. I solicited and secured his support in 1938. After I was elected to the U.S. Senate, when a vacancy occurred, I recommended him for U.S. marshal for the southern district of Florida. My colleague, Hon. Charles Andrews, agreed. The Department of Justice advised me that they had discovered that Mr. Dishong was a splendid law enforcement officer, honorable beyond reproach, that he gave away nearly everything he made helping the poor, but they had discovered that he had some of the weaknesses to which many men are subject. I responded that he was a very humane man and very much a man but that if he were appointed he would be the best U.S. marshal in the United States. President Roosevelt appointed him. Marshal Dishong vindicated my confidence. He received the tribute of every law enforcement officer with whom he worked and with every Federal judge under whom he discharged his duties, as well as the court officials with whom he labored. He was U.S. marshal until 1951 when he retired. Thereafter, he worked for the State of Florida but spent his declining years with his beloved family: his wife, Hallie Henry Dishong, and his two daughters, Mrs. Donna Mae Downing and Mrs. Catherine Garrison, who lived beside him.

Ches Dishong had little formal education but I never met a brighter, sharper mind, a keener wit, or better mental ability. If this man had had a formal education he might have merited the prophetic lines of Thomas Gray in "Elegy Written In a Country Churchyard" when he said:

"Th' applause of list'ning senates to command
The threats of pain and ruin to despise

To scatter plenty o'er a smiling land
And read their history in a nation's eyes."

As long as memory survives Ches Dishong will ever be close to me. I shall treasure the happy times I spent with him in travel, in the performance of his duty, on the hunt, or fishing.

I was privileged to attend his funeral and to share the tribute of a host to him and to see him laid away in serene beauty. This man brightened many a life, cast many flowers by the way along which he walked, uttered many words of cheer to those who faltered, taught respect for law to those who defied it, extended the hand of compassion to countless needy. His principal monument will be in the memories of those who knew him, who loved him, and cherished his friendship.

"He was a man, take him for all and all, I shall not look upon his like again."

Mr. Speaker, I include in the RECORD immediately following my remarks an article from the Herald-Advocate about Ches Dishong.

[The Herald Advocate, April 27, 1972]

PROMINENT HARDEE COUNTIAN DIES

Lifelong law enforcement officer Chester S. Dishong, 82 died at his home early Wednesday morning.

Dishong was the first elected sheriff of Hardee County and in 1938 was appointed a U.S. Marshal for the Southern District of Florida.

He was a member of the First Baptist Church, the Methodist Men's Bible Class, the Masonic Lodge and the Florida Peace Officer's Association.

U.S. Rep. Claude Pepper, 71, called from his Washington office Tuesday to praise the late Dishong, a long-time friend.

"He was one of the best law enforcement officers who ever lived. He had a natural aptitude for law enforcement," said Pepper, who pointed out Dishong was Wauchula police chief and Hardee County sheriff before he became a U.S. Marshal in 1938, a position he held until 1951.

Pepper recommended Dishong for the federal position serving south Florida, while he was U.S. Senator. Dishong was appointed by President Franklin D. Roosevelt and confirmed by the Senate.

Pepper said Dishong came from a "family tradition of law enforcement. His father was sheriff of old De Soto County, before it was split up, and his brother, Les, was also sheriff of De Soto County."

The Congressman said he got to know Dishong in 1934 in the early days of his campaign for Senate.

"At that time he was already a legend in law enforcement in southern and central Florida. He was also a legend as a hunter and fisherman.

"He wasn't afraid of anyone. He had a warm and magnificent personality. He had a heart as big as a mule. He gave away a great part of his salary to the poor people," said Pepper, who has been a U.S. Representative for 10 years. He was also a U.S. Senator for 14 years.

"Ches had a distinguished record. His outstanding service was recognized by federal judges in Florida with whom he worked and by the Department of Justice in Washington."

"Everybody knew Chester Dishong was the best hunter and fisherman in the county. Everybody loved him. He was like a brother to me up until his death. I would call him up from time to time. I have his photograph on my office wall right now."

Pepper said he plans to put Dishong's obituary, a recent feature article about him from The Herald-Advocate, and "my own statement" into the Congressional Record in the next few days.

"Mrs. Pepper and I are profoundly sorrowful at his death. He was a great man. I regarded him as one of the great men I've known," added Pepper, who said he planned to attend the funeral Friday.

Dishong's survivors are his widow, Hallie Henry Dishong; two daughters, Catherine Garrison, and Mrs. R. B. Downing Jr.; two sisters, Mrs. Edna Palmer of Tampa, and Mrs. Stella Ebert of Seffner; four grandchildren and seven great-grandchildren.

Funeral services will be held at the Chapel of Coker Funeral Home at 3 p.m. with Rev. Dow Durrance, Rev. Charles Granger, and Rev. Harrison Conley officiating.

Burial will be in Wauchula Cemetery with Masonic rites at graveside.

Masonic members will serve as pallbearers.

DRUG ABUSE

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, one of the most gratifying developments in the fight to combat drug abuse, a problem which so deeply concerns all of us, is the very effective role being played by the Florida Medical Association's Ad Hoc Committee on Drug Abuse. I have been so impressed by a report of that committee's chairman, Dr. Robert P. Johnson of Tallahassee, detailing the many-faceted program they have developed since their inception in May, 1970, that I want this information to be available to other Members of the Congress who may care to stimulate the formation of similar organizations in their respective areas. Mr. Speaker, I include Dr. Johnson's report in the RECORD following my remarks.

ACTIVITIES OF FMA'S
AD HOC COMMITTEE ON DRUG ABUSE
(By Robert P. Johnson, M.D.)

The House of Delegates of the Florida Medical Association, at its meeting in May of 1970, created an Ad Hoc Committee on Drug Abuse. In doing so, it was acting on recommendation of the Association's Committee on Child Health.

From its very inception this has been a unique committee of the FMA because of its general structure. It is an interdisciplinary group of professional men and women who have a vital interest in this tremendous problem of drug abuse in our State, both personally and through the organizations and professions they represent.

Since the first meeting in Jacksonville on November 17, 1970, its membership has increased from 15 to 20. Three representatives of state government agencies serve as consultants. What originally started as a one-day meeting every five or six weeks is now a two-day meeting with subcommittee meetings taking the first day and the full Committee the following day.

The Committee is composed of representatives of the FMA and its Woman's Auxiliary, Florida Pharmaceutical Association, State Department of Education, State Board of Regents, Bureau of Comprehensive Health Planning, State Division of Health, Florida Bar, Juvenile Court Judges, Law Enforcement, Florida Education Association, Florida Pediatric Society, State Board of Medical Examiners and the Clergy.

Our consultants represent the Drug Abuse Program of the Department of Health and Rehabilitative Services, the Governor's Office and the Attorney General's Office. These representatives give freely of their time and in many cases personal expense to add their input to our deliberations and I am sincerely gratified to report that the meetings are always well attended even though they are held in various parts of the State. I cannot speak highly enough of their diligent and conscientious service.

The Committee is advisory in nature and offers its expertise to any agency which desires this assistance; on occasion, we give it even though we have not been specifically requested to do so when, in our opinion, the need is sufficient to warrant investigation.

One of the first agencies to ask for our assistance was the State Department of Education, which requested that we formulate a set of guidelines to be used by school personnel in elementary and secondary schools concerned with drug use and abuse. These guidelines were drawn up by a Subcommittee on Education after many months of work and hearings with law enforcement officials and educators. They have now been accepted by the Department of Education and have been circulated to all county school systems and are being almost unanimously accepted and implemented.

We have been active in the field of State Legislation, both in an advisory capacity to the Legislature and the institution of recommendations for subsequently passed legislation. We feel this to be an extremely important function of the Committee.

We have done extensive investigation into several areas where there would appear to be a need for a re-assessment and perhaps controls. First of all, we support unanimously the recommendation of the AMA and the Board of Governors of the FMA that physicians be urged to limit their use of amphetamines and other stimulant drugs to specific, well recognized, medical indications. This is a very generalized recommendation but I believe the intent is self-explanatory. We strongly recommend that some control be placed on the dispensing of disposable needles and syringes. Metropolitan Dade County has an ordinance forbidding sale without a prescription. We would favor such legislation but would accept a lesser control which would accomplish the same purpose. We can no longer continue to place this paraphernalia in the hands of young people indiscriminately.

We also must urge all physicians to insure non-usability of these items when disposed of in the office refuse. The Committee still remains in favor of a triplicate narcotic prescription plan for Florida but is continuing its investigation of the plan before beginning any further thrust in this direction.

There is a need, in our opinion, for expanded laboratory facilities within the Division of Health for analysis of urine specimens particularly for Methadone Clinics in the State. These clinics have specific requirements from the Bureau of Narcotics and Dangerous Drugs for spot checking of urine on a weekly basis and at present existing funds for this purpose are limited. This possibility is currently being explored with the Division. We supported legislation in the past session of the Legislature relative to a change in the marijuana laws in Florida. On the basis of existing evidence, we do not now see any basis for a further liberalization of this law. We favor the establishment within Florida of a uniform controlled substance act and we have been working with the Legislature on this matter.

We have acted as the intermediary on numerous problems existing between the government and private segments of the drug abuse problem in Florida and are continuing to do so.

For the past several months we have been very concerned with the problem of youthful drug offenders and facilities and methods for their treatment. A Subcommittee on Youthful Drug Offenders was appointed and it pro-

ceeded through its chairman, Mrs. Arnold Spanjers, to survey the governors of the other 49 states as to what programs they had, how they were funded, and their shortcomings. The response was tremendous as 46 governors replied to our inquiry and voluminous amounts of helpful material were received.

Next it was felt that we should survey the Juvenile Court Judges in Florida to determine their feelings and needs in this area. We received replies from 60 per cent representing a good statewide distribution, and almost unanimously they felt that facilities available to them were inadequate. This, then, identified the need, and work is continuing very vigorously to attempt to correct this situation. The Subcommittee is working very actively with the Division of Youth Services of the Department of Health and Rehabilitative Services, and we anticipate much improvement in the area of drug education and rehabilitation to update an already excellent program within the Division of Management of Youthful Offenders.

For approximately one year now the Committee has been working very actively on a project that we feel to be of utmost importance. Through the help of the New York State Department of Health, a grant from the Drug Abuse Program of the Department of Health and Rehabilitative Services, and the work of the members of the Committee, you have received in the mail a Desk Reference on Drug Abuse. We believe this to be one of the most important pieces of information that a physician can have available to him. The manual covers diagnosis and emergency treatment of drug overdoses, a section on the legal responsibilities of the physician in treating cases of drug abuse, and a section listing the names, addresses, structural make-up, and the directors of referral facilities in all areas. There is also a section on laboratories that will analyze urine specimens for dangerous drugs and an up-to-date bibliography for those who would care to look further into specific drug problems. Lastly, but by no means least, is a dictionary of drug culture language. This has been a major undertaking on our part but we believe that the rewards to be gained by its use make our efforts worthwhile. We sincerely hope that all of the physicians in Florida will keep this reference handy in their offices and refer to it freely.

In the very near future the Committee is going to be asked to provide its services and experience to the Attorney General's office for a very challenging project which will have a far-reaching effect on drug education in Florida and the nation. Final details are being formulated and an announcement will probably be made in April. This will be a giant step forward and will very likely be the Committee's greatest undertaking to date.

The Committee has always been concerned about the role of the private physician in dealing with the drug problem in his community. More and more youngsters and distraught parents are looking to him for guidance and help. To quote a portion of an editorial appearing in the January 11, 1971, issue of the American Medical News, "A more realistic approach to the problem is needed, and the medical profession must lead the way. Because of his education and his standing in the community the physician is the ideal individual to educate those who would use drugs about the dangers, and to educate the public about ways to meet the problem." Bertram S. Brown, M.D., Director of the National Institute of Mental Health, has stated that "Physicians must be deeply knowledgeable and effective advocates for upgrading care in order to treat drug addicts successfully." We feel so strongly about the need of the medical professsion to become more involved in the drug problem that we have established a Subcommittee on Physician Involvement. You will receive in the mail a survey to fill out and return to us, so that we may attempt to find out why more doctors are not involved in the program, and to ascertain in what way we can assist you in becoming more knowledgeable in volunteering your services in the field of drug treatment and education. A recent survey of 5,000 high school students reveals some very interesting results. I think perhaps for the purpose of this discussion one question has the greatest significance. The question is asked if you had or have a drug problem and wish assistance, to whom would you go. Number one on the list was a former drug addict. Number two on the list was the personal physician and at the end of a long list of others, including clergymen, attorneys, etc., was a drug counselor. I think the results of this survey speak for themselves. It has been my experience personally and the experience of many others that when you go to talk to young people about the drug problem they listen to a physician with more interest and respect than to anyone else. The logical place for the parents of a young person who is abusing drugs to turn is their family physician.

You must be able to meet this challenge. And a challenge it truly is. I recently addressed a conference in Jacksonville and heard a former young drug user make this statement: "Unless you are involved in trying to help stop the problem you must consider yourself part of the problem."

The Board of Governors of this Association has requested that all county medical societies establish ad hoc committees on drug abuse. If this has not yet been accomplished in your society, let me urge you to do this without delay. I tell you now that we are being criticized for not taking a more active role in this problem and this attitude must be changed. Appoint physicians to your committee who are genuinely interested in the problem and will be willing to work with the community leaders when asked. Believe me when I say they are very much in need of and desirous of your services.

It is time for the medical profession in Florida to stand up and be counted, for this is not a problem that is going to disappear by itself. The fact that Miami is now the largest single port of entry of illegal drugs in the United States and the fact that we now conservatively estimate 15,000 hard core heroin addicts in the southeast Florida area are reasons enough for us to become involved.

The profession has never failed in the past to come to the aid of the public during a period of crisis. The *drug crisis* is upon us and no one can ever convince me that this profession will not rise to meet the challenge once again.

AMERICAN BROADCASTING

(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, recently, I received a copy of a very outstanding address delivered by the distinguished chairman of the board of Post-Newsweek Stations, Larry H. Israel, before the University of Missouri's School of Journalism on April 27, 1972. The topic of his speech was American broadcasting and the first amendment, and his was an eloquent and extremely persuasive statement for the maintenance of private freedoms, not only in broadcasting but in all media. Approaching the issue in a logical and understandable manner, Mr. Israel said in his address:

As always, we come back to the fundamental choice: private judgments or government judgments. Totalitarian societies depend on government involvement in and control of ideas and information. Free societies—and there haven't been many—depend utterly on the much-more-risky business of allowing ideas and information to bounce around in the open marketplace.

At the present time, freedom of the press, which was so dear to our Founding Fathers, is the subject of much discussion and controversy. Mr. Israel's address is a fitting response to those who would initiate strict government controls over the media. I believe we may all benefit from his remarks:

In a society in which lightning is continually striking all over the landscape, broadcasting—television in particular—has become a very prominent lightning rod. This is hardly surprising in view of the predominant, and intimate, role of the electronic media in our lives. Yet it is disturbing because of a growing tendency to view broadcasting itself as a cause of America's ills.

Persistent critics of the industry accuse radio and TV of delivering too much of the "bad" . . . what they see as unhappy news, inferior programming, deceptive advertising, and so on. Growing numbers of special interest spokesmen are pressing harder and harder for wider access to broadcasting so that better TV and radio—as they view the term "better"—will result.

Broadcasting thus is being whipsawed as never before in its history. Out of the tumult are flowing more and more calls for tougher and tougher regulation as a means of dealing with broadcast stations.

What these individuals fail to see—some of them are well-meaning and some are opportunistic zealots—is that regulation is not far from the point of choking off what it seeks to regulate. The extent to which government can cure these supposed ills, and the extent to which, in attempting to do so, government itself becomes a part of the problem, is the troublesome issue with which I have the most concern.

Regulation lays its hand most ominously on broadcast journalism, that element of our industry which deals most actively and directly with ideas and information. The stakes there go far beyond the well-being of the TV-radio industry to the very survival of the society itself.

The unfettered flow of information, of course, is the lifeblood of any society that would be free. "Give me the liberty to know," said John Milton, "above all liberties."

Happily, the last couple of generations have witnessed an abundant flowering of books, periodicals, newsletters, and countless other instruments of communication. Concurrently, the censorship which has restricted public dialogue on sensitive political and social issues has retreated steadily as the courts have enlarged the scope of the First Amendment.

And yet, curiously and tragically, the medium which evolved during that same span of recent history into the most effective communications medium of all time has been subjected to increasing government oversight in the exercise of its journalistic role.

The would-be reformers of TV and radio have found many willing allies inside the government. I hasten to add, however, that I do not see in this relationship a conspiracy of men who are determined to ensnare broadcast stations as part of some evil design. Most government functionaries, in the FCC and elsewhere, have been high-minded men and women who have attempted to honor journalistic freedom, as they define that term, within the framework of increasingly complex guidelines and an increasingly baffling world.

Rather, there is a dynamic at work which has to do with the nature of government itself. Even the most well-intentioned regulatory action by government inexorably involves the government in that which is being regulated. That process may be tolerable, and even desirable, in the setting of freight rates or the fixing of standards for meat, but it is deleterious to the practice of broadcast journalism.

The Federal Communications Commission, granted the best motives, has attempted by and large to be neutral in its administration of the well-known Fairness Doctrine, which covers the handling of controversial issues. But in settling disputes about fairness in journalism on radio and TV, the FCC can hardly avoid being a *judge*—an editor, as it were—of coverage and non-coverage of issues.

The numerous guidance letters from the FCC, which are known to every broadcast station in America today, have created perplexing, chilling parameters within which broadcast news editors and broadcast programmers must attempt to do their jobs. As Fairness Doctrine precedents accumulate in FCC files, the latitude of choice for those editors and programmers diminishes, and the line between the neutral government gatekeeper and the government judge becomes more and more blurred.

Who can say that a future FCC will have the best of motives? One of the central questions facing this society in the closing decades of the Twentieth Century is whether we should entrust, even partially, the exercise of broadcast journalism to editors in the employ of the government.

The late Justice Hugo Black, in one of his last decisions, put the matter simply and clearly: "In the First Amendment the Founding Fathers gave the free press the protection it must have to fulfill its essential role in our democracy. The press was to serve the governed, not the governors."

Does free press also mean free broadcast press? Should broadcast journalism enjoy the full blessings of the First Amendment? One cogent response to those questions comes from Senator Sam Ervin of North Carolina, an indefatigable defender of First Amendment freedoms. This is what he said recently: "While the Founding Fathers did not contemplate the media of radio and television when they wrote the First Amendment, their reasons for protecting the printed press from government control apply equally to the broadcast media. More people get their news from radio and television today than any other single source. . . . If First Amendment principles are held not to apply to the broadcast media, it may well be that the Constitution's guarantee of a free press is on its death bed."

The role of the broadcast editor is essentially the same as the print editor. Both are confronted every day with an endless list of issues and stories. Both are stymied by limits on space and time in which to treat those stories. Thus, both have to make *judgments* on what goes in and what stays out. Both cover issues which may have two points of view or twenty. Both—being human—have an impossible task of trying to *define* fairness on every working day, much less to live up to it all the time.

Broadcast editors—like print editors—should be free to exercise professional judgment in making those thousand-and-one daily decisions. Like print editors, they make errors of judgment. But ours is a highly pluralistic society with an incredible variety of outlets for information and ideas. Precisely the same checks and balances which have served for almost two centuries to protect us from abuses in print journalism will protect us from abuses in broadcast journalism. The courts have not yet made a clearly definitive ruling on First Amendment protections for broadcasting. One of the more significant holdings of the Supreme Court has been interpreted by some as meaning that the First Amendment exists not to protect broadcasters but to protect the public. But it is essential to go one additional step to ask whether it is *possible* for the public to be protected *unless* broadcast journalism—like newspaper journalism—is free from any form of government influence or coercion. The question, I think, answers itself.

The reformers, of course, have a contrary answer. Television and radio are *different*, they say. Broadcasters must be tightly regulated, goes the argument, because they are making use of a scarce public resource.

But in the actual world of 1972, is this really true? Newspapers, magazines, and other means of wide and general circulation, are even more scarce. Here in Missouri, in St. Louis, and Kansas City, for example, there are substantially more TV and radio stations than daily newspapers. Does it then follow that regulation should be extended to other media as well, because of scarcity? To the contrary, it means that the underlying rationale for government supervision of broadcast journalism is faulty, and that broadcast journalism should be as free as any other journalism.

One of the most disappointing aspects of the First Amendment issue has been the posture of many newspaper publishers and editors. Looking on broadcast news operations with indifference at best and often with outright hostility, they tend to be scornful of electronic news techniques and of the enormous popular appeal of a medium which has so many dimensions.

If broadcast journalism withers and dies as an effective independent component because of regulatory thrombosis, as Senator Ervin and others have warned, print journalism very well may be digging its own grave by its indifference. Can the owners of printing presses be certain that the transmission wires, satellites, and other technology of the future will be free of government regulation? Indeed, they cannot.

Press freedom is *not* divisible. Unless the basic principles of press freedom apply to *all* media, in time they will apply to none.

Where do we go from here? The First Amerndment is a beckoning beacon. How closely broadcasters will be allowed to get to it, given the regulatory approach to broadcasting in this country, is problematical.

At the very least, it seems to me, the government should be removed entirely from the day-to-day business of broadcast journalism. That means an entirely different approach to the Fairness Doctrine. It means that the FCC should hold each licensee accountable at license-renewal time for his *overall record only*. It would mean an end to the impossible and dangerous pratice by the government of attempting to quantify "fairness" by holding a stopwatch to specific issues on a complaint-by-complaint basis. It would permit much more breathingroom for broadcast journalism—room to make mistakes, to be sure, but more importantly, room for creative journalism without the specter of a government editor sitting in the newsroom with a whistle in hand.

We recognize that some broadcasters would use such freedom as a license to do a minimal job. Yet I cannot emphasize too strongly that the nation will much easier survive as a free nation with some inept broadcasters than it will survive with government watchdogs of journalism on radio and TV.

I referred at the outset of my remarks to the rising clamor among special interest groups for greater access to the broadcast media. Proposals vary all the way from mandating that individuals and organizations may purchase advertising and program time for the discussion of issues . . . to the mandatory provision of blocks of free time for such discussions on a first-come, first-served basis.

The feeling implicit in these schemes seems to be that broadcast stations are not covering the nation's strengths and weaknesses adequately or fairly, and that judgments on such matters ought to be taken more and more out of the hands of broadcast licensees. The ultimate outcome of such an approach would be to turn radio and television into common carriers, which, like railroads and airlines, have to accept whoever shows up at the front door.

But radio and TV stations are *not* like railroads or airlines. There always will be more issues and more spokesmen than any station reasonably can handle in a given time-period, and there always will be spokesmen wanting to buy access to the airwaves who will be better bankrolled than others.

Access can be controlled in three essential ways: (1) by money, which means that ideas getting the most exposure will be those which have the richest backers, or (2) by the government, which means that bureaucrats will be deciding which ideas and spokesmen are worthy of exposure and when, or (3) as is presently done, by private licensees exercising their best professional judgment.

Among the many ironies in this issue of access is that, on one hand, there is a hue-and-cry for broadcasters to become more responsive and on the other hand, a call for broadcasting judgments to become the responsibility of someone else.

As always, we come back to the fundamental choice: private judgments or government judgments. Totalitarian societies depend on government involvement in and control of ideas and information. Free societies—and there haven't been many—depend utterly on the much-more-risky business of allowing ideas and information to bounce around in the open marketplace.

There is not much question that the steady stream of criticism in recent years has created a credibility problem for the media. Correspondingly, it should be realized that almost nothing is immune these days from criticism, and there are similar doubts in the public's mind regarding government, business, labor, the education system, and other national institutions.

Television is fair game. The public limelight inevitably invites public scrutiny. Essentially this is a healthy process, which has a rectifying and a purifying effect on all media. Some of our critics in the print media, unfortunately, live by a double standard which regards criticism of *their* performance as being in bad form.

The broadcast industry, despite its many accomplishments, can, I believe, do better. Now is not the time to adopt a low profile, nor to appeal to the most timid among us, which is the traditional approach of most industry groups under attack.

The First Amendment, fairness doctrine, and access questions, and how they are resolved, will determine the future course of broadcast journalism.

What about entertainment and non-journalistic functions? I have some proposals to offer.

The whole question of violence in children's programming, specifically on Saturday mornings and afternoons, warrants immediate action without further studies or research projects. It is unfair and improper that the entire burden of upgrading this output be placed on the networks. I would hope that stations in the top 50 markets of the country, which certainly have the resources, would assume responsibility for at least three hours of locally-produced or locally originated children's programming, devoid of any gratuitous violence-action cartoons, during the Saturday children's block.

This should be as much a local station responsibility as is its journalistic output. I would further suggest that a joint agreement be reached in each market, by all stations, subject to the approval of the Justice

Department and the FCC, to eliminate all audience-rating measurements for each station during its three hours of time on Saturdays which concentrates on children. This would permit TV broadcasters to concentrate on quality children's programs and would enable the industry to move a quantum step forward.

Further, I would hope that all stations in these top 50 markets would see fit to adopt a policy like that adopted by our stations last year of reducing by 50% the commercial content in the children's areas, not to exceed the prime-time commercial standards, of clustering commercials at the opening and close so as not to intrude on story continuity, of labeling all programs for specific age groups, and of accepting only those commercials compatible with the subject matter.

Another troublesome area is that caused by the FCC's prime-time rule regarding local programming. Although the proponents of this rule were sincerely motivated in a quest for diversity in program production, the first season can hardly be termed a success. But it was not a fair test, in light of waivers and the fact that off-network production could be used. At least another full season's experience is needed with an economy which is improving, and when all network affiliates will be simultaneously testing new programs in the top 50 markets. And even this may not be a fair test, because the Commission has established an inequitable double standard which allows independent stations to continue to program safe, market-tested, off-network productions, while network affiliates may not do so.

At the same time, I urge that all stations in the top 50 markets, of their own volition, program two of the seven prime-time half-hour periods which the Commission's new rule opened up to them, for non-entertainment, locally originated programming. This coupled with the three hours of locally-originated Saturday children's programming, will allow local program managers more effectively to fulfill their proper role rather than be mere schedule-makers for feature films and syndicated material.

For the future, I hope that one day soon we could have one hour of prime-time network news nightly, and a regularly scheduled dramatic series. I'm sure there are thoughtful and able individuals at the networks who are giving serious consideration to the realization of these programming possibilities.

News must reach out to develop some of the overriding issues of our time in medicine, ecology, economics, urban affairs, and the complexities of a changing society. Cronkite, Reasoner-Smith, and Chancellor with all their professionalism, can't possibly make those kinds of things digestible in their now-alloted time of twenty-five minutes each day.

Many major-market stations have led the way in providing a mix of ingredients in integrated one-hour news programs. At our Washington operation, for example, we have been presenting for a number of years a one-hour, early-evening program which blends local, regional, national, and foreign news. We have invested very considerable resources in that effort, and it may interest you to know some of the ingredients in that mix. Our correspondents are assigned to regular beats at the White House, the Pentagon, Capitol Hill, the federal agencies, the District of Columbia government, and both the suburban and state governments in Maryland and Virginia. We also weave in a broad range of commentary, covering the spectrum of political opinion with people such as James J. Kilpatrick, Carl Rowan, and Hugh Sidey. Edwin Diamond is our media critic, and he isn't reluctant to criticize both print and broadcast media. Dr. Pierre Rinfret comments on the economy. We feature a movie and theater critic, sports commentary, regular investigative reporting, hard-hitting editorials, and a professional meterologist. The program has been manned for several years by the first black co-anchorman in a major market in the United States, and it is backed up with women reporters who field major beats, including Congress. Throughout our news programming, we provide very broad opportunities for individuals and organizations to air their points of view on a wide variety of issues.

I have delineated our own efforts, because they reflect a long-standing concern among our stations with principles which truly underlie the First Amendment, fairness, and access questions.

I have not been one of those who has engaged in hand-wringing over *reasonable* ground rules of responsible broadcast operation. But I do find baffling the recent announced anti-trust action by the Department of Justice with respect to entertainment programming by the networks. It is incomprehensible that the Department is apparently seeking to destroy network entertainment program responsibility and turn the networks into transmission lines, merely brokering time for advertiser bidding, while simultaneously other government agencies badger and pressure for greater responsibility, for increased quality, children's programming, balance, fairness and uplift.

As I said, earlier, we can do better. But the great costs and risks of a national news service cannot be underwritten by a weakened, badgered, and harassed industry. We cannot have China and Moscow by satellite, and moon shots and pro football and political conventions, without the institutions to provide them—healthy local stations and national networks.

The alternative would be to have taxpayers pay this bill, as educational television now is being underwritten with extensive government and mostly tax-free foundation monies.

Finally, if you will permit me a kind of epilogue to what has just been said. I would like to remark briefly on an aspect of life in contemporary America which is both distressing and sad. We sometimes seem to be turning into an angry, intolerant, abusive people. We are better than that, and we should set a higher standard for ourselves and for our society.

The problems we face are unprecedented and sometimes are a bit terrifying. But this is no cause for meanness, no reason to forsake the humor which also contributes to the meaning of life.

The new president of Johns Hopkins University, Steven Muller, also senses this. He cautioned recently at the time of his installation that "we can survive each other only if we deal with each other fully and always as human beings, not as categories, hierarchies, or abstractions. We are all bright enough," Dr. Muller went on to say, "to tear each other apart if we choose. Let us refrain from that."

Surely you are aware, as I am, of the harsh, strident voices which pull and tug from all sides in the name of what they claim is a greater good. The rights revolution is a healthy development for a society which in many respects has been hideously hidebound. But in too many cases old hierarchies are being attacked by those who see themselves as anointed members of new elites, who are frequently as arrogant and intolerant as those they seek to dethrone.

I happened recently across the concluding speech which Charles Chaplin made in his classic film, "The Great Dictator." It seems to me to be especially relevant now.

"The way of life can be free and beautiful, but we have lost the way. Greed has poisoned men's souls—has barricaded the world with hate—has goose-stepped us into misery and bloodshed. We have developed speed, but we have shut ourselves in. Machinery that gives abundance has left us in want. Our knowledge has made us cynical; our cleverness, hard and unkind. We think too much and feel too little. More than machinery we need humanity. More than cleverness, we need kindness and gentleness. Without these qualities, life will be violent and all will be lost."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. SLACK (at the request of Mr. O'NEILL), for today, on account of a funeral in the district.

Mr. TERRY (at the request of Mr. ARENDS), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HANSEN of Idaho) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. FISH, for 30 minutes, today.

Mr. BOW, for 10 minutes, today.

Mr. FRELINGHUYSEN, for 10 minutes, today.

Mr. WYMAN, for 30 minutes, today.

Mr. CRANE, for 60 minutes, on June 30.

Mr. ASHBROOK, for 30 minutes, today.

Mr. HORTON, for 5 minutes, today.

(The following Members (at the request of Mr. MAZZOLI) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. BOLAND of Massachusetts, for 15 minutes, today.

Mr. FLOOD, for 10 minutes, today.

Mr. RODINO, for 10 minutes, today.

Mrs. ABZUG, for 10 minutes, today.

Mr. ROONEY of Pennsylvania, for 10 minutes, today.

Mr. KASTENMEIER, for 5 minutes, today.

Mr. BURKE of Massachusetts, for 10 minutes, today.

Mr. BRADEMAS, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MAHON in two instances.

Mr. MICHEL to revise and extend his remarks and include extraneous matter in connection with the Agriculture appropriation bill.

Mr. SKUBITZ (at the request of MICHEL) on the food stamp amendment.

Mr. PATTEN to revise and extend remarks made in Committee of the Whole.

Mrs. ABZUG, to revise and extend her remarks on the food stamp amendment immediately before the vote.

Mr. PRICE of Illinois, to revise and extend his remarks and to include extraneous matter, notwithstanding an estimated cost of $490.

Mr. ROGERS in five instances.

Mr. RONCALIO, and to include extraneous material, immediately preceding the vote on House Resolution 1019, the rule on predator indemnity.

Mr. CONTE, and to include extraneous

material during consideration of House Resolution 1019, the rule on predator indemnity.

Mr. HOGAN to revise and extend his remarks on H.R. 14896 and to follow Mr. QUIE.

Mr. GOLDWATER to revise and extend his remarks immediately after the vote on H.R. 15692.

Mr. MANN to extend his remarks on House Resolution 1019, the rule on H.R. 14163, immediately prior to the vote.

(The following Members (at the request of Mr. CONOVER) and to include extraneous matter:)

Mr. STEIGER of Wisconsin in three instances.
Mr. WYMAN in two instances.
Mr. FISH in two instances.
Mr. RIEGLE.
Mr. SCHWENGEL.
Mr. HORTON.
Mr. BURKE of Florida.
Mr. WHALEN.
Mr. FINDLEY in three instances.
Mr. ARCHER.
Mr. SPRINGER in three instances.
Mr. CLANCY.
Mr. CÓRDOVA in two instances.
Mr. BAKER in two instances.
Mr. HUTCHINSON.
Mr. ANDERSON of Illinois.
Mrs. HECKLER of Massachusetts.
Mr. RAILSBACK in three instances.
Mr. BROTZMAN in two instances.
Mr. WYLIE.
Mr. GUBSER.
Mr. KEMP in two instances.
Mr. FORSYTHE.
Mr. MINSHALL.
Mr. DERWINSKI.
Mr. DEVINE.
Mr. COLLINS of Texas in three instances.
Mr. SCHMITZ in three instances.
Mr. ASHBROOK in two instances.
Mr. MARTIN.
Mr. SCOTT.
Mr. MCCLURE in two instances.
Mr. CHAMBERLAIN.
Mr. GOLDWATER.

(The following Members (at the request of Mr. MAZZOLI) and to include extraneous matter:)

Mr. CULVER.
Mrs. GRIFFITHS.
Mr. RODINO.
Mr. DELANEY.
Mr. CAREY of New York in five instances.
Mr. BADILLO.
Mr. ICHORD.
Mr. PATTEN.
Mr. HUNGATE in two instances.
Mr. JACOBS.
Mr. LEGGETT in three instances.
Mr. GETTYS.
Mr. O'NEILL.
Mr. HOLIFIELD.
Mr. HENDERSON.
Mr. NICHOLS.
Mr. HARRINGTON in four instances.
Mr. OBEY.
Mr. BRASCO in two instances.
Mr. STUBBLEFIELD.
Mr. ST GERMAIN in three instances.
Mr. HELSTOSKI.
Mr. BEGICH.
Mr. ANDERSON of California in five instances.
Mr. FULTON.
Mrs. SULLIVAN in three instances.
Mr. MANN in five instances.
Mrs. HANSEN of Washington in two instances.
Mr. DORN in two instances.
Mr. ROGERS in five instances.
Mr. EVANS of Colorado.
Mr. RARICK in three instances.

ENROLLED BILL SIGNED

Mr. HAYS, from the Committee on House Administration, reported that the committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 13955. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1973, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1893. An act to amend the Land and Water Conservation Fund Act to restore the Golden Eagle Passport program, and for other purposes; and

S. 3715. An act to amend and extend the Defense Production Act of 1950.

BILLS PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on the following days present to the President, for his approval, bills of the House of the following titles:

On June 28, 1972:

H.R. 6666. An act for the relief of Maj. Michael M. Mills, U.S. Air Force.

On June 29, 1972:

H.R. 8140. An act to promote the safety of ports, harbors, waterfront areas, and navigable waters of the United States; and

H.R. 13188. An act to authorize appropriations for the procurement of vessels and aircraft and construction of shore and offshore establishments, and to authorize the average annual active duty personnel strength for the Coast Guard.

ADJOURNMENT

Mr. MAZZOLI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 33 minutes a.m., Friday, June 30, 1972) the House adjourned until 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

2124. Under clause 2 of rule XXIV, a letter from the Secretary of the Interior, transmitting the 1971 Annual Report of the Interim Compliance Panel established by the Federal Coal Mine Health and Safety Act of 1969, pursuant to section 5(f)(2) of the act; to the Committee on Education and Labor.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PERKINS: Committee on Education and Labor. H.R. 15635. A bill to assist elementary and secondary schools, community agencies and other public and nonprofit private agencies to prevent juvenile delinquency, and for other purposes; with amendment (Rept. No. 92–1196). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. H.R. 7287. A bill to prohibit trading in Irish potato futures on commodity exchanges. (Rept. No. 92–1197). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 15375. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal year 1973; with amendment (Rept. No. 92–1198). Referred to the Committee of the Whole House on the State of the Union.

Mr. BRADEMAS: Committee on House Administration. H.R. 13804. A bill to amend the act of March 2, 1931, to provide that certain proceedings of the Italian American War Veterans of the United States, Inc., shall be printed as a House document, and for other purposes; with amendment (Rept. No. 92–1199). Referred to the Committee of the Whole House on the State of the Union.

Mr. BRADEMAS: Committee on House Administration. S. 3463. An act to amend section 906 of title 44, United States Code, to provide copies of the daily and semimonthly CONGRESSIONAL RECORD to libraries of certain U.S. courts. (Rept. No. 92–1200). Referred to the Committee of the Whole House on the State of the Union.

Mr. BRADEMAS: Committee on House Administration. S. 2227. An act to amend title 44, United States Code, to authorize the Public Printer to designate the library of the highest appellate court in each State as a depository library. (Rept. No. 92–1201), Referred to the Committee of the Whole House on the State of the Union.

Mr. DONOHUE: Committee on the Judiciary. H.R. 10502. A bill to amend title 18, United States Code, to provide for expanded protection of public officials and foreign officials, and for other purposes; with amendment (Rept. No. 92–1202). Referred to the Committee of the Whole House on the State of the Union.

Mr. BRADEMAS: Committee on Education and Labor. H.R. 15657. A bill to strengthen and improve the Older Americans Act of 1965, and for other purposes; (Rept. No. 92–1203). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. EDWARDS of California:

H.R. 15760. A bill to amend title 18 of the United States Code to enable the Federal criminal justice system to deal more effectively with the problem of narcotic addiction, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enable the States and municipalities to deal more effectively with that problem, and for other related purposes; to the Committee on the Judiciary.

By Mr. WIDNALL (for himself, Mr. BROWN of Michigan, Mr. GUDE, Mr. BROYHILL of Virginia, Mr. MARTIN, Mrs. DWYER, Mr. FRENZEL, Mr. MCKINNEY, Mr. BLACKBURN, Mr. J. WILLIAM STANTON, Mr. LENT, Mr. ARCHER, Mr. WYLIE, and Mr. JOHNSON of Pennsylvania):

H.R. 15761. A bill to amend the Small Business Act to reduce the interest rate on Small Business Administration disaster loans; to the Committee on Banking and Currency.

By Mr. ABOUREZK (for himself, Mr. GUBSER, Mr. HAMMERSCHMIDT, Mr. THONE, Mr. ANDREWS of North Dakato, Mr. MATHIS of Georgia, Mr. LINK, Mr. BRINKLEY, Mr. OBEY, Mr. ALEXANDER, and Mr. HILLIS):

H.R. 15762. A bill to amend the Economic Stabilization Act of 1970; to the Committee on Banking and Currency.

By Mr. BROOKS (for himself, Mr. CULVER, Mr. MONAGAN, Mr. BUCHANAN, Mr. HEINZ, and Mr. BRADEMAS):

H.R. 15763. A bill to amend chapter 25, title 44, United States Code, to provide for two additional members of the National Historical Publications Commission, and for other purposes; to the Committee on Government Operations.

By Mr. DINGELL:

H.R. 15764. A bill to designate an Interstate Railroad System; to require minimum standards of maintenance on the railroad lines comprising such systems; to establish rights of access by rail carriers to railroad lines; to provide financial assistance for certain rehabilitation of railroads; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. EILBERG:

H.R. 15765. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide increased assistance to correctional programs, to establish more detailed guidelines for such programs, and to create a streamlined administration of such assistance; to the Committee on the Judiciary.

By Mr. FORSYTHE (for himself, Mr. BYRON, Mr. CLARK, Mr. DONOHUE, Mr. HALPERN, Mr. HECHLER of West Virginia, Mr. HUNT, Mr. JOHNSON of Pennsylvania, Mr. KEMP, Mr. PREYER of North Carolina, Mr. THOMPSON of New Jersey, Mr. YATRON, and Mr. HOGAN):

H.R. 15766. A bill to amend the National Flood Insurance Act of 1968 to require flood insurance coverage under that act for all properties covered by federally insured or guaranteed mortgages; to the Committee on Banking and Currency.

By Mr. FRASER:

H.R. 15767. A bill to amend title 32, United States Code, to provide that Army and Air Force National Guard technicians shall not be required to wear the military uniform while performing their duties in a civilian status; to the Committee on Armed Services.

H.R. 15768. A bill to promote development and expansion of community schools throughout the United States; to the Committee on Education and Labor.

H.R. 15769. 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 Mrs. GRIFFITHS:

H.R. 15770. A bill to amend the Internal Revenue Code of 1954 to provide reasonable and necessary income tax incentives to encourage the utilization of recycled solid waste materials and to offset existing income tax advantages which promote depletion of virgin natural resources; to the Committee on Ways and Means.

By Mr. KYROS:

H.R. 15771. A bill to authorize appropriations to carry out the U.S. Fishing Fleet Improvement Act through fiscal year 1976: to the Committee on Merchant Marine and Fisheries.

By Mr. LONG of Louisiana:

H.R. 15772. A bill to amend the Education of the Handicapped Act to provide for comprehensive education programs for severely and profoundly mentally retarded children; to the Committee on Education and Labor.

By Mr. McCLURE:

H.R. 15773. A bill to amend title 13, United States Code, to provide for the transmittal to each of the several States, in accordance with a plan and form approved by the Governor thereof, of the tabulation of total population of that State obtained in each decennial census and required for the apportionment of the legislative bodies of that State; to the Committee on Post Office and Civil Service.

By Mr. MARTIN:

H.R. 15774. A bill to amend the Federal Property and Administrative Services Act of 1949 to prohibit the making of available of Government procurement sources to Federal grantees and contractors; to the Committee on Government Operations.

By Mr. MELCHER (for himself, Mr. ABBITT, Mr. BERGLAND, Mr. DENHOLM, Mr. LINK, Mr. MAYNE, Mr. NELSEN, Mr. RARICK, Mr. SISK, Mr. SMITH of Iowa, Mr. WAMPLER, Mr. WHITEHURST, and Mr. ZWACH):

H.R. 15775. A bill to authorize the Secretary of Agriculture to encourage and assist the several States in carrying out a program of animal health research; to the Committee on Agriculture.

By Mr. MURPHY of New York (for himself, Mr. HORTON, Mr. KING, Mr. CAREY of New York, Mr. DELANEY, Mr. RANGEL, Mr. DOW, Mr. DULSKI, Mr. ROBISON of New York, Mr. MCEWEN, Mrs. ABZUG, Mr. BRASCO, and Mr. RYAN):

H.R. 15776. A bill to authorize the transfer of a vessel by the Secretary of Commerce to the board of education of the city of New York for educational purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. QUILLEN:

H.R. 15777. A bill to amend the Child Nutrition Act of 1966 to limit the scope of regulations respecting service of food in competition with the programs authorized under that act and the National School Lunch Act; to the Committee on Education and Labor.

By Mr. REID:

H.R. 15778. A bill to exempt certain income of nonresident alien authors, artists, and composers from taxation; to the Committee on Ways and Means.

By Mr. ROYBAL:

H.R. 15779. A bill to amend the Internal Revenue Code of 1954 to provide that any resident of the Republic of the Philippines may be a dependent for purposes of the income tax deduction for personal exemptions; to the Committee on Ways and Means.

By Mr. SHRIVER (for himself, Mr. WINN and Mr. SEBELIUS):

H.R. 15780. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus supplies and equipment to certain handicapped persons programs; to the Committee on Government Operations.

By Mr. TEAGUE of Texas (by request):

H.R. 15781. A bill to amend chapter 17, title 38, United States Code, to provide hospital care and medical services abroad to an alien, who was never an American citizen for any service-connected disability incurred while serving in the Armed Forces of the United States; to the Committee on Veterans' Affairs.

By Mr. TIERNAN:

H.R. 15782. A bill to amend the Railroad Retirement Act of 1937 to provide a full annuity for any individual (without regard to his age) who has completed 30 years of railroad service; to the Comittee on Interstate and Foreign Commerce.

By Mr. ABOUREZK (for himself, Mr. ROE and Mrs. HANSEN of Washington):

H.R. 15783. A bill to amend the Disaster Relief Act of 1970; to the Committee on Public Works.

By Mr. BIAGGI:

H.R. 15784. A bill to require that persons who presently possess firearms obtain from the Secretary of the Treasury a certificate which would evidence their eligibility to possess firearms, to require that persons who purchase firearms obtain such certificate, to require that persons who purchase ammunition possess such certificate, and for other purposes; to the Committee on the Judiciary.

H.R. 15785. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968, as amended, to provide benefits to survivors of public safety officers as defined in section 701 of this act and to such public safety officers who are killed, or disabled as a result of injuries sustained in the line of duty; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 15786. A bill to exempt certain practices based on recognized religious dietary law from certain regulatory provisions of the Poultry Products Inspection Act; to the Committee on Agriculture.

By Mr. BROTZMAN (for himself, Mr. DERWINSKI, Mrs. HICKS of Massachusetts, Mr. HARRINGTON, Mr. THONE, Mr. DUNCAN, Mr. DOW, Mr. ROUSH, Mr. GAYDOS, Mr. GIBBONS, Mr. MOORHEAD, Mr. REES, Mrs. ABZUG, Mr. MIKVA, Mr. COLLINS of Texas, Mr. EILBERG, Mr. FRELINGHUYSEN, Mr. KEMP, Mr. CLEVELAND, Mr. MYERS, Mr. MCKEVITT, Mr. FISH, Mr. GOLDWATER, and Mr. COUGHLIN):

H.R. 15787. A bill to establish an Environmental Quality Corps; to the Committee on Education and Labor.

By Mr. BROTZMAN:

H.R. 15788. A bill to amend the Occupational Safety and Health Act of 1970 to provide that where violations are corrected within the prescribed abatement period no penalty shall be assessed; to the Committee on Education and Labor.

By Mr. DAVIS of Georgia:

H.R. 15789. A bill to amend the National Science Foundation Act of 1950 in order to establish a framework of national science policy and to focus the Nation's scientific talent and resources on its priority problems, and for other purposes; to the Committee on Science and Astronautics.

By Mr. DOWNING:

H.R. 15790. A bill to repeal the Gun Control Act of 1968, to reenact the Federal Firearms Act, to make the use of a firearm to commit certain felonies a Federal crime where that use violates State law, and for other purposes; to the Committee on the Judiciary.

By Mr. ESCH (for himself, Mr. HORTON, Mr. MCCLORY, and Mr. PICKLE):

H.R. 15791. A bill to provide greater assurance of Federal fiscal responsibility; to the Committee on Government Operations.

By Mr. FORSYTHE (for himself and Mr. HORTON):

H.R. 15792. A bill to amend the National Flood Insurance Act of 1968 to require flood insurance coverage under that act for all properties covered by federally insured or guaranteed mortgages; to the Committee on Banking and Currency.

By Mr. FULTON:

H.R. 15793. A bill to amend the Railroad Retirement Act of 1937 to provide a 20-percent increase in annuities; to the Committee on Interstate and Foreign Commerce.

H.R. 15794. A bill to amend section 516 of the Tariff Act of 1930; to the Committee on Ways and Means.

H.R. 15795. A bill to extend for 3 years the period during which certain dyeing and tanning materials may be imported free of duty; to the Committee on Ways and Means.

By Mr. FUQUA:

H.R. 15796. A bill to abolish the U.S. Postal Service, to repeal the Postal Reorganization Act, to reenact the former provisions of title 39, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GARMATZ (for himself, Mr. BYRNE of Pennsylvania, Mr. BRAY, Mr. ROGERS, Mr. MCDONALD of Michigan, Mr. KYROS, Mr. DU PONT, Mr. METCALFE, Mr. UDALL, Mr. REID, Mrs. GRIFFITHS, Mr. NEDZI, Mr. WILLIAM D. FORD, and Mr. O'HARA):

H.R. 15797. A bill to authorize the Secretary of the Interior to assist the States in controlling damage caused by predatory animals; to establish a program of research concerning the control and conservation of predatory animals; to restrict the use of toxic chemicals as a method of predator control; and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GIBBONS:

H.R. 15798. A bill to provide for the duty-free treatment of the copper content of all copper-bearing ores; to make permanent the existing suspension of duty on copper waste, copper scrap, and certain forms of copper; to repeal the market price test for determining rates of duty on copper-bearing materials; and for other purposes; to the Committee on Ways and Means.

H.R. 15799. A bill to continue until the close of June 30, 1974, the existing suspension of duties on certain forms of copper; to the Committee on Ways and Means.

By Mr. HARRINGTON (for himself, Mr. KEITH, Mrs. HECKLER of Massachusetts and Mrs. HICKS of Massachusetts):

H.R. 15800. A bill to provide compensation to U.S. commercial fishing vessel owners for damages incurred by them as a result of an action of a vessel operated by a foreign government or a citizen of a foreign government; to the Committee on Merchant Marine and Fisheries.

By Mr. HELSTOSKI:

H.R. 15801. A bill to provide for paper money of the United States to carry a designation in braille indicating the denomination to the Committee on Banking and Currency.

H.R. 15802. A bill to provide the Secretary of Health, Education, and Welfare with the authority to make grants to States and local communities to pay for the costs of eye examination programs to detect glaucoma for the elderly; to the Committee on Interstate and Foreign Commerce.

By Mr. LONG of Louisiana:

H.R. 15803. A bill to amend title 23, United States Code, to authorize the Secretary of Transportation to reimburse States for the Federal share of the costs of future construction of toll roads, and for other purposes; to the Committee on Public Works.

H.R. 15804. A bill to amend the Highway Revenue Act of 1956, and for other purposes; to the Committee on Ways and Means.

By Mr. MCMILLAN:

H.R. 15805. A bill to provide that the members of the Alcoholic Beverage Control Board for the District of Columbia shall select their own chairman and to require an affirmative vote of two of the members of the Board before any action may be taken by the Board, and for other purposes; to the Committee on District of Columbia.

By Mr. PERKINS (by request):

H.R. 15806. A bill to amend the Public Health Service Act to authorize the establishment of medical emergency transportation and service programs; to the Committee on Interstate and Foreign Commerce.

By Mr. PEPPER:

H.R. 15807. A bill to amend the Federal Aviation Act of 1958 to provide for an evidentiary hearing before a mandatory retirement age is prescribed for pilots; to the Committee on Interstate and Foreign Commerce.

By Mr. REES (for himself, Mrs. ABZUG, Mr. BRASCO, Mr. BURTON, Mr. DERWINSKI, Mr. DONOHUE, Mr. GAYDOS, Mr. HALPERN, Mr. HARRINGTON, Mr. HELSTOSKI, Mr. KEMP, Mr. LENT, Mr. PEPPER, Mr. PODELL, Mr. RODINO, Mr. RYAN, Mr. SCHEUER, Mr. DRINAN, Mr. LANDGREBE, Mr. GUDE, Mr. ROSENTHAL, and Mr. VANIK):

H.R. 15808. A bill to amend the Export Administration Act of 1969 in order to promote freedom of emigration; to the Committee on Banking and Currency.

By Mr. ROONEY of Pennsylvania (for himself, Mr. WARE, Mr. SAYLOR, Mr. MORGAN, Mr. YATRON, Mr. HEINZ, Mr. SCHNEEBELI, Mr. BYRNE of Pennsylvania, Mr. JOHNSON of Pennsylvania, Mr. MCDADE, Mr. BARRETT, Mr. NIX, Mr. GAYDOS, Mr. FLOOD, and Mr. MOORHEAD):

H.R. 15809. A bill to authorize Federal financial assistance to restore or replace essential railroad facilities and equipment lost or destroyed as the result of natural disasters which occurred during the month of June 1972; to the Committee on Interstate and Foreign Commerce.

By Mr. ROY:

H.R. 15810. A bill to provide for the disposition of funds appropriated to pay certain judgments in favor of the Iowa Tribes of Oklahoma and of Kansas and Nebraska; to the Committee on Interior and Insular Affairs.

By Mr. ST GERMAIN:

H.R. 15811. A bill to amend title II of the Social Security Act to provide that an individual's entitlement to benefits shall continue through the month of his death; to the Committee on Ways and Means.

By Mr. SHRIVER:

H.R. 15812. A bill to amend the Internal Revenue Code of 1954 to extend the time within which certain ministers may file applications for exemption from the tax on self-employment income; to the Committee on Ways and Means.

By Mr. STRATTON (for himself and Mr. MCCORMACK):

H.R. 15813. A bill to amend the Social Security Act to increase benefits and improve eligibility and computation methods under the OASDI program, to make improvements in the medicare, medicaid, and maternal and child health programs with emphasis on improvements in their operating effectiveness, and for other purposes; to the Committee on Ways and Means.

By Mr. WHITEHURST:

H.R. 15814. A bill to amend the Small Business Investment Act of 1958 (Public Law 85-699) to establish a new industrial loan guarantee program, a reinsurance program, and for other purposes; to the Committee on Banking and Currency.

By Mr. FISH:

H.R. 15815. A bill to amend the Internal Revenue Code of 1954 to provide for payment under section 6421 or credit under section 39 for gasoline used to operate concrete mixers and to provide for exemption under section 4041 for diesel fuel and special motor fuels used to operate concrete mixers; to the Committee on Ways and Means.

By Mr. DIGGS (for himself, Mrs. ABZUG, Mr. BEGICH, Mr. DOW, Mr. HARRINGTON, Mr. HELSTOSKI, Mr. REID, and Mr. WOLFF):

H.J. Res. 1244. Joint resolution to protect U.S. domestic and foreign policy interests by making fair employment practices in the South African enterprises of U.S. firms a criteria for eligibility for Government contracts; to the Committee on the Judiciary.

By Mr. DRINAN:

H.J. Res. 1245, Joint resolution to make all citizens of the United States eligible for the office of President; to the Committee on the Judiciary.

By Mr. LEGGETT (for himself, Mr. BELL, Mr. BRADEMAS, Mr. COUGHLIN, Mr. ESCH, Mr. FISH, Mr. RANGEL, Mr. SCOTT, Mr. STOKES, and Mr. ANDERSON of Illinois):

H.J. Res. 1246. Joint resolution authorizing the President to designate the calendar month of September 1972 as "National Voter Registration Month"; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.J. Res. 1247. Joint resolution proposing an amendment to the Constitution of the United States to authorize Congress, by two-thirds vote of both Houses, to override decisions of the Supreme Court; to the Committee on the Judiciary.

By Mr. SEIBERLING (for himself, Mr. DELLENBACK, Mr. MITCHELL, Mr. BADILLO, Mr. MAZZOLI, Mr. BENNETT, Mr. REES, Mr. HELSTOSKI, Mr. GIBBONS, Mr. DOW, Mr. HORTON, Mr STOKES, and Mrs. ABZUG):

H.J. Res. 1248. Joint resolution authorizing the President to call an international conference to study the problems with respect to the development and use of supersonic aircraft; to the Committee on Interstate and Foreign Commerce.

By Mr. WYMAN (for himself, Mr. RHODES, Mr. MCCLURE, Mr. ARCHER, Mr. YOUNG of Florida, Mr. MCCOLLISTER, Mr. WINN, Mr. SEBELIUS, Mr. SCHERLE, Mr. GROSS, Mr. ASHBROOK, Mr. SANDMAN, Mr. FUQUA, Mr. KING, Mr. CRANE, Mr. ROUSSELOT, Mr. EDWARDS of Alabama, and Mr. CLEVELAND):

H.J. Res. 1249. Joint resolution proposing an amendment to the Constitution to permit the imposition and carrying out of the death penalty in certain cases; to the Committee on the Judiciary.

By Mr. DELLENBACK (for himself, Mr. PURCELL, Mr. YATRON, Mr. MCCLURE, Mr. BELL, Mr. BARING, Mr. MANN, Mr. COUGHLIN, Mr. ROBISON of New York, and Mr. FREY):

H. Con. Res. 640. Concurrent resolution calling upon all parties to the 1949 Geneva Convention Relative to the Treatment of Prisoners of War to insure respect for that convention by persuading North Vietnam to fulfill its obligations under the convention; to the Committee on Foreign Affairs.

By Mr. WOLFF (for himself, Mr. MILLS of Arkansas, and Mr. MORGAN):

H. Con. Res. 641. Concurrent resolution to collect overdue debts; to the Committee on Ways and Means.

By Mr. BIESTER (for himself, Mr. FRENZEL, Mr. MIKVA, Mrs. ABZUG, Mr. ANDERSON of Illinois, Mr. BADILLO, Mr. BRASCO, Mr. BUCHANAN, Mr. COLLINS of Illinois, Mr. CONOVER, Mr. CORMAN, Mr. COUGHLIN, Mr. DELLENBACK, Mr. DENHOLM, Mr. DRINAN, Mr. DUNCAN, Mr. ESCH, Mr. EILBERG, Mr. ESHLEMAN, Mr. FISH, Mr. FORSYTHE, Mr. FRASER, Mr. HALPERN, Mr. HANSEN of Idaho, and Mr. HARRINGTON):

H. Res. 1033. Resolution authorizing employment of senior citizen interns for Members of the House of Representatives; to the Committee on House Administration.

By Mr. BIESTER (for himself, Mr. FRENZEL, Mr. MIKVA, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Mrs. HICKS of Massachusetts, Mr. HORTON, Mr. MAZZOLI, Mr. METCALFE, Mr. MILLS of Maryland, Mr. MITCHELL, Mr. MURPHY of New York, Mr. PEYSER, Mr. RHODES, Mr. ROE, Mr. ROY, Mr. SARBANES, Mr. SCHEUER, and Mr. YOUNG of Florida:

H. Res. 1034. Resolution authorizing employment of senior citizen interns for Members of the House of Representatives; to the Committee on House Administration.

By Mr. FRASER (for himself, Mr. BINGHAM, Mr. WHALEN, Mr. DANIELSON, Mr. YATES, Mr. KARTH, Mr. OBEY, Mr. GIBBONS, Mr. ROONEY of Pennsylvania, Mr. MINISH, Mr. ADDABBO, Mrs. GRASSO, Mr. SCHWENGEL, Mr. MAZZOLI, Mr. GUDE, Mr. VANIK, and Mr. HOWARD):

H. Res. 1035. Resolution calling on the President to propose an expansion of the nuclear test ban treaty to include underground testing; to the Committee on Foreign Affairs.

By Mr. HARRINGTON:

H. Res. 1036. Resolution creating a Select Committee on Children to conduct an investigation and study of social conditions adversely affecting the development of children; to the Committee on Rules.

By Mr. MARTIN (for himself and Mr. WIDNALL):

H. Res. 1037. Resolution to authorize the Committee on Banking and Currency to conduct an investigation and study of prices of lumber and plywood; to the Committee on Rules.

By Mr. ROBINSON of Virginia:

H. Res. 1038. Resolution amending the rules of the House by adding rule XLV on House-authorized Federal budget; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

402. The SPEAKER presented a memorial of the Legislature of the State of Vermont, relative to the issuance of a postage stamp commemorating the centennial of the birth of Calvin Coolidge; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BURLESON of Texas:

H.R. 15816. A bill for the relief of Jessie O. Alagood; to the Committee on the Judiciary.

By Mr. DRINAN:

H.R. 15817. A bill for the relief of Kevin Patrick Saunders; to the Committee on the Judiciary.

H.R. 15818. A bill for the relief of Serkis Hallocoglu; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 15819. A bill for the relief of Mr. and Mrs. Jeong Ho Cho and minor children; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 15820. A bill for the relief of An-Li Huang, also known as Andrew E. Wee; to the Committee on the Judiciary.

By Mr. SPENCE:

H.R. 15821. A bill for the relief of Sukhdev Singh Guram; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 15822. A bill for the relief of Miss Aldegunda Togonon Juaman; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

IN MEMORIAM TO A GREAT AMERICAN AND DISTINGUISHED STATESMAN, THE HONORABLE GORDON CANFIELD

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 28, 1972

Mr. ROE. Mr. Speaker, I am deeply saddened and grieved by the death of a very dear personal friend, our most distinguished statesman and former Congressman from my congressional district of New Jersey, the Honorable Gordon Canfield. Only 2 days before his being called to his eternal reward I had the great honor and privilege to enjoy, as always, a most refreshing and stimulating discussion with Gordon when we both shared the dais at the annual Zonta Club luncheon.

Mr. Speaker, I wish to join with our colleagues here in the Congress in loving memory of a great American. My sincerest condolences are extended to his wife, the former Dorothy E. Greenwell of Washington, D.C.; two sons, Carl, Paterson teacher and member of the Paterson Park Commission, and Army Maj. Allan Canfield of Annandale, Va.; a brother Charles H. of Nashua, N.H.; two sisters, Mrs. W. P. (Ruth) Tolley of Syracuse, N.Y.; and Mrs. William (Floris) Billings of Cleveland Heights, Ohio, and five granddaughters.

The richness of his wisdom, the quality of his leadership and his exemplary record of achievements during three decades as a prestigious guardian of our Nation's Constitution and our people here in the House of Representatives are lastingly etched in the annals of the historic journal of the Congress of the United States. Few people in this area have been so well-loved by the people. Gordon Canfield was one of those rare personalities whose presence was felt when he entered a room. He has always been an inspiration to me.

Mr. Canfield was born in Salamanca, N.Y., son of the late Carl A. and Florence Canfield. After graduating from high school he enlisted in the Signal Corps and served with the Regular Army in World War I. He was a distinguished newspaper correspondent in Passaic, N.J., and New York State. In the early 1920's he was on the news staff of the old Passaic Daily News.

Mr. Canfield first came to our Nation's Capital in 1923 as secretary to the late Congressman Seger of Passaic, N.J., and was elected to succeed him in Congress in 1941. He received his exemplary knowledge of the law at the New Jersey Law School in Newark and George Washington University Law School, Washington, D.C., LLB., 1926. His congressional career was highlighted by his service on the House Appropriations Committee, serving as chairman of the Subcommittee on Treasury-Post Office Appropriations during the period when Republicans controlled the House, and as ranking minority member under the Democrats.

During World War II he served during the congressional recess in 1944 as a seaman on North Atlantic tanker duty, U.S. merchant marine in his quest to learn about war conditions firsthand. In the same spirit, he traveled to the Buchenwald concentration camp in Germany and to the cities of Hiroshima and Nagasaki, Japan, which had been devastated by the atomic bomb, immediately after the war. He also visited the front lines during the Korean conflict.

Mr. Canfield was one of our most distinguished Members of Congress. He was noted for his efforts to help people and he took a personal interest in the needs of his constituents. Over 1,000 people turned out at a 1960 dinner honoring him on his retirement from Congress.

In 1963, in his continuing efforts to be of assistance in responding to the needs of our people and pursue an active role in civic endeavors, he joined the First National Bank of Passaic County as community relations director, a post he held until his passing.

Mr. Speaker, I too, participated with you and many of our colleagues in the testimonial recently held in our Nation's Capitol when he received the highly coveted U.S. Coast Guard Distinguished Public Service Award. As I reflected then, the warmth of his friendship, his impeccable ethics, his compassion for others, his untiring and unselfish efforts for over a half century on behalf of his fellow man were all manifested in his lifetime of distinguished public service to the people of our community, State, and Nation.

We share the sorrow in the heart of his beloved wife, Dorothy, and his good family and pray that they will soon find abiding comfort in the faith that God has given them and in the knowledge that the Honorable Gordon Canfield is now under His eternal care. May he rest in peace.

KENNETH FRY SEEKS A DUAL APPROACH TO URBAN PROBLEMS

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 26, 1972

Mr. REUSS. Mr. Speaker, Kenneth Fry, Milwaukee's director of city development, examined the scope of urban problems in a talk to the community's financial and industrial leaders June 15 at the Plankinton Hotel. He properly stressed that local, regional, State, and Federal efforts must be coordinated and strengthened for our cities' sake. His remarks follow:

REMARKS BY KENNETH FRY

These are strange times in urban America. The chief of all urban development, George Romney, says urban renewal is a failure. He has also said public housing is a mess—also that there can be no solution to the so-called urban problem without dealing with what he calls the "real city", by which he means the natural economic area, usually a region. Romney is saying it will cost about $3